# A Collection of all the Statutes, from the beginning of Magna Charta, vnto this preſent yeare of our Lord God 1579. newlye augmented, and diligentlie peruſed,

Whereunto are added two verie neceſſarie Tables. The one declaringe by order of Alphabet, all the ſeuerall Titles, with the ſpeciall and moſt neceſſarie matters contayned therein. Whereby Iuſtices of peace, Coroners, Eſchetors, Maiors, Shirffes, Bayliffes, Conſtables, &c. and all other her hyghnes ſubiectes, ſhall (vnder their apt Titles in the ſame Table) finde what, and wherewyth they are charged by any manner of Statute.

*In the other Table being at thend of this Booke,* are ſet downe the ſeuerall times of the Parliaments, wyth the Titles at large, of euery the Statutes made therein, whereby the Reader may eaſilie finde, what Statute it ſhall pleaſe him to ſeeke for, after the verie ſame order, which in the ſtandyng Volumes of Statutes at large is vſed.

Anno Domini.
1579.

# William Rastall

## Sergeaunt at Law, to the gentle Reader.

Ere haue ye (gentle Readers) a Collection of all the Statutes of Englande (from the beginninge of Magna Charta, vnto this yeare of our Lord God 1579) which were before thys yere imprinted, and which be now in force and effect.

All the printed Statutes expired or repealed, or concerning priuat persons, or some priuat places, I haue left out of this worke, sauing that of them I haue made in their apt titles (as I thinke) a briefe remembrance.

The residue of all the Statutes imprinted haue I put in this worke (as I suppose) in their apt titles woord for woord, as they be in the great Statutes: onely leauing out, as well certeine superfluous woordes, as also the most part of the preambles, for that I feared, that if I should haue put in all the preambles, this booke would haue growen so bigge and so thicke, that it would not haue bene conteyned in this volume. Neuertheles I haue (I trust) put in those preambles, without which the body of the Statutes cannot be well perceyued.

But yet trust not, that all the Statues that I haue put at large in this booke, do stande in force, for percase some of them be repealed by other statutes made after, by special or general woords which for lacke of leasure I could not thoroughly consider. I haue noted in the Margent of euery statute certeine woordes, and that for three causes.

The first, for that, that many of the statutes be long, and contayne many seuerall matters, of which percase ye would many times gladly, shortly finde out some one (without tediousnes, or spending of the time in reading ouer the whole statute) therefore by perusing the woordes in the Margent, ye may quickelie conceyue, what matters be in that statute, whereby ye may readelie finde out, the matter that ye would read of in that statute.

The ſecond cauſe is, that the wordes in the Margent well conſidered, ſhall ſtande you in as good ſteede, as ſhould a ſpeciall Calender.

The third cauſe is, becauſe that many Statutes conteine diuers matters, that neceſſarylie were to be put in diuers ſeuerall Titles apt for thoſe ſeuerall matters, and ſo ſhould dyuers matters aptly be put in this booke twiſe or thriſe, or percaſe in mo places in their dyuers apt Titles, were it not that then this booke would haue bene to bigge, therefore the woordes in the Margent, do ſhortlie ſhewe you thoſe ſeuerall matters apt for other Tytles.

Note that the woordes in the ſmale letter within the Parentheſes ( ) be not the woordes of the Statute, but my woordes planted in there, for the better vnderſtanding of the Statute.

And although I haue put the Statutes here at large, yet will I aduiſe euery ſuch of you, as ſhall haue any matter of importance, concerning any Statute in this booke, not to truſt altogether to this booke: But read you ouer diligently the Act wyth the Preamble thereof, in the great booke of Statutes, out of which I tooke this. This aduiſe I geue you for two cauſes. The one, for that, that reading the Preamble with the Statute, yt ſhall many times geue you much light for the true vnderſtanding of the Statute: where if yee read the Statute in this booke without the Preamble the vnderſtanding of the Statute may be to you oft time confuſed. The other cauſe is, for that, that perhaps diuers faults be eſcaped in this woorke, ſome for lacke of diligence of the Printer, and ſome by my default, for lacke of leyſure to conſider, and aduiſedly to peruſe and ouerſee thys woorke after I had finiſhed it.

Note alſo that in thende of euery referment of the two Tables you ſhall finde two letters A. and B. which ſignifie the firſt and ſeconde pages of the leafe.

*Vale.*

# ¶A Table for the ready finding of euery seuerall Title contayned in this Volumne, whereunto are added Refermentes to the most necessarie matters through the whole Booke, semyng to euery of the sayd Titles.


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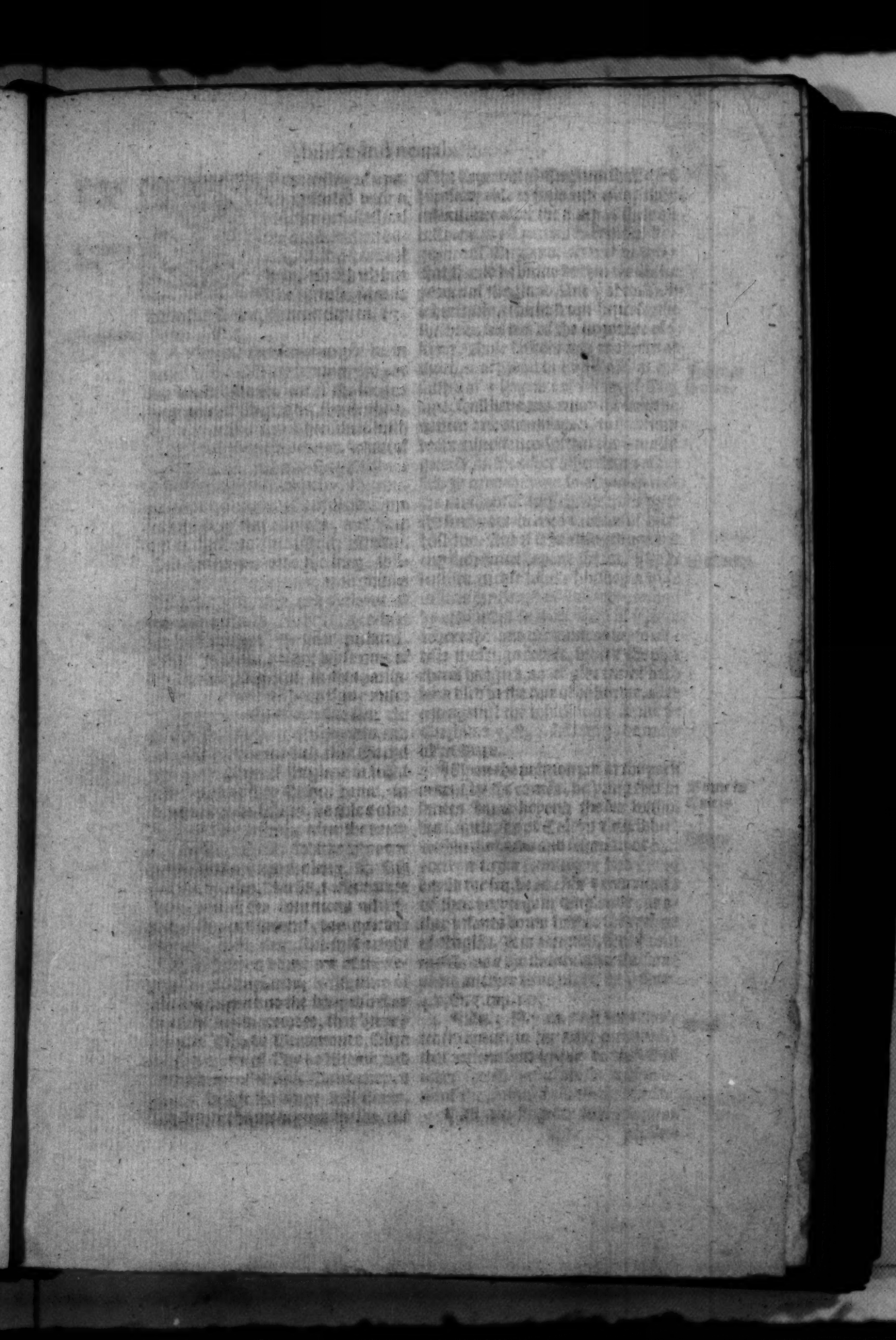

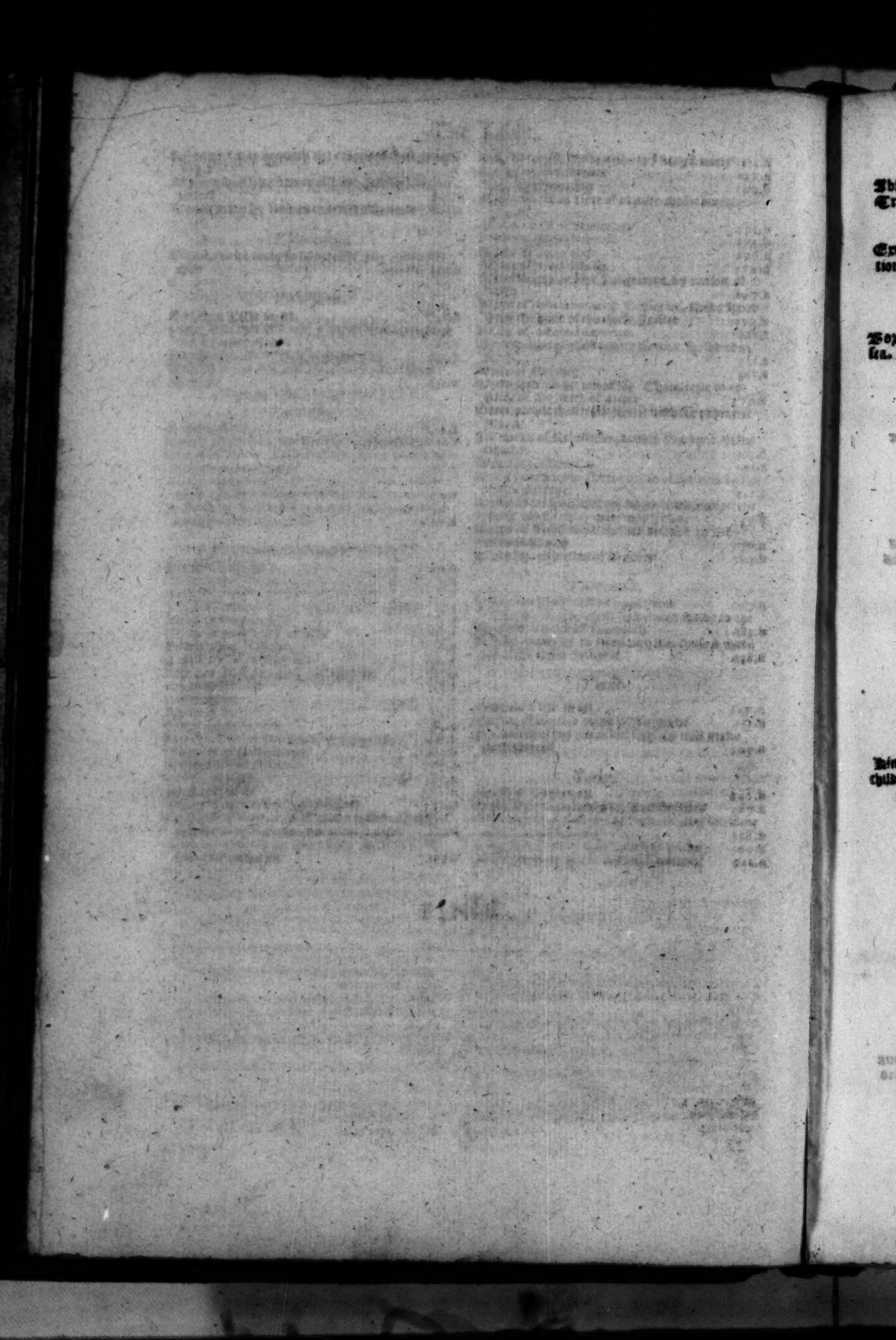

Abilitie Trial

Examina-tion

IF the ability of a person presented vnto a benefice ecclesiall tial the examination belongeth to a spiritual Judg, & so it hath ben vsed hertofore and so hereafter shalbe, Articuli cleri ca. 13. Anno. 9. E. 2.

Borne ouer sea.

2 ¶ Because that some people be in doubt of the children borne in the parties beyond the sea out of the kinges lyegeance of England, shoulde be able to demaund any inheritance within the same liegeance or not, wherof a petition was put into the parliament late holden at westminster, the xviij. yeare of the reigne of our souereigne lord the king that nowe is, and was not at the same time wholly assented. Our souereigne lorde the king, willinge that all doubts and ambiguities should be put away, and the lawe in this case declared, and put in a certaintie, hath charged the saide prelates, Earls, Barons, & other wyse men of his councell assembled in this parliament, to deliberate vpon this pointe: which of one assent haue said that the lawe of the crowne of England is, and alwayes hath beene such, that the children of the kings of England in what soeuer parties they shalbee borne, in England or els where, be able & owe to beare thinheritance after the death of their auncestors: which lawe our said souereigne lord the king, the said prelats, Earles, Barons, & other great men, and all the commons assembled in this parliament, doe approue and affirme for euer. And in the right of other children borne out of the liegeance of Englande, in the time of our souereigne lord the king also they be of one mynd accorded, that Henry sonne of John de Beaumonde, Elizabeth, daughter of Guy de Braine, and Giles sonne of Raufe Dawbeney, & others which the kinge will name, which were borne beyond the sea, out of the liegeance of England shalbe frō hēceforth able to haue and enioy their inheritance after the death of their auncestours, in all parties within the liegeance of England, as wel as those that should be borne within the saide liegeance of England. And þ al children inheritable, which from hencefoorth shalbe borne out of the liegeance of þ kyng, whose fathers and mothers at the time of the birth be & shalbe at the faith & of þ liegeance of þ king of England, shall haue and enioy the same benefites and auauntages, to haue and beare inheritance within the same liegeance, as the other inheritours aforesaid in time to come, so alwayes that the mothers of such children doe passe the seas by the licence & willes of their husbāds. And if it be alleaged against any such borne beyond the sea, þ he is bastard, in case where þ bishop ought to haue conisans of bastardy, it shall be cōmanded to the bishop of þ place where the land demaunded is, to certifie the kings courte, where the plea therof hangeth, as of olde times hath ben vsed in the case of bastardie, alleged against thē which were borne in Englād. 25, E, 3. Statut 2. de natis vltra Mare.

Inherite heires.

Bastardy

Kings children

Borne in Calais

Heires

3 ¶ Vpon the petition put in the parliament by the comēs, desyring that infantes borne beyond the sea within the seigniories of Caleys & els where within the lands and seigniories that perteyn to our souereigne lord þ king beyōd the sea, be as able & inheritable of their heritage in Englande, as other infants borne within the realme of Englād, It is accorded, that þ common lawe & the statute vpon the same point another time made, be holden. 42, E. 3. cap. 10;

Vses

4 ¶ An. 3. H. 7. ca. 15. it was enacted (to endure to the next parliamēt) that actions sued by any to the vse of other should not abate for nonabilitie of the plaintifs or demaundents.

Religious

5 ¶ All and singuler such religious

All persons

persons, aswell mē as women profes-
sed, of what order, rule or habit soeuer
they were, which be, or hereafter shal
Liberties be put at their liberties from the dan-
ger seruitude, & condicion of their reli-
gion and profession whereunto they
were professed, by reason of suppres-
sion, dissoluing, forfaiture by attain-
dor, rendring, or otherwise geuinge
vp to the handes of the kinges maie-
stye or anye other, the same monas-
teries, abbeys, priories, or other re-
ligious houses or places wherein the
same religious persons were profes-
sed, shall by auctority of this present
parliament, from and after the first
day of the same parliament, and frō
and after the tyme that they were or
Purchase shalbee put at suche libertie, haue free
libertie to purchase to them and their
heires in fee simple, fee taile for term
of life for yeares, or at will, manours,
landes, tenements, rentes, annuities
and other hereditamentes and things
whatsoeuer they bee in like manner
and forme, as thoughe they or any of
them had neuer bene professed nor en
tred into any such religion. And fur-
thermore, that they the same religi-
ous persons and euery of them shalbe
made able by auctority of this present
act to sue & to be sued in al maner of ac
cions, plaints & suits whatsoeuer they
be, of & for any matter or cause grow-
en sithēs & after the time of their seuerall
deraignments or departing out of their
religion, in al courts & places within this
realme, as other the kigs subiectes be.
Enioy And furthermore the they and euery of
them, shal & may from henceforth, vse
& exercise, receiue take, haue & enioy,
Growen after &c. al & euery lawfull thing & thinges, to
be growen, fal or happened to them or
any of thē, after the said deraignement
or departing out of their religion in as
large & ample maner, forme & condici
on, as if they had neuer bene professed
nor entred into religion the same pro
fession or religion or any lawe, custōe
or vse within this realme to the con-
trary therof in any wise notwithstā-
ding. Prouided &c. the none of the same
religious persons, shal or may at any
time hereafter, be taken demed or iud
ged for or as heire or heires or inheri-
table to any person or persons, to any
purpose, respect, construccion or intēt
in the lawe: nor that they nor anye of
thē by vertue of this acte, be receiued
admitted or demed able in the lawe
to demaund, challenge, recouer or take
any manours, landes tenemēts, or he-
reditamentes, or anye other thing or
things by reason of or for any former Former title
title, right, interest, matter or cause,
had, made done or growen to any re-
spect or purpose, before their said seue-
rall deraignements or departinges out
of their religion. Prouided that any of the
said religious persons being priestes, Priestes religious
or such as haue auowed religion at ri
peres or aboue, and thereto them con
sented, continuing in the same anye
while after, not duely proued by wit
nesse or other lawfull meanes, some
vnlawfull cohercyon or compulsyon
done to them or any of them for ma-
king of any such vowe, or constray-
ninge them to remayne in theire re- Vowe
ligion, bee enabled by vertue of any
wordes, clause or sentence before in
this act expressed, to marye or take a- Marye
ny wife or wiues, but that they and
euery of them be clerely excluded and
put from the same to al entents and
purposes: any thing before in this act
contained to the contrary hereof in
any wise not withstanding, an. 31. H
8. ca. 6.

6 ¶ See S. Johns, that they of
that religion were enabled as other
religious persons, 32. H. 8. ca. 24.

7 ¶ The said acte of parliament
aboue remembred, made in the sayde
31. yere (s. ca. 6 before 5.) shal extēd
as well to all such persons which bee
liuing that were religious persons Religious translated
in any of the said houses which were
so translated and transposed from
one corporation into another which at

any

any time was professed or were religious persons in any of the said houses within this realme of Englande. And that they and euery of them frō the time of their saide seuerall deraine ment and discharge of their said profes sions and religions, shalbe in like qua litie, estate condition and degree, and also shall take haue and enioy lyke be nefite, commoditie profite and auaun tage, and with like proulso onely and not otherwise to euery entent and in euerye thinge, as any other religious person or persons may and shall haue take and enioy by vertue of the sayd former act aboue remēbred (s. an. 31. H. 8. ca. 6. before. 5) the same profes sion or religion, or any custome or vse to the contrarye thereof in any wise notwithstanding. An. 33. H. 8. ca. 29.

Discharge

8 ¶All and euery of the same late religious and professed person and per sons, shal & may, by authoritie of this acte, be enabled to all ententes, con structions and purposes, at all tyme and times hereafter, to be taken, dee med & iudged as heire or heirs, & inhe ritable to all & euery their auncestor or auncesters, and to haue, challenge, or enioy, recouer & take al manors, land, tenementes & hereditamēts, & euery other thing & things, to thē or any of thē fallen, come, growen or descēded from any their auncesters, by any ma ner of wayes, since ỳ time of their se uerall dereinments, or departing oute of their religion, in as ample & large maner, sourme & condition, as they had, neuer bene professed nor entred in to religion, ỳ same profession or religion or any law custom or vse within this re alme, to ỳ cōtrary therof in any wise notwithstanding. Prouyded &c. that non of ỳ said religious persōs, shal or may by vertue of this act at any time here after, bee taken, deemed or iudged for heire or heires or enheritable to anye person or persones, to any construc tion or entent in the lawe, by reason of any former right, title, interest, matter, or cause hadde, made, done, descended, or growen to any respecte or purpose before their said seuerall de rainmentes or departyng out of their religion, any thing before in this acte, or in ỳ said former act, contained to ỳ contrary herof in any wise not wtstan ding. An. 5, E. 6. ca. 13.

Religious

Heire

Custome

9 ¶An. 33. H. 8. cap. 25. an act was made, whereby the children borne be yond the sea of Points Castling and Dimoke of London, were made the kings subiects, & able to enherite and to purchase landes and to sue as Eng lishmen.

Heires Englishmē

## ¶Abiuration.

When a robber murderer or other euil doer shal fly vnto any church vpon his confession of felony, the coro ner shall cause an abiuration to bee made thus, let the felon be brought to ỳ church doore & there shalbee assigned vnto him a port nere or farre, and a time shalbe apointed to him to go out of the realme, so that in goinge to wards ỳ port he carry a cārē crosse in his hand, neither shall hee goe out of ỳ kings high way neither on ỳ right hand nor on ỳ left, but he shall keepe it always until he shal go out of ỳ lād, & he shal not returne without speciall li nor of our lord ỳ king, the treuise of th office of the Coroner I cannot fin but only in thabridgment of statuts Sée here folowing. 5.

C

2 ¶This thou herest Sir Coroner ỳ I. S. of H. am a robber or of any other beast, or a murderer of one or of mo & a felō of our lord ỳ kīg of englād and because I have done manye such euelles or robberies in his land I doe abiure the lande of our Lord Edward king of England, and I must hast me to wa. des the port of suche a place which thou hast geuen me and that I must not goe out of the high waye, and if I do, I wil that I bee taken as a robber and felone of our Lorde the

Saturday

Highwaye

king, and that at such a place I will diligently seke for passage, and I will tary there but one flud and ebe and yf I can haue passage, and tides I came haue it in suche space I will goe euerye day into the sea vp to my knees allayinge to passe ouer, and vnlesse I came doe this within xl. dayes. I will put my selfe agayne into the churche as a robber & a fellon of our Lord the kyng so God me helpe and his holye iudgment &c. the treatise of ỹ abiuration of robbers. See here folowing 5.

40. dayes

3 ¶ They that abiure the realme, so long as they be in ỹ cõmon way, shal be in the kings peace, nor shalbe disturbed of any man, & whẽ they be in the church their keepers ought not to abide in the church yard except necessitie or peril of escape do require so. And so longe as they be in the church, they shal not be compelled to auoide, but ỹ they shall haue necessaries for their liuing, and may go forth to emptye their belly. Articuli cleri cap. 10. An. 9, E. 2.

way

Sanctuary

4 ¶ If any person take sanctuary in any churche, churchyard, or other holy place, for felony or murder, where he ought by the laws and customes of this realme to haue his abiuration for ỹ same, that then the same felon or murderer, shal take his abiuration & passage out of the sãe church, church yarde, or other holy place, at such day and time as shalbe limitted to him by ỹ coroner of the shyre or place, where in he taketh such sanctuary, & that the coroner immediatly after his confession, & before his abiuration, shal cause euery such felõ or murderer to be marked with an hot yron vpon ỹ brawne of the thũbe of the ryght hande with the signe of an A. to thentent he may be ỹ better knowen among the kings subiects, that he was abiured, and thã to giue him his abiuration, and to bee vsed in al other things as hath ben accustomed. And ỹ al mayres, bailifes & constables, shalbe attendant at ỹ com

Sanctuary
Church
Felony

Coroner.

Marke

Maiors
Bailifes

maundemẽt of the coroner for the due execution thereof, as they will answere at their perils to the kinges highnes for the same. And if any felone or murderer that ought to haue any such abiuration, refuse to take hys passage out of the saide sanctuarye at such time as shalbe limitted to him by the said coroner: that then the said felon or murderer so refusing, shall lose the benefit of the same sanctuarye, & be takẽ out of the same, & committed to prison, and further, to be ordered for his offence after his merites, without any restitution to sanctuarye for the same. An. 21. H. 8. cap. 2. This act is altered in some parte by An. 22 H. 8. cap. 14. as here next folowing 5. appeareth.

Refuse

Sanctuary

5 ¶ If any person hereafter fly or resort to any parish church, cemitary or other like halowed place, for tuicion of his lyfe, by occasion of anye murder, robberye, or other felonye by the same person committed, and thereupon confesse anye murder, felonye, or other offence before the coroner, wherefore the same person by the lawes of thys realme heretofore vsed, should abiure and passe out of the same, the same person thereupon shal abiure from al his libertye of this realme, and from his liberall and free habitations, reloytes and passages to and from the vnaterial places of thys realme, which appertaigne to the libertie of the kinges subiectes vndefamed, and shall forthwith bee directed by the coroner, taking and recordinge such abiuration, to any one sanctuarye being within this realme, whiche the same person will elect and chose, there to remaine as a sanctuarye person abiured during his naturall lyfe, and to be sworne afore the coroner vpon his abiuration so to doe, and to bee burned in the hande according to the statute in that case prouided. (s. 21 H. 8. ca. 2, before, 4) And euerye person so abiured shalbe directed and con

Church
Churchyard

Coroner

Sanctuary

Sworne

Burned.

ueied

ueied to the same sanctuary by hym
Constables chosen by the constables & other offi-
cers, & in euery behalfe ordered after
like maner & forme as he should haue
bene in case hee shoulde haue abiured
Murder this realme for any murder or felony
after the lawes of the lande. And if
after such abiuration any person so ab
Out iured come out of the same sanctuary
to the whiche he was assigned, & be ta
ken without the same sanctuary, not
Pardon Licence hauing the kings speciall pardon or
licence so to do, then euery such per-
son abiured, and after abiuration ta-
ken without sanctuary whereunto he
Pain of death was assigned, shall suffer suche lyke
paine of death and after like maner be
ordred as hee should haue done and
ben, in case hee had abiured this realm
for murder or felonye, and after such
abiuration had returned againe into
this realme contrarye to the lawes of
this lande &c. If any suche sanctuarye
person so abiured, or anye other perso
or persons whiche nowe bee or is, or
hereafter shall happen to bee in anye
sanctuarye of this realme, for doing a
Petye treaso Murder Accessary ny petye treason, murder or felonye,
or for being accessary to any such of-
fences: or if any person or persones,
which at any time hereafter shal take
Sanctuary any sanctuary of this realme for do-
ing any petye treason murder or felo-
ny, or for being accessary to any such
offeces, nowupon abiuration, & so being
in sanctuary for or vpon any such
cause matter or offence, afterward cō
Petye treaso Murder Felony mit or do any petye treason, murder or
felony wiin the sae sanctuary, or be ac
cessary to any such offences, or goe
out of the same sanctuary & commit
any petye treason murder or felony,
or be accessary to any such offences
and after come againe to the sae sanc-
tuary, or take any other sanctuary
for the same, euery such person and
persons being endicted for any of the
Forf. said caules or offeces shal lose the pri-
uilege of the same sanctuary by him ta
ken, & of euery other sanctuary with
in this realme for any such cause of
petye treason murder felony or abiu-
ration, and for any accessary to any
such offences. And that it shall be law
full to al and singuler iustices of peace Justice of p. Shirife
and the high shirife of the countye or
other place where the sanctuarye is
and to all and singuler maiers, shi- Maiors Bailifes
riffes and bailifes of cities and townes
corporat, where such sanctuary is, &
to euery of them, and to the seruants
ministers and officers, or any of euc-
ry of the same iustices of peace, shirifs
maiers and baylifes in their presence
to take out of the same sanctuary or
sanctuaries, all and euery such sanctu-
arie person or persons so offending, as
is aforesaid, and being endicted of the
same, and to commit or put him or the
into the kinges gaole within the shire
or liberty where any suche indictmēt Indictmēt
is found against any such person safe-
ly to be kept till they shalbe of the sāe
petye treason, murder or felony or of
the accessary to any such offences,
whereof they shal happen to be endic-
ted conuicted, atteinted or discharged
by the lawe. And if any person or per
sons which shalbe endicted of any pe-
ty treason, murder, or felony or of a-
ny accessary to any such offence, hap
pen hereafter to be taken out of any
sanctuary for the same by auctoritye
of this statute, and vpon his or their
arrainment plede sanctuary according Arrainmēt
to the order of the lawe: then it is enac
ted by thauctoritie aforesaid, that as
well the kinges attorney as euery o-
ther person for the king, shalbe admit Kinges at-
torney
ted to obiect and allege, that the perso
so arrained afore the doing of the of-
fence or offences, whereof hee than is
arraigned, did take priuilege of sanctu
ary in the same sanctuary, whereof
hee allegeth him to bee taken out, or
in anye other place priuileged within
this realme vpon any abiuration or
for any other petye treason, mur-
der or felony, then whereof hee is ar
rained, and that he ther had and enioy

ed priuilege of sanctuary for the same, and that he so hauing once priuilege of sanctuarye in the same, did committe the offence of petye treason, murder or felony, wherof he thã is arraigned, Or that hee went out of the said sanctuarye, and committed the same offence, wherof he is endicted, and arrained, and praye that such person so arrained may bee excluded of restitucõ to ỳ sanctuary by him demaũded, And in case the saide plee and obiection so alleged, be denied by the person so arrained, than it is further enacted by ỳ auctority afforesaid, that it shal be forthwith tryed afore the same iustices, where suche person is so arrained, and by the same iurors of the same county, that shall trye the petye treason, murder, or felonye whereof hee is arraigned, without further delay, in whatsoeuer county or countries place or places of this realme, the sãe other taking of sanctuarye shalbe alleged or obiected to bee don or had, and if the plee so obiected against the sayd person arrayned, be tried against him by verdit of xij. men, or by his owne confession, and also it bee founde by verdicte of xii. men, or by his owne confession according to the order of the lawe, that hee is guilty of the petye treason, murder or felonye, or of any accessary to anye suche offence wherof he is so arraigned, ỳ then like iudgment & execution shalbee geuen & don vpon euery such person as though he had be no sanctuary person nor had claimed or required ỳ priuelege of the sãe. And if any such person beiawfully acquited of ỳ pety treasõ, murder or felony, wherof he shal be so endicted & arrained, than he shall be restored to the same sanctuarye, out of the which he was taken, ther to haue the priuilege of the same in like maner as he had before. Prouided alway ỳ if any person being or abiding in any sanctuary, as a sanctuarye person hereafter shall happe to bee endicted for any maner of felony supposed to bee committed by him or her going out of the same or any other sanctuary, and committing the same felony while that he or shee so was a sanctuary person, he or shee being endicted of any such felony supposed to be don without the sanctuary shal not be takẽ out of ỳ sanctuary, wherein the same person shal then be resident before ỳ he or she be examined therof by two of the kinges most honorable counsell, or by iiij. Iustices of peace of ỳ shire wher the sanctuary is wherin ỳ person so endicted is resident. And if ỳ same person so endicted wõin iiij. days after ỳ first examinacion do make such proue as the said examiners by their discretions shal think sufficient, that the same person was in ỳ sanctuary at the time of the said felony committed: than he or shee making such proue, shalbee suffred to remaine & be in the same sanctuary wõout any extraction from ỳ sãe, ỳ said indictment or any thing in this act aboue written notwithstãding. Prouided also that if any person, whiche was at any time a sanctuary person for any petye treason, murder or felony, obtaine & haue ỳ kings pardon, & therby or otherwise be at large & out of sanctuary discharged or purged of ỳ offẽce or cause wherfore the sãe person tooke sanctuary, & afterward do commit other petty treason, felony or mãslaughter by chance medly, & not murder of malyce prepensed, & thereupon againe take sanctuary for any such petty treason, felony or manslaughter by chãce medly, ỳ sãe person shal haue & enioy ỳ priuileg of sanctuary for ỳ his or her other offẽce of petty treason felony or mãslaughter by chãce medly, as ỳ sãe person mought haue had before ỳ making of this act any thing in the same act conteined notwithstãding. And ouer this for more spedy tryals of murders & felonies: be it &c. that al maner of forreyn plees tryable by ỳ countrey hereafter to be pleded by any person or persons

Iustices

Verdict
Confession

Accessarie

Judgemẽt

Acquited

Kings cõsel.

4. dayes
Proofe
Examines

Extraccion

Sanctuary person
Petty treasõ
Murder
Felony
Pardon

Mãslaughter
Chaunce medley

Forein plees

Indictmēt

Trial

Jurrors

County

Peremptorie challenge Twenty

Priuiledge

Priuiledge

Customes

Insurrection

Warre

sons arrained vpō any endictemēt for
any pety treason, murder or felony
shalbe forthwō tryed before ỳ sāe iustices, afore whom such persons shalbee arraigned, & by the sāe iurrours of the sāe county that shal try ỳ pety treasō murder or felony, wherof he shal so be arraigned, wout any further respecte or delay in whatsoeuer county or coūtie ties, place or places of this realme the matter of the sāe plees be supposed or alleged. And ỳ no person arrained for any pety treason murder or felony be from henceforth admitted to any peremptory challeng aboue the nūber of xx. This act to endure to the ende of next parliament. Prouided alway ỳ no person or persons be hereafter preiudged or in any wise hurted to haue & enioy any priuilege of sanctuary for any offence or offences, being of any high er nature in the law thē the offences causes specified in this act be, but that euery person & persons for such offences of higher nature may haue & enioy ỳ priuilege of sanctuary, in as frē & like maner & after such forme, as they mought haue done by the lawes & customes of this realme afore ỳ making of this act, any thing in this act to the ned contrary notwithstāding. An. 22. H. 8. ca. 14. And after an. 28. H. 8. ca. 1. this act is continued to the last day of the nert parliament, and after Anno 32. H. 8. ca. 3. it is made perpetuall.

¶ *Accion populer.*

IF any person or persons hereafter sue wō good faith any accion populer or endictment vpon the statute of Winchester, or vpon the statute made in the xxv. yere of the reign of ỳ late king of noble memorie kyng Henry the viij. of Forcible entries, or vpon the statute made in the viij. yere of the reign of ỳ said late kyng Henry the viij. of Riottes, Routes, and vnlawfull assemblies, or vpon the statute made in the xv. yere of the reign of ỳ said late kyng Henry the viij. of Forestallers, Regrators, and Ingrossers of victuall, or vpon the statute made in the xxiij. yere of the reign of ỳ said late kyng Henry the viij. of Carriers, or vpon the statute made in the xxiij. yere of the reign of ỳ said late kyng Henry the viij. of Tanners

Couin

receiued to auerre any couine, in any accion populer where the point of the same accion, or els the couin or collusion haue beene once tried or lawfully found with the plaintife or plaintifes, or against them by trial of xij. men, & not other wise. An. 4. H. 7. ca. 20.

Collusion Tried

Penal statutes

2 ¶ An. 1. H. 8. ca. 4. an Act was made to endure to the next parliamẽt that in penall statutes the king should take the suit within three yeares and other persons within one yeare.

Suits

3 ¶ All and singuler such accions, suits, billes, endictments, or informations, as from the xx. day of the Moneth of November, the xij. yeare of our said soueraigne lords Raigne shal be cõmenced, taken, sued, had or made onely for any debt mouable goodes or cattels forfeited and lost, or to be forfeited or lost, whereto the king onely his heires or successors, and none other comen person, shall or may be entitled by reason of the said penal statutes or any of them, shalbee cõmenced, sued, taken or had within iiij. yers next after the offence or offences, forfaitur or forfaitures of or for the same had or made against the ordinance & prouision of any such act or acts, statut or statutes penal, & not after the sayd iiij. years. And that for any offence or forfeiture made or had, or to be made or had against the ordinance & prouision of any act or acts penal, made and ordeined, or to bee made and ordeyned, wherby accion, suit, bill, or information populer is or shalbe gaien to any person or persons, such as will sue for the king & for him or them selfe, or only for him or them selfe, that such accion, bill, suit, or information be commenced, sued, had and made by such person or persons, other then the king as wil sue in that behalf within one year next after the offece or forfeiture had, made, or committed against the ordinance and prouision of any such act or acts penall, and not after the said yeare ended. And that the kinges suit by writ, bill, plaint, endictment or information on that behalfe, be commenced, sued, had or made within ij. yeares next after the offence or forfaiture made or had against the prouision & ordinance of any act or actes, statut or statuts penal, & not after the said ij. years. And if any accion, suit, byll, indictment or information, concerning the forsaid statutes, or any of them, had or made, other wise than is in the time or times limited, as is aforesaid: that then the same accion, suit byl, indictment, and information, and euery of them commenced, sued, had, or made for the said offence or offeces forfaiture or forfaitures, shalbe voyd, & of no force ne effect, any act or acts statut or statuts made to the contrary notwithstanding. Prouided alway that where any accion, information, or endictments is limited by any statut to bee had, made, or taken, within shorter time or times, the (as is afore rehersed) that it be had, made, and taken according to the time limited in ẏ statut, An. 7. H. 8. ca. 3.

Kings suit

2. yeares

Indictment

Voyd

4 ¶ See of accion populer in euery title where part of the forfeiture is giuen to any that will sue.

Forf.

4. yeares Forf.

One yeare

## ¶ Accion vpon the Statut.

COncerning the statutes prouyded where the law faileth, and for remedies, least suitors comming to the Kinges Courte should depart from thence without remedy, they shal haue writtes prouided in their cases, Wil. 2. cap. 50. An. 13. E. 1.

Accion vpo the cas

## ¶ Accompt.

IT is prouided also, that if Bailifes, which ought to make accompt to their Lords, doe withdraw them selues, and haue no lands nor tenemẽts, wherby they may be distrained, then they shalbe attached by their bodyes, so that the Shirife in whose Bayliwicke they be found, shall cause them to

Bailifs

Attach

Shirife

to come to make their accompt, Parl bridge 23 An. 52. H. 3.

Bailifes Seruants Receyuors

2 ¶ Concerning seruants bayliffes, chamberlaynes, and al manner of receyuours, the which are accomptable, It is agreed and ordeined, that when the maisters of such seruants do assigne auditours to take theyr accompte and they be found in arrerages vppon theire accompte (all thinges allowed which ought to bee allowed) their bodies shalbe arrested, and by the testymony of the auditours of the same accompte shalbe sent vnto the nert gaile of the kinges in those parties, and shal bee receiued of the Sheryfe or gaylor, and imprisoned in yron and vnder saife custodie, and there shall remaine at their owne coste, vntill they haue satisfied their maister clerely of arrerages, Neuertheleſſe if any person beynge so committed to prison doe complaine, that the auditors of his accõpt haue greeued him vntruthly, chargynge him with receiptes that he hath not receyued, or not allowinge hym expences and delyueryes reasonable, and do finde freendes that wil vndertake to bring him before the Barons of the eschequer, hee shall bee bayled vnto them. And the Sheryffe (in whose prison hee is kepte) shall geeue knowledge vnto his maister, that hee appeare before the barons of the eschequer at a certaine daye with the rolles and tayles, by which hee made his accompte, and in the presence of ỹ barons or the auditours, that they shall assigne him the accompt, shall bee reherced, and iustice shall bee done to the parties, so that if he bee founde in arrerages, hee shall bee committed to the Fleete as aboue is sayde, And if hee flee & wil not geue accompt willingly as is contayned in other statutes, he shalbe distrained to come before the iustices to make his accompte, if hee haue wherof to bee distrained, & whẽ hee cõmeth to the court, auditors shal be assigned to take his accompt, before whom if he be found in arrerages and can not pay the arrerages forth with, he shal be committed to ỹ gaole to bee kept in forme aforesaid, And if he flee, and it be testified by ỹ sherife that he bee not found, exigentes shall go against him from countie to county, vntill he be outlawed, & such prisoner shal not bee repleuiable. And let ỹ sherif or gaylour take heede, it be with in a fraunchise or without, that hee do not suffer him to go at large by ỹ common writ called Replegiare, or otherwise vpon assent of his maister. And if he do and therof be conuict, he shalbe answerable to ỹ partie greeued of the damages done to him by such his seruant, after as it may be founde by the countre, and the maister shall haue his recouery by a writte of debt. And if the gaylour haue not wherewith he maye bee iustified, or wherewithal to paye hys superiour that committed the custodie of the gaile vnto him, shall bee answerable by the same writte. Wi. 2, Cap. 11. 13. E, 1.

Imprisonment Shirifs

Barons of ỹ eschequer

Rolles and tailes

Arrerages

Distraine

Arrerages

Exigent Outlawed

Replegiare

writ of debt

Gaoler

3 ¶ An. 2. H. 4. Ca. 24. It was enacted ỹ they ỹ had receiued money to go with the kings lieutenant might accompt in the eschequer vpon their othes and bee allowed al their layings out & be discharged.

Lieutenant

4 ¶ Whereas diuers of the sheryfes, eschetours, aulnegours, customers comptrollers, and other the kinges officers, accomptable in many partes of the Realme, do defraud and discreue our said soueraigne lord the king yearely in their vnlawfull and vntrue accompt, concelyng, and retaynyng to their owne vse ỹ greater parte of that that rightfully ought to appertain to ỹ kinge, to his great damage and losse. Our said soueraigne lord ỹ kinge, by ỹ aduise & assent aforesaid, hath ordeined and stablished, that shortly after euery final accompt geuen and made by the officers and customers aforesaid, before the barons of the eschequer, ỹ tenour of the accompt of euery of ỹ sayd officers

Shirifes Eschetors Aulnegers Customers Cõptrolers

Barons of the Eschec.

Counties

officers from time to time shalbe sent into the counties, where the same accomptauntes be officers, together wᵗ

Comission

commissions directed to the most lawful and discreat persons, for to enquier and certifie the profits which the sayd accomptantes haue receiued wythin the saide counties in his name, to the vse of our Soueraigne Lord the king by them in the manner aforesaid vpon their sayde accomptes, disceptfully conceled & retained to their prophe vle and profit. And in case that the sayd accomptauntes bee attainted of their sayd frandes and disceiptes, they shall incurre to our Soueraigne Lord the kyng, the paine of the treble of the same wherof they shalbe conuicted & their bodies to prison, till they haue made fine & raunsome to our said Soueraigne Lord the king, after the discretion of his Iudges. 6. H. 4. cap. 3.

Conceale

Attaint

Frandes Trebls

Fine and raunsome Imprison

Disme

5 ¶ If any disme or any parte of a disme bee graunted by the prouynce of euery of the said clergies to the kyng our soueraigne Lord, or to his heires that after the said certificat in the Eschequer for the disme or parte of the dysme, and of the names of the collectours for the gathering of the same disme that if the said collectors come by proces before the sayd Barons of the Eschequer, and enter in their accompt that they shal not be bound to answer to any bill or billes theyr put against them, by reason of the sayd entrie in their accompt for any manner cause, but onely for the matter touching the sayd accompte. Prouided alwayes, that if the said accomptaunt be sued in any other court by writte bil or pleint, that then he shall take no priuiledge of the said Eschequer by reason of ỳ sayd accompte for any suite, as before is rehersed. An. 1. R. 3. cap. 14.

Certificat

Collectors

[ Proces

Bill

Priuiledge

¶ Accusation.

NO free man shalbee taken or imprisoned or be disseisid of his free holde or liberties, or free customes, or be outlawed or exiled, or any wise distroied nor we shal not passe vpon him nor deale with hym, but by lawfull iudgemēt of his peers, or by the lawe of the lande, we shall sell to no man, we shall deny nor deferre no man, either Justice or right. Magna charta. cap. 29.

Customes Outlawed

Peires

2 ¶ No man from hēce forth shalbee attached by any accusation, nor forjudged of lyse nor limme, nor hys landes, tenements, goods nor cattels seised into the kings handes, against the fourme of the great charter & the lawe of the lande. 5. E. 3. cap. 9.

Attached Seised

Magna Carta

3 ¶ From henceforth none shal be take by petition or suggestion made to our soueraigne lord the king or to hys counsaile, vnles it be by endictment or presentmēt of good & lawful mē wher such dedes be don in due maner or by proces made by writ original at ỳ common law. Nor that none be put out of his franchises, nor of his freholdes, vnles he be duely brought in to answer & forjudged of the same by way of law, And if any thing be don against ỳ same it shalbe redressed and holden for none Statut. 5. An. 25. E. 3. cap. 4.

Peticion

Indictmēt

Presentmēt

Freehold

4 ¶ No mā, of what estate or condicion that he bee, shall bee put out of lande or tenement, or taken or imprisoned, or disherited, or put to death, vnout beyng brought in answer by due proces of the law. An. 28. E. 3 cap. 3.

Imprisond

5 ¶ Though thabit be conteined in ỳ great charter of Mag. carta. cap. 29. that no man bee taken imprisoned, or put out of his frehold, without processe of the lawe, neuertheles diuers people make false suggestion to ỳ king him selfe, aswell for malice as otherwise wherby the king is often greued and diuers of the realme, put to great damage & losse against the fourme of ỳ same charter. Wherfore it is ordayned, that all they that make such suggestions, be sent with the suggestions before the Chauncelor, treasorer and his

Magn. carta Imprīs. Freehold

Impris. Disseised Freehold

Chaūcellor Treasorer

his great councell, and that they there fynde suerty to pursue theyr suggestions, and to incurre the same pein that the other should haue had if hee were attainted, in case that hys suggestion bee found cuyll. And that then proces of the lawe bee made against them without being taken and imprisoned against the fourme of the said charter and other Statutes. Anno. 37. E. 3. cap. 18.

Mainprise
Attaint
Proces

6 ¶As to the article made at the last parliament An. 37. E. 3. cap. 18. of those ẏ make greuous complaintes to the king hym selfe: It is assented, that if he that maketh the complaint, can not proue his intent against ẏ defendant by the procesle lymit in the same article, he shalbee commaunded to prison, their to abide till hee hath made gre to the party of his damags and of the sclaunder that he hath suffred by such occasion, and after shall make fyne and raunsome to the king. And the poynt contained in the same article, that the plaintife shall incurre the same peyne, which ẏ other should haue, if he were atteynted, in case that his suggestion be found vntrewe, shal be put out. An. 38. E. 3. cap. 9.

Complaint
Slaunder
Fins
Attaint

7 ¶To eschew the mischiues and damage done to diuers of his comens by false accusours, which often times haue made theyr accusations, more for vengeaunce and syngular profyt then for the profit of the kyng, or of his people, of which accused persons, some hath bene imprisoned and others caused to come before ẏ kinges counsaile by writte and otherwise vpon greuous peine against the lawe, It is assented and accorded for the good gouernaunce of the comens, that no man bee put to answer without presentment before Justices, or thing of record, or by due proces, or by writte originall according to the old lawe of the land, And if any thing from hẽce forthe be done to the contrary it shall bee voyd in the lawe and holden for

Accusours
Presentment
Proces
Originall writ

errour. Anno. 42. Edwardi. 3. cap. 3.

Errour

8 ¶When people bee compelled to come before the kinges counsell, or in the Chauncery by writtes grounded vppon vntrewe suggestions, the Chauncelour for the tyme beyng by and by after that suche suggestyons bee duely found and proued vntrewe, shall haue power to ordayne and award damages after hys discretion, to hym which is so troubled vndurely as afore is sayd. An. 17. R. 2. ca. 6.

Chaũcery
Chauncelor
Suggestiõs
Damages

9 ¶For as much as diuers persons haue before this time ben greatly greued by writtes of Sub pena purchased for matters determinable by the common lawe of this lande to the great damage of such persons so bereed, in subuercion and impediment of the common lawe aforesaid: Our soueraigne Lord the kyng wyll that the statutes therof made shall bee kept after the fourme and effect of the same, And that no writte of Sub pena bee graunted fromhencefoorth tyll suertie bee found to satisfie the partie so greued and bered for his damages and expences if so bee that the matter cann not bee made good, which is contayned in the byll. An. 15. H. 6. cap. 4.

Sub pena
Suertie
Damages
Bill

10 ¶It shalbe lawful for any of the kings subiects & lieges if they thẽ selues perfectly know, or by behement presũption may & do perceiue any wil act or condicion of lightnes of body in her, which for the tyme being shalbee Queen of this realm, ẏ they may lawfully disclose ẏ same vnto his maiesty or some of his coũcel, which they thinke wyl disclose ẏ same vnto his highnes, any act, statut, or law made to ẏ contrary notwithstanding. Prouided neuer theless ẏ they shal not openly blowe it abrod, nor priuatly whisper it in other folkes eares, wherby a slaũder might rise of her till it be deuulged by ẏ assẽt of his highnes or his coũcel. And it is further enacted, that if any of the said counsell, being wythin the Realme, do

Queens
Sclaunder

Conceale

do concele it and not disclose vnto his maiestie or some of his counsell resiãt or attendaunt in the time on hys roial person, by worde or writinge within 20. dayes after that any of them shall heare of it, and if they bee out of the Realme with as conuenient speede & diligence as they may: that then they to haue lyke punishment & forfaiture, as the offendours should. And in case the sayd councell or anye of them doo heare or perceiue any such thinge as afore is rehersed, that then it shalbee lawful for them al or any of them after notice thereof geuen to the kinges maiestie, to imagine seeke and proue alwaies to their wits possible to bring the matter and office to trewe knowledge and light, and they so doinge to incurre no danger of lawe or penalty, any act or statute made heretofore to the contrary not withstandinge, Ann. 33. H. 8. in the end of the ca. 21. As much of these offences as bee treason bee repelled by 1. E. 6. ca. 12. & by 1. M. 1. sessione, And as muche of these offences as bee misprision of treason be repelled by 1. M. 1. sessione, vt patet in Treason.

Writte
Forfa.

¶ Addition.

In euery original writt of accions personals, appeales, and endictmentes, in which the exigend shalbee awarded in the names of the defendauntes in such writtes originall, appeales, and endictmentes, additions shalbee made of their estate or degree or mysterye & the townes, hamellettes, or places, & the counties where they were or be or in which they be or were conuersant, And if by proces vpon the sayd original writtes, appeales, or endictments in the which the said additions bee omitted, any vtlagaries be pronounced that they bee clerely voyd & of no force and holden for none, And that afore these vtlagaries pronounced, the sayd writtes and indictmentes shalbee abated by the exception of the partie where as in the same the sayd addycions be omitted. Prouided alwaies that though the sayd writts of accions personals be not according to the records & deeds by ỳ surplusage of ỳ additions aforesayd, that for that cause they be not abated: And that the clerkes of the Chauncerye, vnder whose names such writts shal goe forth written, shal not leue out or make omissiõ of the sayd addycions as is aforesayde vppon payne to bee punished, and to make a fine to the king by the discrecion of the Chaunceller. Anno. 1. H. 5. Cap. 5.

Writs
Accions personals
Appeales
Indictmẽts
Degrees
Mysteries
Townes
Counties
Vtlaries
Voyd
Abate
Records
Clerks of the chãcery
Fine
Chaunceloz

Adiornement.

The iustices, before that the comon benche be remoued, shalbe warned by a tyme so that they may adourne ỳ parties by suche time ỳ they shall not lose their proces, An. 2. E. 3. Ca. 11.

2 ¶ An. 9. H. 6. Ca. 1. Al assises & Nisi prius that should haue bene holden in the parliament tyme were proroged.

Iustices Cõmõ pleas
Aiornemẽt
Assises
Nisi prius

¶ Admesurment of dovver.

A Writ of admesurement of dower shal bee from henceforth graũted to a Gardeine, neyther shal the heyre when he commeth to full age be barred by the suit of the Gardein, if hee sueth against the tenaunt in dower feignedly and by collusion, but that he may admeasure the dower after as it ought to bee admeasured by ỳ lawe of ỳ lande, And as wel in this writte as in a writt of admesurment of pasture more spedy proces shalbee awarded then hath ben vsed hitherto, so that when it is come vnto the great dystresse, daies shalbe giuẽ, within which tiues Counties may be holden, at the which opẽ proclamation shalbe made that the defendant shal come in at the day contained in the writte, to answere to the playntife, at whych day if he come in, the plea shall passe betwene them. And if he doe not come & the proclamation bee testefied by the sheriffe in manner aboue sayd vppon his

Gardein
heire
Collusion
Admesurements of pasture
Great distres
Dayes
Proclamation.
Sheriffe

Default

his default they shal proceede to make Admeasurement. Wi. 2. ca. 7. An. 13 E. 1.

¶ Admesurement of pasture.

Iustices Shirife

Surcharge

writ iudicial Shirife

Seales Iurrours Damages Extreats

Eschequer

writ

Inroll

Chancelor

Treasurer

WHer by a suit moued vpon a writt of admesurement of pasture, the pasture was sometime mesured before the Iustices, some time before the Shirife in ỳ County, and it chaunced many times, after such admesuremẽt made the pasture to bee ouer charged again by him that firſt did it with no beastes then he ought to kepe. Wherupon no remedie hath bene yet prouided. It is ordeined that vpon the second ouercharge, the plaintif shal haue remedy in this maner: If the admesurement were before the Iusticers, the plaintife shal haue a writ Iudicial, that the Shirif in presence of the parties being somoned (if they will come) shall enquire vpon the seconde ouercharge, whiche if it bee founde, it shal bee retourned before the Iusticers vnder the seales of the sheryfe and of the iurours: And the Iusticers shall award the plaintif damages, and shal put in the extreates the balue of the beſtes, which were put into the pasture after such admesuremẽt aboue ỳ due number, and shall deliuer ỳ extreats vnto ỳ Barons of the Eschequer, wherof they shal answere vnto the kinge. If such admesurement bee made in the countie, then at ỳ request of the plaintife a writte shall go out of the chauncery, that the shirife shal inquire vpon such maner of ouercharge and for the beastes being put in aboue the due number, or for the balue of them he shal answere to the king at ỳ eschequer. And lest the sherife might defraude the king in this case, it is agreed, that al such writtes De secunda superoneratione, that passe out of the chauncery, shalbe inroled, & at ỳ yeres ende the transcriptes shalbee sent in to the eschequer vnder the chancelors seale, that the treasourer and barons of the eschequer may se, how the sherife shal answere the issues of such writtes. In the same wise writtes of redisseisin shalbee inroled and sent into the eschequer at the yeares end, Wi. 2. Cap. 8. An. 13. E. 1.

Issues

writs of redisseisin

¶ Administers.

Ordinaries

Administer Deputies

Executors Action

IN case where a man dyeth intestate the ordinaries shall depute the nerte and most lawful frendes of the dead persone intestate to administer his goodes, which deputies shal haue an accion to demaunde and recouer as executors the debtes due to ỳ said dead person intestate in the kings court for to administer and dispende for ỳ soule of the dead, and shall answere also in the kings court to other, to whom the said person was holden and bound in the same maner as executours shal answere. And they shal be accomptable to ỳ ordinaries as executors be in ỳ case of testamẽt, An. 31. E. 3. ca. 11.

¶ *Admiralte.*

Seas

Contracts Quarrels

Wreck

THe admyrales and their deputies hold their sessions within diuers places of this Realme as well within fraunchise as without, accrochinge to them greater power then belongeth to their office in preiudice of our soueraigne lord ỳ king & ỳ common law of ỳ Realme, & in great blemishing of diuers fraunchises, & in distructiõ & impouerysshing of the comon people. It is accorded and assented, that the admyrals and their deputies, doo not meddle from henceforth of any thing done within the Realme, but onely of al things done vpon the sea, as it hath ben duly vsed in ỳ time of ỳ king Edward, graundfather of our lord ỳ king that nowe is. Ann. 13. R. 2. Cap. 5.

2 ¶ That al maner of contractes, plees and quarels, and al other things rising within the bodies of the counties as wel by lande as by water, and also of wreche of the sea, the admyrals court shal in no wise haue conysaunce, power nor iurisdiction: but that al such maner of contractes, plees & quarels, and al

Wrecks

and all other thynges ryſing within the bodies of the counties, aſwel by lande as by water, as afore, and alſo wrecke of the ſea ſhall bee tried, determined, diſcuſſed, & remedied, by the lawes of the lande, and not before nor by the admyrall nor his lyeutenant in no wiſe.

Murder Mayme

Neuerthales of the death of a man, & of a mayme done in great ſhippes being and lading in the meyne ſtreame of the great ryuers, onely beneth the bridges of the ſame riuers nighe to ỹ ſea. and in none other places of the ſaid riuers the Admirall haue conyſance, &

Arreſt Shippes

to arreſt the ſhyps in the great flotes for the great byage of the kinge & profits therof. Sauing alwaies to ỹ king al maner forfeitures, and profits therof commynge, & he ſhall haue alſo iuriſdiction vppon the ſaid flotes during the ſaid viages onely, ſauing alwaies to the Lordſhipes Cities & boroughes

Fraūchiſes

theyr liberties & fraunchiſes. An. 15. R. 2. cap. 3.

3 ¶ That the ſaid ſtatut (S. An. 13 R. 2. cap. 5.) be fermely holden & kept and put in due execution. And moreouer the ſame our ſouereigne lord the kinge, by the aduiſe and aſſent of the Lords ſpiritual and temporall & at the prayer of the ſaid commons, hath ordeyned & ſtabliſhed, that as touching a peyne to be ſet vpon the admirall or his lieutenant, that the ſtatut and the

Comm on law

common lawe be holden againſt thē and that he that feleth him ſelfe greued againſt the fourme of the ſaid ſtatute, ſhall haue hys accion by writte

Accion

grounded vppon the caſe againſt hym that doth ſo purſue in the admiralles

Damages

court, & recouer his double damages againſt the purſuiant, and the ſame

Fine

purſuiant ſhal incurre the peine of x. li. to the kynge for the purſuit ſo made, yf hee be attainted. Anno. 2. H. 4. cap. 11.

4 ¶ From the laſt day of this parliament, all and euery ſuch iudgement as ſentence diffinitiue, as ſhalbe geuen or pronounced in any caſe and

marine cauſe, vppon appeale lawfully to bee made therin, to the Queenes Maieſty in her hyghnes Court of

Appeals

Chauncery, by ſuch commiſſioners or delegates, as ſhalbee nominated & appointed by her maieſtie, her heyres or ſucceſſors, by commiſſiō vnder the

Chauncery

Cōmiſſion

halfe ſeale, as it hath bene here tofore vſed, in ſuch caſes, ſhall be finall, and no further appeale to be had or made from the ſaid iudgement or ſentence diffinitiue, or from the ſayde Commiſſioners or delegates, for or in the ſame. Any lawe, vſage, or cuſtome to the contrary notwithſtāding. An. 8. El. ca. 5.

## ¶ Age.

IT is prouided alſo, that if any from hence forth purchaſe a writte of nouel diſſeiſin, and he againſt whom the writte was brought as principall diſſeiſour, dieth before the aſſiſe bee paſſed, that then the plaintife ſhall haue hys writte of entre vppon diſſeiſin againſt the heyre or heires of the diſſeiſour, or vppon the diſſeiſours (of what age ſoeuer they be) In the ſame wiſe the heire or heyres of the diſſeiſie ſhall haue theire writtes of entre againſt the diſſeiſours of their heyres, of what age ſoeuer they bee; And if peradeuenture the diſſeiſie dye before that he hath purchaſed hys writte, ſo that for the Nonages of the heyres, of the partie of the one parte or other the writte be not abated, nor the plea delayed, but as much as may be without offending the lawe, it muſt be haſted to make freſh ſuite after the diſſeiſin. And in like maner this ſhalbe obſerued in all pointes, for the right of ỹ prelats, men of religion, & others to whome landes or tenementes can in no wiſe deſcend after others death, whether thei be diſſeiſies or diſſeiſours. And if ỹ parties in pleading come to an enqueſt, & it paſſeth againſt ỹ heir within age, & namely againſt ỹ heyre

Nouel diſſeiſin

Aſſiſe

Freſh ſuit

Prelats

of

of ỹ disseisie, that in such case he shall haue an attait of ỹ kings special grace without giuing any thynge W. 1. ca. 46. An. 3. E. 1.

Attaint

2 ¶ If a childe within age be holde from his heritage after ỹ death of his father, grandfather, or great grandfather, whereby he is driuen to his writ and his aduersary cometh into the court, and for his answer alleageth a feffement or pleadeth soe other thing wherby ỹ iustices award an inquest there wher as ỹ inquest was deferred vnto the full age of the infante, nowe the inquest shall passe as well as if he were of ful age, Gloceſter. cap. 2. An. 6, Ed. 1.

Infants

Frokkemkt

3 ¶ Touching enquests to be made which touch such as be vnder age, the statute shal runne with limitation of time, Exposittō of the statut of Gloc. cap. 2. An. 6. E. 1.

Enquest

Limitation

4 ¶ Wher any doth alien the right of his wife, it is agreed, that frō here forthe the suit of the wife, or her heire after the death of her husbande, shall not be delaied by the nonage of ỹ heir that ought to warrantise, but let the purchaser tary (which ought not to haue bene ignorant, that he bought ỹ right of an other) vntill the age of hys warrantour to haue his warrantie. W. 2. Ca. 39. An. 13. E. 1.

Nonage

## ¶ Ayde to the Kinge

COncerning pleas wher the tenant saieth, that he can answer without the king, It is agreed by the officers, and otherwise menne of the Kinges counsell which heretofore haue had ỹ vse & practise of iudgemēts, that wher a feffement was made by the kinge with a deed therupon, that if an other person by a like feffement & like deede be bounden to warranty, the Iustices could not heretofor haue proceded any further without the kings commaūdement had therfore, and it semeth also that they coulde not. Statut de bigamis cap. 1. An. 4. E. 1.

Frokkemkt

2 ¶ But in certain cases, as wher ỹ kynge hath confyrmed or ratified the deede of an other mans thing, or hath graūted any thing as much as in him is, or where a deede is shewed where by the king hath rendred any tenemēt & no clause contained therin, whereby he ought to warrātise, & in like cases: they shall not surceise by occasion of such confirmation graunt or render or other like, but after that her shewed to the king they shall procede without delay. Bigamis cap. 2. An. 4. E. 1.

Graunt

warrantie

3 ¶ Concerning the dower of women, wher any gardeins of their husbandes inheritāce haue wardship by the gift or graunt of the king, or wher such Gardeins be tenants of the thing in demaund, or if ỹ heires of such lāds vouched to warrantie, if the says that thei can not answer without the king they shall not surceise vppon the matter therfore, but shall procede therin according to right. Bigamis cap. 3. Anno. 4. E. 1.

Dower

Wardes

warranty

4 ¶ Whereas before this time in case that a man hath demanded by petition in the parliament certain lands and tenements, which be in the kings handes, & to the same petitions, haue ben answered in the same parliamēt chauncery, or in the kings bench, that the king wil, that a writ be sued to the treasourer & chamberlains of the Eschequer to serche charters, minumēts and other remembrances which may him availe, whereby he may be aduised to make answer, to which writtes commonly the treasorer & chamberlaines haue answered, that they haue serched, but not by serche, & would not answer, that they haue fully serched, & nothing found, nor that they cann no more finde, but that, that they haue sent, where by, by the lawe afore this time vsed, a man hath not had cause to put the which be for ỹ kig to āswer & in such maner ỹ demaūdāts haue bē greatly delaied, to their great mischief wher-

Petition

Serch

4. writs of Serch

wherfore it is assented, that after that the iiij. writes be retorned, whether that monument or remembrance bee found for ỳ king or not, that then ỳ parliamẽt, Chauncery, or in ỳ kings bẽch or in ỳ comon bench, they which shall sue for ỳ king, shalbe put to answere & to defende the landes & tenementes so demaũded against the king, to the best ỳ they cã or may, according to ỳ law, so alwaies ỳ euery of ỳ iiij. writs be deliuered to the treasourer and to the chamberleines. xl. daies before the day of the retourne. And that by the sending of the great seale or priue seal no point of this statute shalbee put in delay, nor that the iustices, of what seuer place it bee, shall let to do the comon law for any commaundement which shall come to them, vnder the great seale or priuy seale. An. 14. E. 3. cap. 14. stat. 1.

40 daies

Great seale & priuy seal

Justices

¶ *Ale houses and tippling houses.*

Justices of peace

THe lawfull to two of the Justices of peace, whereof one shal be of ỳ Quorum within their auctorite to retecte and put away common ale selling in townes and places where they shall thinke conuenient. And to take suertie of the keepers of ale houses of theire good behauuige by the discretion of the sayd Justices, and the same to bee allowed and agreed at the tyme of their Sessiõs. An. 11. H. 7. ca. 2. & An. 19. H. 7. ca. 12.

Suertie

Justi. of p.

2 ¶ The Justices of peace within euery shire, citie, borough, town corporate, franchelle, or libertie within in this realme or two of them at the least (whereof one to bee of the Quorum) shall haue full power and auctorite by vertue of this acte, within euery shire, citie, borough, town corporate, fraunchelle and libertye, where they bee iustices of peace to remoue, discharge, and put away common selling of ale and beere, in the sayd common alehouses and tipling houses, in such towne or townes, and places where they shall thinke meete and conuenient. And that none after the first day of May next comming shalbe admitted or suffered to keepe any common ale house or tipling house but such as shalbee thereunto admitted and allowed, in the open sessions of ỳ peace, or els by two Justices of peace, whereof one to bee of the Quorum. And that the sayd Justices of the peace, or two of thẽ (whereof one to be of the Quorum) shal take bande and suertye from time to time by recognisance of such as shalbe admitted and allowed hereafter to keepe any common alehouse, or tiplynge house as well for and against the vsing of vnlawfull games, as also for the vsing and maintenance of good order and rule, to bee had and vsed within the same, as by their discretion shal bee thought necessarye and conuenient. For makinge of euery which recognisance, the party or parties that shalbe so bounde, shall pay but twelue pence. And the sayde Justices shal certifye the same recognisance, at the nexte quarter sessions of the peace to be holden within the same shire, citie, borough, towne corporate, franchise or libertye, where such alehouse or tiplyng house shalbee. The same recognisance there to remaine of recorde before the Justices of peace of that shiere, Citie, borough, towne corporate, fraunches or libertie, vpon paine of forfaiture to the kinge for euerye suche recognisance taken, and not certified. iii. li. vi. s. viii. d. And it is ꝛc. that ỳ iustices of peace of euery shiere citie, borough, towne corporate, franchelle and liberty, where such recognisance shalbe taken, shall haue power and auctoritie by this acte, in theyr quarter sessions of the peace, by presentment, information, or otherwise by their discretion, to enquire of all such persones as shalbee admitted and allowed to keepe anye alehouse or tiplynge house, and that bee bounde

Sessions. & Justices of peace

Suertie Recognisãs

Vnlawfull games.

xij. pence Certifie Recognisãce

Record

Forf.

Justic. of pe

Presentment

Discharge

bound by recognisaunce as is aboue-
said, if they or any of them haue done
any acte or actes wherby they or any
of them haue forfaited the same recog-
nisaūce. And the said Justices in euer-
tie shire, and places, where they bee
Justices shal vpon every such presēt-
ment or information, award proces
against every suche person so presēt-
ed or complayned vpon before them
to shew why hee should not forfeyt
his recognisance, and shall haue full
power and auctoritie by this acte,
to heare and to determin the same by
all suche waies and meanes, as by
their discretion shalbe thought good.
And it is &c. that if any person or per-
sons, other then such as shalbee here
after admitted and allowed by the
said Justices, shall after the said first
daye of May, obstinately and vppon
his owne auctoritie, take vpon him
or them to keepe a common Alehouse
or tiplinge house, or shall contrarye
to the commaundement of the said
Justices, or two of them, vse com-
monly selling of Ale or Beere: that
then the said Justices of peace or two
of them (wherof one to be of the Quo
rum) shall for euery suche offence,
commyt euerie such person or per-
sons so offending, to the common
gaole within the same shere. Cytie,
Borough, Mayne corporate, fraun-
ches, or libertie, there to remain with
out baile or mainprise, by the space of
iij. daies. And before his or their deli-
uerance, the said Justice shall take
recognisance for him, or them so com
mitted with two suerties, that hee or
they shall not keepe any cōmon Ale-
house, tipling house, or vse common
ly selling of Ale or Beere, as by the
discretion of the said Justices shalbe
seene conuenient. And the said Iustices
shall make certificate of euery suche
recognisance, and diuerse at the next
quarter sessions that shalbee holden
within the same shire, Cytie, borough,
towne corporat, franches, or libertie
wher the same shalbe committed or
done, which certificat shalbe a suffici-
ent conuiction in the lawe, of the
same offence. And the said Justices
of peace vpō the said certificat made,
shall in open sessions assesse the fine
for euery such offēce at xx.s. Prouided
alway, that in such townes & places,
wher any faire or fairs, shalbe kept,
that for the time only of ỳ same faire
or faires, it shalbee lawful for euery
person & persons, to vse common sel-
lig of Ale or beere in booths or other
places there, for the relief of ỳ kings
subiectes that shal repaire to the sāe,
in such like maner and sorte as haue
ben vsed, and done in times passed.
This acte or any thing therin cōtai-
ned to the contrary notwithstāding.
An.5.E.6.cap.25.

Foyl.

Proces

Forf:

Determin

Ale
Beere

Gaile

iij. daies

Recognisāce
Suerties

Certificat

Conuiccion.

Fine
xx.s.

Faire

Boothes

*Alienation without licence.*

NOne that holdeth of the king in
cheife by knightes seruice may a-
lien ỳ more part of his landes, so that
the residue therof be not sufficient to
do his seruice, except he haue ỳ kings
licence, but this hath not bene vsed to
be vnderstanden of members & par-
celles of such landes. Prerogat. regis
Cap.6, An.17.E.2.

Cheife
Knights
seruice
Licence
Tenure

¶ Of seruauntes alienes wout ỳ
kings licēce ỳ king hath vsed to rate
such seruauntes at a reasonable extent
therof to be made. Prerogat. of ỳ ij.
cap. 7. An.17.E.2.

Seruantes

¶ *Aliens.*

IF any of his subiects attempt or of
fend vpon the sea or in any port vp-
on ỳ said realme vnder ỳ kings obei-
sans against any person or persons
straungers being vpō ỳ sea or in any

Sea
Port

Straungers

port aforesaid by way of amity liege or truce, or by vertue of the kings safe-conduit or safegard in any matter, & specially in attachinge of any suche straunge person, robbing or spoilyng of him, his ship, or any other maner of goodes, or against any other person of his liege people, ỳ Chauncellour of England for the time being (as for the deliuerãce of any such person so attached to be had, as to make restitution to euery such persõ so robbed or spoyled of ship or goods or of the value therof) shal haue authority, calling to him any of the Justices of the one bench or of the other, vpon a bill or billes of complaint to him made in this behalfe, to make such proces out of ỳ said Chaũcery, aswel against al such offendors, to bring them into ỳ kings Chauncery, ther to aunswere to the parties so greeued in this behalf, as against any other person or persõs, to whose handes any such psõ so attached, ship, or goods shal come, as for the deliuerãce & restitution by thẽ to be made of ỳ same persõ, ship & goods, as shal seeme to the sãe chaũceller most expedient & necessary, & vpon this proces so made out of ỳ sayd chaũcery, ỳ said Chãceller further to proceed in this matter if ỳ case doe so require by aduice of any such Justice to make ỳ person & persons straũgers so greeued, to haue ful deliuerance & restitutiõ of any such person so attached & of al such ships & goodes, & also of al their costz, expẽces & losses made & suffered by him in this behalfe, and therupon to make al maner of execution vpon ỳ same out of ỳ said chaũcery in such forme as shal seeme to ỳ said Chaũcellor most expedient & necessary for such deliuerãce & restitution to be had, calling to him any such Justice as aforesaid. An. 3. H. 6. ca. 4.

Safeconduit

Robbery Shippes

Chaũcellor

Justices of both bẽches Bill Proces

Chauncery

Chaũcellor

Shippes Costes Damages

Execution

¶ No person not borne vnder ỳ obedience of the king, nor made denizen of what nation or countrey ỳ he be, the which shal come to this realme after the feast of Easter next cõming taking vpon him to be an artificer or handicrafteman, shal take or occupy any house or chamber & therin diwel or soiorn wỉ any other straũge persõ not borne vnder ỳ obeysance of the king as aforesayd, neither exercise nor occupie any handy craft or ỳ occupation of any handy craftsman in this realme of England, but ỳ all such persons, which after ỳ said feast of Easter, cõmeth into thys realme, euery of them shall depart into their owne countrey againe, or els be seruaũts to such of the kinges subiects only, as bee expert & cunning in such feites, artes & craftes, which the sayd straungers can occupy, vpon payn of forfaiture of all their goods, which shall come & diwel in this realme cõtrary to this act, in whose handes so euer they shalbe found. Also ỳ no person, not borne vnder the kings obeysance, nor made denizen, being artificer or handycrafteman, after ỳ sayd feast of Easter, nor yet none other for him or to his vse, shal make any cloth or put anye woolle to woorke to make cloth in this realme, vpõ pain to forfait ỳ same cloth or cloths made cõtrary to this act. Also ỳ all persons not borne vnder the kings obeisãce, being artificers or handycraftesmen at the day of the making of thys act diwelling in this said realm, nor nõe other such artificers or hãdycraftmã which hereafter shal inhabit & diwell in ỳ same, which after the feast of the Annunciatiõ of our Lady next cõming, shal vse, exercise, or occupy the seyt of marchaundise of any maner wares wỉn this realme, shall sell or barter ỳ same wares or marchandyses in grosse & not by retail, in ỳ port

Denizen

Artificer

Seruants Crafts

Forf.

Denizen Artificer

Cloth Woolle

Forf.

Artificers

Merchãdise wares

Grose Retayle

Forfait

towne or place where the same artificers be or shalbe dwelling, & in none other place vpō pain of forfaiture of the value of al the wares & marchādises sold contrary to this act, also ỳ no person not born vnder the kings obeisāce inhabiting dwelling or holding any great house or chamber in this realme, & occupying any handy craft, or being artificer or hādycraft

Hādy craft

man after the said feast of the Annūciatiō of our Lady next cōming, shal take any apprentice seruāt or other persō to worke w̄ him, or to his vse, vnles it be his sōne or his daughter, other then at the said feast shalbe apprētices or seruants w̄ him, except ỳ the same apprentice or seruants so to be taken, be the kings subiects born vpon pain to forfait & to lose for euery apprentice or seruant taken contrary xx.li. The one half of al ỳ said fines, forfeitures & penalties, & euery of them, to be to the king, & the other half to be to him or them ỳ wil seyse the same, or pursue for the same by acciō of debt, by bil at the cōmō law, by bill or pleint after the custome of the city or towne where such fines, forfeitures or penalties hereafter shal fall & be, and ỳ the defendant in any such acciō shal not be admytted to wage or do his law, nor no protection nor essoyn of the kings seruyce shalbe allowed for any such defendāt in the same. Prouided alwaies ỳ this act, or any parcel thereof, nor none other act made or to be made in the said parliamēt in no maner shall extēd or be prejudice, disturbāce, damage or impediment to any artificer or marchāt straūger, of what natiō or cōtrey he be, or shalbe of or for bringing into this realm, or selling by retail or otherwise, any maner of bookes

Bookes

Forfait.

xx.li.

Fines

Accion
Bill
Custome

Protection
Essoigne

Artificer

wrytten or printed, or for the inhabiting w̄in ỳrs said realme for ỳ same intēt, or any seruāt Alluminour, binder or printer of such bookes which he hath or shal haue to sell by way of marchādise, or for their dwelling w̄in the said realme for ỳ exercise of the said occupations, this act or any part thereof notw̄stāding An. 1.R.3.cap.9. This last prouiso is repealed by An. 25.H.8.cap. 15. as appeareth in bookes.

Scriuener
Alluminer
Prynter
Printer

3 ¶ No maner of straūger, born out of the kings obeisance be he denizen or not denizē vsing any maner of hādy craft w̄in this realme, shall take frō hēceforth any apprētice except ỳ sāe apprētice be borne vnder ỳ kings obeisance, vpō pain to forfait for euery apprētice ỳ he shal take, cōtrary to this act. x.li. The one half thereof to be to our soueraigne lord the king, ỳ other half to him or thē ỳ shal sue for it, be it by acciō of debt, bil, plaint, information or otherwise: In which suit ỳ defendant shal not bee admitted to wage his law ne any essoin, licēce, or protectiō to bee allowed. Be it ec. & vnder like pein to bee forfeited & recouered (as is aforesaid) ỳ no straūger being alien born, & vsing any maner of hādycraft w̄in this realme frō ỳ feast of al saints next ensuing, shal in any manner of wyse bie, take, retaine, or kepe into his or their seruice any maner of iorneymā or couenant seruaunt aboue the nūber of two at one time, except the same iorneymā or couenāt seruant be born vnder the kings obeisance. And ouer this be it ec. ỳ al maner of persons being aliens borne, vsing any maner of hādycraft, be they denizens or not denizēs, & inhabiting w̄in the citie of London or suburbes of the same, w̄in the towne of Westminster, the parish of saynt Martins in the fielde, the parish of our Lady of the Strond, s. Clement of Danes w̄out temple barre, s. Giles in the filde,

Denizen

Handy craft
Apprentice

Forfait.

x.li.

Licence

Journeymā

Denizens
London

S. Andrewes in Holborne, the towne and borough of Southwarke, Shordich, White chappel parish, S. Johns strete, the parish of Clerken wel, S. Botolphes parishe without Algat, S. Katerins, Warmondsey stret, or within two miles compasse of the said city of London or the parishes aforesaid shalbe vnder the serch & reformation of ỳ wardēs & ỳ felowshipps of hādicrafts within the said citie of London, with one substāciall strāger being an housholder of the same craft by the same wardens to be chosen, ỳ is to say, euery such stranger occupying any mistery or hādicraft, as is aforesaid shalbe vnder ỳ serch & reformatiō of ỳ wardens & one substāciall stranger, being an housholder of ỳ craft, ỳ they shall so occupie. And ỳ ỳ wardēs of ỳ sayd citie of euery such handycraft, wyth one strāger or housholder, as is aforsaid of the same craft, haue full power and auctoritie by this present acte to limit and appoint to euery strāger of the mistere & handicraft, that they be of, inhabiting within the said citie, suburbes, places or precincte aboue remembred, a proper mark wout taking any thing therfore: by the which their wares, vessels & workmāships that they make may be knowē. And that the wardeins of euery such handycraft & mistere aforesaid, calling to thē one strāger of the mistery & occupation that they be of, being an housholder shal haue full power & auctoritie to serch, viewe, & reforme, as wel within the said citie of Londō, as in al other places & limits beforesaid al maner of wares of workmāships made by any maner of such handycraftes men, being aliens borne, as is beforesaid. And that no stranger borne out of the kinges obeysance, vsing any of ỳ misteries or occupatiōs of smiths, ioyners, or coupers, shall make any maner of wares or vessels concerning the same misteries or occupations, except that they & euery of the put to such marks to euery of the same wares & vessels before they shal be put to sale or vse, as the wardeins of their occupations, crafts, or misteries, shal limit & appoint, without taking any thing therfore, vpō pain of forfaiture the double value of the same wares & vessels. ỳ one halfe of which forfaiture to be to ỳ king our soueraigne Lord, ỳ other half to the partie that first wil sue for the same by action of debt, bil, plaint, or information, in which ỳ defendāt shal not wage his law, nor any essoin shalbe cast or protection allowed. And farther it is ꝛc. ỳ if vpon any such serch or view to be made by ỳ wardeins & one stranger of any craft or mistery, beforesaid after ỳ form of this statut in vessels or wares to be fōd in the possessions of ỳ workers or owners therof, putting ỳ sāe vessels or wares to workmanship of any stranger falsly & disceiptfully made to the hurt of the kings lieg people, & so adiudged by the said wardeins & one stranger, ỳ thē such worker or owner, in whose possession ỳ same false and deceiptful wares shalbe found, shal forfait ỳ sāe wares. the one half therof to the king our soueraigne lord, & the other halfe therof to the first finder therof, suing for the same in any of ỳ kings courts by action of detinue, in which action the defendant nor defendāts shal not bee admitted to wage their law nor protection ne essoin bee to thē therein allowable. Be it ꝛc. ỳ al wardeins & masters of felowshipps of al & euery such handycrafts, within any such citie, borough, or towne corporat within this Realme, wher any such wardens happē to be, & in such boroughs & townes corporat, wher no wardēs of

London

Wardens

Marks
Wares
Workmanship
Wardens

Serch
London

Smithes
Joiners
Coupers

Forf.

Forf.

Wardens

of

Bailifes

of hādy crafts are, ꝑ bailifs or ꝑ gouernors or gouernors of the same boroughs or towns so lachig wardeins shal haue like power & authorite to the bailifs or bailifs of the liberties to the wher any such liberty shalbe, boig cōtētes so to do to view serch & reforme straungers borne out of the kings obeisaunce, inhabiting & vsing with any such city, borough or towne corporate any maner of hādy craft in as large & ample maner as ꝑ said wardeins & felowships of the said city of London may do, by vertue of this ꝑsent act. And ꝑ al straūgers vsing any of the said handy crafts in any of the said cities, boroughs, or towns corporate be bounden to do & obey in euery thing, according to the tenor of this ꝑsent act vpon like paines & forfaitures as is about remēbred, to be had & recouered in forme about reherced. Prouided alway that if the wardeins of any felowship or mistery before said, bailifs, gouernors or gouernors beforesaid wrongfully will entreate any straūger, in executing of this act, or any thing therein cōteined, ꝑ then the straūger so greeued, may by authoritie of this act, by bil or informacion, cōplain to the lord Chauncellour & Treasorer of England, or ꝑ Iustices of Assise in ꝑ county for ꝑ tyme being, whych by their examinacion shal haue full power & authority to heare & determine ꝑ same cōplaint, & to award to the partie cōplayning such amends, as by their discretiōs shalbe thought reasonable. Prouyded also, ꝑ it shalbe lawfull for & to euery of ꝑ said straungers borne out of ꝑ kinges obeisāce, being a housholder, to haue & retaine alwel al & euery such straūgers borne out of the kings obeisāce, being ꝑ tyme of this parliamēt with him retained as iourneyman, as to haue and retain euery such straunger, being borne out of the kings obeisāce being apprentice vnto him that vsyng at this parliament, this act notwithstanding. This to endure to the last day of the next parliament. Prouided also, ꝑ this act extēd not to thinhabitāts, straūgers ꝑ now be, or hereafter shal bee, in the vniuersities of Oxford or Cambridge or within the sanctuary of S. Martins le grand, within ꝑ said city of London. Prouided alwaies, ꝑ if the said wardens of the said city of Londō, or a straūger, or gouernour or gouernors of any city or borough corporate within this realme, refuse to marke ꝑ wares of any estraunger after ꝑ they be required so to marke, ꝑ then it shalbe lawful to the same estrāger or estrāgers to whō such refusel shal be made, to sel & put to sale his said wares so required to be marked & refused, this act notwithstanding. Prouided also that this act extend not to any other handy crafte, then to the crafte of ioyners, pouchmaker, coupers & blacke smythes, for or concerning ꝑ forsaid article of marking of wares of ꝑ said estraungers. Also ꝑ it shalbe lawful to any lord of ꝑ parliamēt, & euerie other of ꝑ kings subiects hauing lands & tenemēts to the yerely value of one C.li. to take & retaine estrāgers ioyners & glaziers in their seruice frō time to time, to & for the exercising of their crafts, this act notwithstanding. An. 14. H. 8. ca. 2. Be this act cōtinued in the next that here folowith.

Liberties

London

Chancellor Treasorer Iustices of assise.

Iourneymā

Orford Cambridge London

wardens

Ioyners Pouchmakers Coupers] Smithes

Lord of the parliament

C.li.

Glaziers

¶ The decree in the starre chāber made. 20. Februarij. an. 28. H. 8.

4 ¶ Whereof late our true & faithful subiects artificers & handycraftesmen borne vnder our obeysance, inhabiting within our citie of Londō & the suburbes of ꝑ same exhibite vnto vs a lamētable bil of complaint cōteining yt it is ordeined ordeyned & decreed,

London

B.ii. that

that they shal wel indifferētly & truly behaue thē in the same, setting all affection, fauour, malice, & dread of any creature, & all fraud, and deceyt apart, so help thē god and al sainctes & by the holy Euangelist. And their othe so receyued in forme aforesayd, the said straungers shal pay for their admission according as our said subiects haue alway bīn to pay. It is also further decreed that no straunger artificer or handicraftman born out of our obeysance not beyng denizen, which at ỳ day of the making of this decree is not a houlholder wīn thys our realme, or keepeth any shopp or shops within the said citie & suburbs or any other citie, towne or borough wīn this our realme, shall from that day forward set vp or kepe any houle shoppe or chamber within our citie of Londō, suburbs or parishes before rehersed or wīn any other city, towne borough or village wīn this our realme, wherin he shal exercise & practice any handycraft or misterie vpō pain to incurre & ren in such penalties as be conteined in the statuts before this time made & enacted. And that none of the saide estrangers artificers or hādicraftesmē born out of our obeisance, as well denizens as other shall assemble in any companye, felowship, congregation or conuenticle, but onely in the common haule of their craftes with our subiectes which bee of the companie of their sayed crafte or craftes at such time as they shalbee commaunded and warned by the master and wardeins of the saide crafte or craftes, and at none other place or time and in any other maner, vppon paine afore expressed. Prouyded alway that thys decree and euerie part thereof concerning the crafte and misteryes of Cordwainers shall extend as wel to them that worke olde stuffe as newe, within our citie of London, the suburbes of the same, or in any other citie, towne, borough or village within thys our realme of Englād. Prouided also that notwithstādyng any words comprised in this decree, the straungers artificers, denizēs or not denizēs inhabiting in the vniuersities of Oxford & Cābridge, & within the sanctuary of S. Martins le grād wīn ỳ citie of London, shal enioy all ỳ benefits, and aduantages reserued vnto them by reason of any prouisiō made by act of parliament expressed in ỳ statut made in ỳ xiiii. & xv. yere of our raigne, so that the said straungers, denizens or not denizens, inhabityng within the said sanctuary of sainct Martins le graunde, be cōformable to such direccion and order as shalbe taken by the reuerend father in god Cuthbert bishop of Londō sir Richard Wrook knight chiefe baron of our eschequer, John Moze knight one of ỳ Justices of our bēch, sir Thō Mauncy, & sir John Alein knights, to whō we haue of late directed our letters patents & by the same geuē thē power & auctoritie, & cōmanding thē & euery of thē to cause ỳ houle of euery sträger & denizen artificer, inhabiting & dwelling within the said sanctuary, to bee serched & viewed, how many seruāts he or they kepe borne out of our obeisāce, & they being al viewed & seene, thē to appoint to euery of ỳ said strägers, houlholders inhabiting wīn the said sanctuary, by thē in forme aforesaid so tried, to be wīn the bounds and limits of the sayd sānctuarie, such number of seruantes straungers, born out of our obeysāce as they by their discretion shal think conuenient, & sufficient, and not to bend any detrimēt vnto our subiects inhabitants within our said city. Al-

so

Admission

Artificer Denizen

Shoppes

London

Handycraft

Denizens Assemblies Conuenticles

wardens

Cordwayners

London

Vniuersities

London

Sanctuary

Bishop of London

Seruants

so commaunding in our name al and euery the said straungers denizens, houlholders, ẏ they from henceforth do not keepe wiñ their houses, or in any other houses, shop or chaumber wiñ ẏ said citie of London or ẏ suburbes of ẏ sãe, any mo seruantes being borne out of our obeisance thẽ shalbe to them at that time by them apointed, as they will auoid the daunger & penaltie of our lawes, and what they haue done in the premisses that they do certifie to vs and our counsaile in our sterre chamber at Westminster at the xb. day of Easter next coming. In witnesse whereof we will as well the sayd decree as al other ẏ premisses shalbee exemplified vnder our seale.

Denizens

London Seruantes

The act vpon the said decree.

The said order & decree, had geeuen and made by our said soueraign Lord the kinge his most honorable counsaile, and al and euery thinge therein contained, specifyed and declared, bee holdẽ and obserued firme and stable, and duely to bee put in execution in euery point and artycle, in maner and fourme as is aboue rehersed, accordinge to the purport, effecte and true meaning of the same. Bee it &c. that the act made in the parliament &c. in the 14. yeare of the raigne of our said soueraigne lorde ẏ kinge that nowe is &c. ca. 2. concerninge straungers, artificers, for takinge of apprentices, iourneimen and couenant seruauntes, and euery article and prouision contayned in the same acte, shalbee from henceforth put in due execution accordinge to the true entent, meaning and purport of the same, as wel wiñ the Citie of london as in al other Cities Boroughs and townes corporat within this Realme and the same to endure perpetually,

Artificers Apprẽtices Iourneme

London

any thinge conteined in ẏ said act or decree to the contrarie notwithstanding. Prouided alwaies that no artificer aliant or estranger borne out of the kings obeisans being a houlholder, or inhabitinge wiñ any of ẏ vniuersities of Oxford and Cãbridge, or wiñ ẏ sanctuary of saint Martins le graũd wiñ ẏ citie of London shal frõ henceforth haue or retein in their seruice iorneimen or apprentices beinge aliaunts or estrangers borne, aboue the number of x. persons at one time vpon pain of ẏ penaltie conteined in the said act made in the said. xiiii. and xb. yeare of our said soueraign lord. The prouisions conteined or specified in the same act notwithstãding, An. 21. H. 8. ca. 16.

Artificer

Vniuersities

London

Iournemen Apprẽtices

x. persons

5 Euery persõ or persõs whatsoeuer they be, born out of this realme of England out of the kinges obeisaunce made or hereafter to be made denizen, do pay your grace & to your heires, and to al and euery other person or persons of what estate degree or condition hee or they bee, and to al and singuler officers and mynisters of Cities, Boroughes and Townes within this Realme of Englãd, and to euery of them, al such subsidies, customes, tolles, duties and other summes of money for their wares, marchaundises, and other whatsoeuer goodes, by whatsoeuer name or names the sayd subsidies customes tolles duties and other summes of money or any of them be named or called as they should or ought to haue paied before they were Denizens, any graũt or graũtes to them made or hereafter to be made, or any act or acts, estatute or ordinance to the contrary made or had notwithstanding. Prouided alway ẏ al & singuler officers and ministers of euery Citie borough or towne, wherein any suche customes

Denizen

Officers

Subsidies Customes Merchãdizes,

Tolles

Denizens

Cuſtomes cuſtomes tolles duties or ſũmes of money ſhalbe demaũded, as is aboue ſaid on this ſyde the feaſte of Penteceſt next comming, ſhal ſette vp or cauſe to be ſet vp in open place & places of euery ſuch Citie, Borough or towne, a table or tables, by ỳ which ỳ certeintie & very quetie of euery ſuch cuſtome, tolle & duty or ſũme of money, of ſuch wares & marchandiſe to be demaũded or required as is aboue rehersed, ſhal & may plainly appeare & be declared, to the intent ỳ no thing be exacted otherwiſe then in old time hath beene vſed & accuſtomed, vppon peine of euery citie not doing the ſãe to loſe v.li. & euery towne corporat to loſe xl.s. for euery monethe that the ſame table ſhal faile to be ſet vp, after the ſame feaſt, ỳ moitie of which forfaiture to be to ỳ king our ſouereine lord, and the other moitie to ỳ party that wil ſue for the ſame by writ, bil, plaint, or information, in which acciõ the defendaunt ſhal haue no eſſoine, wager of law, ne protecciõ allowed. Prouided alway and be it enacted by the auctoritie aforeſaid ỳ this act ne any other act or actes made or to bee made in this preſent parlement concerning the premiſſes bee not in any wiſe prẽiudicial or hurtful to the marchants of the houſe of almain, nor to any of thẽ hauig ỳ houſe wỉn ỳ citty of Londõ cõmonly caled Gildhal theutonicor̃ otherwiſe called ỳ marchãts of ỳ Stilliard in London, nor to their goods or marchãdiſes by whatſoeuer name or names they or any of thẽ be called, but ỳ they & euery of thẽ ſhall haue & enioy al ſuch liberties frãchiſes cuſtoms & priuiledges as they had ỳ firſt day of this preſẽt pliamẽt, any thing or things ſpecified in this act or in any other act or acts made or to be made in this preſent parliamẽt notwithſtanding. Prouided alway ỳ ỳ tables ſo to be ſet vp in the citie of London touching ſcauage wỉn the ſame, ſhal firſt be viewed examined & approued by ỳ Chancellor & treaſorer of England, the preſident of the kings counſaile, the lord priuy ſeale, the lord ſteward of the kings moſte honourable houſhold, & ỳ two chief Juſtices of the kings bench & comon place for ỳ time beig, or by iiii. of thẽ at the leaſt & by thẽ ſubſcribed An. 22. H. 8. ca. 8.

Scauage

Chancellor Treaſorer

Tables

Juſtices of both bẽches

6 Al maner of eſtraungers borne out of his graces obeiſãce, which here tofore haue ben made denizens or ỳ hereafter ſhalbe made denizẽs, from & after the firſt day of Septẽber next cõmig, ſhalbe firſt boũd & obediẽt by & vnto al ỳ foreſaid acts & eſtatuts. & An. 1. R. 3. ca. 9. an. 24. H. 8. c. 16. et an. 21. H. 8. ca. 2. & to al the contẽts of ỳ ſãe, & to al other acts and ſtatutes of this Realme heretofore made now being in their force and not repelled: anye letters patents or ordinaunces heretofore made or hereafter to bee made to ỳ contrary therof in any wiſe not withſtanding. And ỳ alſo in al & euery letters patẽts of or for the making of any denizen frõ & after ỳ laſt day of this preſẽt pliamẽt to be made to any ſtrãger, not beig borne vnder the kingz graces obeiſance, ſhalbe cõteined a prouiſo, ỳ hee or they to whõ ſuch letꝛz patents ſhalbe ſo made and grãted ſhalbe boũden & obedient by & vnto al the acts & eſtatuts of this Realm, as is aforeſaid, & to al & euery ỳ cõtents of ỳ ſame, except it ſhalbee ỳ kings moſt gracious pleaſur to grãt to any ſuch aliẽ any ſpecial liberty or priuileges more or otherwiſe then is conteined in the ſaid eſtatuts, and in that caſe al ſuch liberties and priuileges ſo to be grauñted to any ſuch alien contrary to ỳ forme of any of ỳ ſayd eſtatuts, ſhalbe plainly, wholly and perticularly expreſſed ſpecified & declared

Fozr.

Denizens

Letters patents

Denizen

Merchãts of Almayne

Letters

Stillyard

Cuſtomes

Libertie Priuiledge

Tables

Bill

clared by special wordes aswel in the bil assigned vnto the kings graces hand, for obteyning of any such grãt, as in the letters patents to be made out of chaũcery, for & concerning the same. And furthermore be it enacted by ỹ auctority aforesaid ỹ no alien nor estranger denizen or not denizen vsing any handy craft, being borne out of ỹ kings graces obeisance inhabitig wt in the vniuersitie of Oxford or Cambridg, or wtin the precict of S. Martins le graũd in Londõ or wtin any other such like places priuileged, shal frõ the feast of S. Michael the archangell nert coming retain haue or keepe in their seruice any apprentice iorneymã or seruant, being aliens borne out of the kings obeisance aboue the nũber of two persons at one time, vpõ pein & penaltie conteyned in the said acte, made in the said xiiii. & xv. yeres of his graces raign, any act or puisõ here tofore made to the contrarye in anye wise notwithstanding, And ỹ it be also enacted by the auctority aforesaid ỹ euery alien & stranger borne out of the kings obeisance not being denizẽ which now or hereafter shal come in or to this Realm, or els wher within the kings dominions shall after the said first day of September nert coming be bound by & vnto the lawes & statuts of this Realme, and to al and singuler the cõtents of the sãe. And ỹ none of the kigs subiects shal retain or keepe together at one time in his houshold seruice or familie, aboue ỹ number of iiii. strãgers borne out of the kings obeisance, nor ỹ any alien being denizen, & vsing no handy craft, shal retaine or keepe in his houshold, house, or family together at one time aboue the said number of iiii. straũgers, vpon pein that the offendour & offendours contrary to this article, shal lose and forfait for euery stran-

Letters patẽts

Denizen

Vniuersity

Apprentices Iourneme

Denizen

Denizen

Handy craft

Payne

Forf.

ger borne out of the kings obeisance retained and kept aboue that nũber x.li. The moitie of al which forfaitur shalbe to ỹ kings highnesse, his heirs and successours, and the other moity thereof, to such person or persons as wil sue for the same, by original writ byl, plaint or information in any of the kings courts, in which suite none essoine, protection, or wager of law shalbe admitted or alowed. Prouided alway ỹ this act nor any thinge therin conteined shalbe hurtful or preiudicial to suche proclamation as the kings maiestie hath published & proclaymed, for & concerning the paimẽt of custome for straungers graunted by the goodnes of his maiestie, to endure for certaine yeares, but that the same proclamatiõ shal abide, be, and remaine in the same plight & strẽgthe that it is, and as if this act had never ben made, any thing in this act to the contrary thereof notwithstandinge. Prouided also that euery lord of the parliament may kepe the number of vi. straungers borne out of the kinges obeisance together at one time. Anye thing in this act to ỹ cõtrary not wstanding. And it is further enacted by auctoritie aforesaid, that al leases of any dwelling house or shoppe within this Realme or any the kings domynions, made to any straunger artificer or handycraftsmã, borne out of ỹ kings obeisance, not being denizen, from & after the said feast of Saint Michael the archangel nert coming, shalbee void and of none effect. And that no straunger artificer or handy craftman, borne out of the kinges obeisance, not being denizen, shal after the same feast take anye lease of any dwelling house or shopp within this Realme, or in any other ỹ kingz dominions, vppon paine to lose and forfait for euery time doing cõtrary

r.li. Moity

Proclamation

Custome

Lord of the parliament

vi. straũgers

Leases

Artificer

Denizen

Lord' Artificer

Denizen Lease

Forf.

to

C.s. to this act one hūdred shillings. And ꝑ no person after the same feast shall Graunt graūt or let to ferme any dwelling house or shoppes to any such strāger artificer or handicraftmen, not being denizen, to the entent to dwel or inhabite in the same, vpon like peine of Forf. one hundreth shillings. The moytie Moitie of which paines & forfaitures to be to ꝑ king our soueraign lord & thother moitie to such as will sue for the same in maner & forme as in this act is aboue expressed An. 32. H. 8. ca. 16.

## ¶ *Amendementes.*

Mispriſion By the mispriſion of the clerks of euery plate whereſoeuer it bee no Proces ꝓces shalbe annulled or discontinned by mistaking in writing one sillable or one letter to much or to litle, but as soone as ꝑ thing is perceiued, by chalēg of ꝑ party or in other maner, it shalbe hastely amēded in due forme wont gening auantag to the party ꝑ chalengeth the same because of such mispriſion. An. 14. E. 2. Cap. 6. stat. 1.

Justices plee Adiornmēt Errour 2 ¶ The Justices, before whom such ple or record is made or shalbee depending, aſwell by adiournement as by waye of errour or otherwise, shall haue power and auctoritie to a-

Record Proces mend such record and proces aſwell after iudgment geuen as before, by force of the saide statute made in the time of the said king Edward, which ordinācе shal endure til the nert parliament, which should be first holden after ꝑ returne of ꝑ said king Henry the father into england from beyōd the sea, and which nowe is determined by the deth of the said late kinge Hery the father, our soueraign lord the king, by the aduise & assent aforesaid, hath ordeined & establiſhed ꝑ the said statut, & ꝑ effect of ꝑ same, made ꝑ said ir. pere, shal hold strēgth force

Record Proces & effect, in euery record & proceſſe of the same, as wel after iudgment gi- Iudgemēt Verdict uen vpon a verdict passed, as vpon a matter in law pleded, as a stat auay lable & effectual in law to endure for euer. Prouided alwaies ꝑ this statut do not extend to records & proces to ꝑ parties of wales nor to the records Wales Outlawed ꝓceſſes wher by any perſō is or shal be outlawed at any mans suit. An. 4. H. 6. cap. 3.

3 ¶ For erroꝛ alligned or to be allig- Errour ned in any record proces, or warrāte Proces of attorney original writ or iudicial, panel or return, in any placez of ꝑ same raſed or interlined, or in any additiō, subtraction, or diminutiō of wordes, warrant of attourna letters, titles, or perel of writs found write in any such record, proces, warrante of attorney, writ, panel or re- Panel Returne. turn, which rasinges, enterlinings, Interlined addition, subtractiō, or diminutiō, at Addition the discretion of ꝑ kings iudges of ꝑ Subtraccion courts & places, in which the said re- Rasing. cords & proces by writ of errour or otherwise be certified do appeare ſuſpected, no iudgmēt nor record shalbe reuerſed nor annulled. And ꝑ ꝑ kings iudges of ꝑ courts & places, in which any record, proces, word, plea, warrante of attorney, writ panel, or return, which for the time shalbee, shal haue power to examine such record, proces, word, plea, warrante of attorney, writ, panel, & return by them & by their clarkes, & to reform & amend thē in affirmaunce of the iudgments of such records & proceſſes, al that ꝑ to thē in their discretion seemeth to bee mispriſion of ꝑ clerk, in such records, proceſſes, word, plea, warāte of attorney writ panel, & returne, except appeales, indictments of treaſō & of felonies, & ꝑ outlagaries of the same, & ꝑ ſubſtance of the proper names, ſur names, & additions, left out in original writtes, and writs of exigend, according to ꝑ statute an other tyme made

Reformе Mispriſion. Appeales Indictmēts of treaſon. Proper names Surnames Addicions

made the second yere of king Henry, father to our soueraigne lord ỳ king that now is, and in other writes containing ỳ̄clamatiõ, so that by such misprisiõ of ỳ clark no iudgmẽt shal be reuersed nor annulled. And if any record, proces, writ, warrãt of attorney, returne or panel, be certified defectiue, otherwise then according to the writing, which therof remaineth in the Treasorie, Courtes or places, from whence they be certified, ỳ parties in affirmance of ỳ iudgements of such records & proces shal haue aduantage to alledge variance betwixt the same writing & the said certificat. And that found & certified, that same variãce shalbe by ỳ said iudges reformed & amended according to the first writig. And moreouer it is ordained ỳ if any record or parcel of ỳ sãe writ returne, panel, proces, or warrant of attorney, in the kings courts of chãcery, eschequer, the one bench or the other, in his treasorie, bee willingly stollen, taken away, withdrawen, or auoided by any clarke or other persõ by cause wherof any iudgemẽt be reuersed, that such stealer, taker away withdrawer, & auoider, their procurators, councelors & abbettors therof endicted: & by proces therupon made therof duely conuict, by their own cõfession, or by enquest to be taken of lawful men, wherof the one half shal be of the men of any court of ỳ same courts, & the other halfe of other, shal be iudged for felõs, and shal incurre the paine of felony. And that the iudges of the said courts, of the one bench or of the other, haue power to heare & to determin such defaults before thẽ & therof to make due punishment, as afore is said. Prouided alwaies, ỳ if any such record, proces, writ, or warrant of attorney, panell, or returne, or parcel of the sãe, be now or hereafter shalbe exemplifyed in ỳ kinges Chauncery vnder the great seale. & such exemplification therof record enrolled, wout any rasyng, in the same place, in the exemplification, & ỳ inrolment of the same ỳ an other time for any errour assigned or to be assigned in the said record, proces, writt, warrãt of attorney, panel or returne in any letter, word, clause or matter of the same parying, or contrary to the said exemplification & the inrollment, ther shalbe no iudgemẽt of the said records & proces reuersed nor annulled. An. 8. H. 6. ca. 12.

Prouiamation

Certifie Treasory

Variance

Reforme

Chauncery Eschequer Treasory Stolen

Indicted

Confession

Felony

Heare & determin

Record Proces Writ warrant

Exemplifica Great seal Rasing

4 The kinges Iustices before whom any misprision or default shal be found, be it in any records & proces, which now be or shalbe hanging before them, assiel by way of errour as otherwise, or in the returnes of ỳ same made or to be made by sherifes coroners, bailifs of frãchises, or any other, by misprision of the clerks of any of the said courts of the king, or by misprision of the sherifes, undersheirifs, coroners, the clerks, or other officers clerks, or any other ministers, in writing one letter or one sillable to much or to litle, shal haue power to amend such defaults & misprisions by their discretion, & by examination therof by the said Iustices, to be taken wher they shal think nedefull. Prouided that this statut do not extend to ỳ records & proces in ỳ parties of Wales, nor to the processes & records of outlagaries of felonies & treasons, & the things depending vpon the same, An. 8. H. 6. cap. 15.

Misprision Records Proces

Errour Returne Shiriefes Coroners Bailifes Undershirifes Clerkes

Wales

## ¶ *Amercements.*

A Free man shall not bee amerced for a smal faut, but after ỳ quãtitie of ỳ faut. And for a great faut after ỳ maner therof, saving to him his tenement or freehold. And a merchãt like-

Freeman

Freehold Merchant

Merchandise
Villain
waynage

likewise shalbee amerced, saving to him his marchãdise. And any others villaine thē ours, shalbe likewise amerced, saving his wainage, if he fal into our mercy, And none of ẏ sayde amerciamēts, shalbe assessed, but by ẏ othe of good & honest men of ẏ vicinage. Erles & Barōs shall not be amerced but by their peres, & after ẏ quantitie of their trespas, no man of the church shalbee amerced after the rate of his spirituall benefice, but after his lay tenemēt, & after ẏ quātity of his trespas, Mag. cart. ca. 14. An. 9. H. 3.

Oth
Earles
Barons
Piers
Spiritual men

Eschetor
Cōmissioner
Justices of Assise
Somon
Oier & determiner

2 ¶ No eschetour, commissioner, or Justicer specially assigned to take assises, or to heare & determin matters from henceforth shall have power to amerce for default of comon somons, but the chiefe Justiters, or the Justiters in eire in their circuites, Marlb. cap. 18. An. 52. H. 3.

Citie
Borough
Towne
Freeman
Freehold
Merchant
Villaine
Gainure
Piers

3 ¶ No citie borough, towne, nor any man be amerced woot reasonable cause, and according to the quantitie of his trespas, that is to saye, every freemā saving his freehold, a marchāt saving his marchādise, a villain saving his gainure, & ẏ by his or their piers. W. 1. ca. 6. An. 3. E. 1.

¶ *Annates & first fruites.*

In the parlemēt begon An. 21. H. 8. & ended An. 27. H. 8. there was an act made not printed against annates & first fruites to bee paied to the pope by Archbishops & bishops. And after. 25. H. 8. ca. 20. ẏ former act was confirmed, & also further things enacted against the said annates & first fruites, & also an order appointed for ẏ electing & cōsecrating of archbishops & bishops wōin this Realme, But An. 1. & 2. P. & M. ca. 8. the said two actes were repealed, and renued An. 1. El. which act of An. 25. is in Rome. 2.

Pope
archbishops
Bishops

Consecrating

Repeale

Because that diuers of the kinges liege people before this tyme haue ben outlawed and greatly vexed and diseased in diuers suites, aswel before the kyng in his benche as in the comen bench, in the records of which suites thē entryes haue bene made, ẏ the playntyfes in the same suites *obtulerunt se in propria persona sua*, where the same plaintifes neuer appered to such suytes, nor neuer had knowledg of the same, in great mischiefe of the sayd liege people, if remedie be not prouided in this party, Our said soueraigne lord the kinge wylling in this case to prouyde conuenient remedye, hath ordeined and stablished by auctoritie of this present parliament, that no maner filizer, Exigenter, nor none other officer from henceforth shall make such entre in any maner suyte, except ẏ the plaintife in the same suit, before that such entry bee made, do appeare in his proper person before some of the said Justices of the place, where the ple is or shal be depending. And ther he shal be sworne vpon a booke, ẏ he is the sāe person, in whose name the said suyte is sued, or ẏ some other credible person of the kinges cōsell make such othe for him. And this ordynaūce shal endure til the nert parliamēt. An. rc. H. 6. cap. 4. This act is made perpetual as apereth by the nert.

Filizer
Exigenter
Officer
Entre
Plaintife
Appeare
Justices
Sworne
Sute

2 ¶ The said statuts be of an. 1. H. 6. cap. 4. affirmed holdē & kept to endur for euer. And ẏ no officer conteined in the said statut shal do to the contrary of the same vppon paine of forfaiture of xl. s. to the king euery time ẏ he of ẏ shalbe attainted by due examination made by any of the iustices of ẏ sāe place before whō any entrie or record is, & ẏ euery attorney which hath not his warrāt entred of record

Officer
Fort.
Justices
Attorney warrant.

in al

Pzoces Exigent Capias Attaint

in al his suits, wherin pzoces of capias & exigent be awardable the same term in the which the exigēt is awarded oz before, & bpō ỳ be attainted by like examination foz euery time that he so offendeth he shal incurre the pain aforesaid, An. 18. H. 6. cap. 9.

Peine

¶ Apparel.

Cloth Furres Repealed

AN. 11. E. 3. ca. 2. & 4. cloth made out of ỳ Realm & furres were forbidden to be worne, but it is repelled, vt patet infra 4. & 5.

Repealed

2 ¶ An. 37. E. 2. ca. 8. 9. 10. 11. 12. 13. & 14. certain actes were made foz apparel but they were repeled by 38. E. 3. ca. 2.

Repealed

3 ¶ An. 3. E. 4. cap. 5. & an. 22. E. 4. ca. 1. seueral acts foz apparel were made but they were after repelled by. 1. H. 8. ca. 14. & by 24. H. 8. ca. 13. vt patet infra 4. & 5.

Repealed

4 ¶ An. 1. H. 8. ca. 14. a long act was made foz apparel, & therby al former acts foz apparel made void & repeled, and after an. 6. H. 8. c. 1. a lōg act was made foz apparel, but it was repeled by an other lōg act made foz apparel An. 7. H. 8. ca. 7. And after ỳ act of 7. H. 8. were repealed by An. 24. H. 8. ca. 13. vt patet infra 5.

Repealed

5 ¶ No person oz persons, of what estate, dignitie, degre, oz condition so euer they be from the feast of the Purification of our lady which shalbe in the yere of our lord M. D. xxviii. vse oz were in any maner their apparel, oz vpon their horse, mule, oz other beast any silk of the colour of purpure, ne any cloth of gold, of tissue, but only ỳ king, the Quene, the kings mother, the kings childrē, the kings brethren and sisters, and the kings vncles and aunts, except that it shalbe lefful to al dukes & marquises to weare & vse in their doublets & sleueles coats clothe of gold, of tissue, & in none other their garmēts, so ỳ the same to bee worne by such dukes and Marquises, exceed not the price of 6. li. ỳ yard, Pzouided that this word purpure extēd not to any mātel of the order of the garter, And ỳ no man vnder the estat of an Earle, frō the sāe feast, vse oz weare in his apparel of his body, oz vpō his horse, mule, oz other beast, oz harnes of ỳ sāe beast, any cloth of gold oz siluer, oz of tiseld satē oz any e other silk oz cloth mixed oz ēbrodred wᵗ gold oz siluer, nor also any furrs of sables except ỳ it shalbe lawful foz vicounts ỳ prior of saint Johns Jerusalem wᵗin this Realm, & barōs to were in their doublets oz sleeueles coates cloth of gold, siluer oz tincel. Also it is facted that no mā vnder the estat of a duke marquise, earle, & their childrē, oz vnder the degree of a barō, vnlesse he be a knight, ỳ is a cōpanion of the Garter, frō the said feast weare in any pt of his appel any wolē cloth made out of this realm of England, Ireland, Wales, Calis, Berwike oz the marches of the sāe, except in bonets only Ne also wear in any maner apparel of his body oz one his horse, mule, oz other beast oz harnies of ỳ sāe beast any veluet of the colour of crimsine, scarlet oz brewne any fures of black Jenets oz luserns, ne any maner embrodery, And ỳ no man vnlesse he be a knight after ỳ said feast wear any coler of golonamed a coler of S. And ỳ no man vnder the degre of a barōs son, oz of a knight except he may expend yerely in lands oz tenementes, rents fees, oz annuities, to his own vse foz terme of his life, oz foz terme of an other mans life, oz in the right of his wife, CC. li. euer al charges shal after the said feast, vse oz weare any cheine of gold, bracelet ouche, oz other ornament of golde, in any part of his oz their apparel, oz the apparel of his oz their horse, mule oz other

Horse Mule Purpure silke Cloth of gold Tissus

Dukes Marqueses

Mantell Garter

Earle

Gold Siluer Furres

Vicounts

Barons

Dukes Marques Earle Knight of the garter

wolle cloth

Bonets

Veluet Jenets Luserns Embrodery

Coller of S.

Barōs sōne Knight

CC. li.

Chein of gold Bracelet Ouch

other beast, except euery such chaine, iewel ouche or ornament be in weight one ounce of fine gold or aboue, and except rings of golde to be worne on their fingers with stones or without.

One ounce Ringes

Veluet

Libards Embrodery Gold or siluer Silke

Ne also shal wear any maner of velvet in their gowns cotes w̄ sleues or other vttermost garments, nor any furres of libards, nor also shal wear any maner embrodery, pricking or printing with Gold, Siluer, or other like, in any parte of their apparel, or on their horses, mules, or other beastes. And that no manne vnder the said estates & degrees, other then such as may dispend in Landes, & tenements, Rents, Fees, or annuities as is aforesaid, a hundred pouns by yere ouer all charges, shal after the said feast weare any satten, damaske silk chamlet, or taffata, in his gown cote with sleues, or other vttermost apparel or garmēt, nor any manner of velvet, otherwise then in sleueles takettes, doubletes, copes, partlets or purses. Nor also shall weare any furre whereof the like kynd groweth not within this realme of England, Ireland, Wales, Calis, Barwike or the marches of the same, except foines, genets called graye genets, and Bogy. And that no man vnder the saide degrees, other then the sonne and heire apparant of a knight, or the sonne and heire apparant of a manne of three hundreth marks by yere ouer al charges, and such other men as may dispende in lāds & tenemēts, rents, fees, annuities, or other yearely p̄fites as is aforesaid xl.li. by yeare ouer all charges, from ỳ said feast, weare in their gouns, or any other their vttermost apparel, any chamlet or silke, ne also weare in any other part of their apparelle, any silke other then satten, dāmaske, taffata or sarcenet in their doublets & sarcenet, chalet, or taffata in lining of their gowns & ỳ sāe or velvet in their sleues coates, jackets, lerkins, coits cappes, purses, or partlets ỳ colours of scarlet, crimse, & blew, al waies except, nor shal wear any furre of foins or genetes, called grey genetes, nor any other furres, wherof the like kind is not growen within this Realme of Englande, Ireland, Wales, Calis, Berwik, or the marches of the same (except before excepted) Ne shall weare any manner aglets, buttons, brouches of golde, or Siluer gilt or counterfait gilt or made with any other deuise or any wright: Nor shall, weare any cheine of Golde of lesse weight and value then tenne ounces of Troy weight of fine gold. And that no man vnder the said degrees, other then suche gentlemen as may dispend in lands and tenements, rents, fees, or annuities as is aforesaid xx. pounds by yere, ouer all charges, from and after the said feast, weare any maner of silke in any apparel of his body or of hys horse, mule, or other best except it be satten, taffata, sarcenet, or damaske, in his doublet or cope, and chamlet in his sleues jacketts, & a lace of silke for his bonet or pointz, laces, girdels or garters made or wrought in england or Wales. Nor shal weare any furres of black conye or Bogy. And that no man vnder the said degrees, other then such as may dispende in landes and tenementes, rents, fees, or annuities (as is aforesaid) fiue pounder by yeare ouer al charges, from and after the said feast, weare any manner of cloth of the colours of scarlet, crimsen, or violet engrained, nor any silk in their doublets or iackets, nor any other Cloth in any garment aboue the price of vi.s. shillings viii. pence, the broode yard, nor any

Foynes Genets

Aglets Buttons Brouches

Chein of gold 10 oūces

xx.li.

Satten Taffeta Sarcenet Damaske Silk lace Poynts Laces Girdles Garters Black conye Bogy

v.li.

Cloth

Silke

vi.s.viij.d.

Velvet

Foines Gray genets Bogy

Sonne of a knight

Heire to 300. marks

xl.li.

Chamlet Silke Satten Damaske Taffeta Sarcenet

Chamlet

Seruing man Yoman xl.s.

Cloth ij.s.

Cloth iij.s iiij.d.

Grey cony Black lābe Whit lambe

Silke Gold or siluer

Silk riband Badge A hozne

Games

Master of the ships Whistels of siluer

Husbādmā Cloth ij.s.

iij.s.

any other thing made out of this realme, except chālet in their doublets & iackets, and that no seruing man, noz other yeman taking wages, oz such other as he may not dispend of free hold, xl.s. by yere, after the said feast, shal weare any cloth in his hosen, aboue the pzice of ij.s. the yard: and ẏ none of their hosen bee garded oz mired wᵗ any other thing that may be seene on oz thzough the vtter part of their hosen, but with the self same cloth onely, noz in his gowne, coate, oz iacket, oz other garmēt, any cloth aboue the pzice of iij.s. iiij.d. ẏ bzoad yard, except it be his maisters linery, noz any maner furre, except Coney called grey Cony, black lambe, oz white lamb of English, Welsh oz Irish growyng. Noz shall weare ante shirt oz shirtbād, vnder oz vpper cap, coife, bonet, oz hat, garnished, myxt, made oz wzought with silke, gold, oz siluer, noz shal weare ante bonet oz shirt band, made oz wzought out of this realme of England oz Wales. Neuertheleſſe it shalbe leful foz him to weare a silk riband foz his bonet, & also the cognisāce oz badg of his lozd oz maister, & a hozne tipped oz sicwed with siluer, gilt oz vngilt. And also they & all other persons to weare on their bonets all such games of siluer gilt oz vngilt, as they oz any of them may wyn by wzastling, shooting, rēning, leaping oz casting of the barre, & also master of ẏ ships oz other besels, & mariners to weare whitels of siluer, wᵗ the chein of siluer to hāg the same vpon, any fozmer clause in this act heretofoze mencioned to the contrary notwithstanding. And that no husbandman, from the said feast, weare in his hose any cloth aboue the pzice of ij.s. the yard, oz any cloth in his gown, aboue the pzice of iij.s. the bzoade yard, oz in hys iij.s. viij.d.

iacket oz coate aboue the pzice of ij.s. viij.d. the bzoade yard, noz in his doublet any other thing then is wzought within this realme, fustian & canuas onely excepted, noz any manner of furre in any his apparell. And that no seruingman in husbādzy, oz foz- nemā in handy crafts, taking wages after & from the feast afozesaid, wear in his hosen any cloth aboue ẏ pzice of xvi.d. the yard, noz shal weare any cloth in his gown, iacket, oz coate, aboue the pzice of ij.s. viij.d. ẏ bzoade yard, noz in his doublet anie other thing thē fustiā, canuas, leather, oz wollen cloth, noz any maner of furre in any of his apparell. Pzouided alwaies, ẏ al such officers, & seruants, wayting oz attending vpō the king, ẏ Queene, the pzince oz pzinces dayly, yerely, oz quarterly in their houſholds, oz being in their check roll, as shalbe admitted, assigned, & licenced by his grace, to vse oz weare any maner apparel on their bodies, hozses, mules, oz other beasts, otherwise thē is afoze expzessed shal now lawfully do the same, accozdyng to the lycence which shalbe geeuen vnto them in ẏ behalf. The same licence to be declared in wziting by the kingz highnes, oz the lozd Steward of his most honozable houshold, oz the lozd Chamberlain, knowing ẏ kings most gracious pleasure in the same. Pzouyded also that the vicechamberlayne, Steward Treasozer, & Comptroller of the French Queenes honozable houshold, and euery of them foz the time being, after and from the sayed feast, may weare in their gownes, coates, iackets, doublets, and other their apparell, velnet, saten, and damaske, being of the colours of black, tawny, oz russet, and also cheins and bzoches of gold, of such value as they will at their liberty, this pzesent act,

iij.s. viij.d.

Fustian Cannas Furre

Seruants

xvi.d.

ij.s. viij.d.

Fustian Cannas Leather Cloth Furre

Officers Kings seruants

Check roll

Licence

Lozd Steward L. Chamberlains

Vice Chāberlain Steward Treasozer Cōptroller

Velvet Satten Damaske Cheines Bzouches

or any thing therein mencyoned to ẏ contrary notwithstanding. Prouided also, that the lord Chauncellour, and the Lord Trealorer of England, the Presidente of the kings counsail, and the Lord Priuie seale for the time being, of what estate or degree soeuer they be, besides those roumes, may weare in their apparel velnet, saten, and other silks of any colours except purpure, and any maner furres except black Genets, any thing in this act mencioned to the contrary notwithstanding. Be it further enacted, that after the said feaste none of the clergy vnder the dignitie of a Bishop, Abbot or Prior, being a lord of the parliament, weare in any part of hys or their apparell of their bodyes or on their hozles, anie manner of stuffe wrought or made out of this realme of England, Ireland, Wales, Caleis, Berwicke, or the marches of ẏ same, except that it shalbe lawfull to all Archdeacons, deanes, prouostes, masters & wardeins of cathedral and collegiat churches, prebendaries, doctours or bacheleis in diuinitie, doctours of the one lawe or the other, & also doctors of other sciences, whych haue taken the degree or be admitted in any vniuersitie, to weare sarcenet in the lining of their gownes, blacke satten or black chamlet in their doublets and sleeueles coates, and black velnet or black sarcenet or black satten in their tippets and riding hoods or girdels, and also cloth of the colours of scarlet, murrey, or violet, & furres called grey, black budge, foynes, shanks or miniuer in their gownes and sleeueles coates: any thyng before mencioned to the contrary not withstanding. And that none of the clergy vnder the degrees aforesayde shal weare any maner of furres, other then blacke conie, budge, grey cony, shankes, calaber grey, fitch, fox lamb, otter, & beuer. And ẏ none of ẏ clergy vnder the degrees aforesaide, other then maisters of arte, & bacheleis of thone lawe or the other, admitted in any vniuersitie, or such other of the said clergy as may dispend yearely xx. li. ouer all charges, shall weare in their tippets any maner of sarcenet or other silk. Prouyded also ẏ this act or any thig therin cõteined shal not extend nor be hurtful or prejudiciall to any of the kings most honorable cõsel, ne to iustices of ẏ one bench or the other, the barons of the kings eschequer, ẏ maister of ẏ rolls, serieants at law, the maisters of the Chauncery, ne to any of the counsell of the Queene, prince or princes, apprẽtices of ẏ law, ẏ kings ẏ queenes ẏ princes & the princesses phisitions Maiors, recorders, aldermen, sheriks, baillifs elect & al other head officers of cities, townes & boroughes corporate, wardẽs of occupatiõs, the barõs of the.b. ports, that is to say, to al the said officers & persons that now bee or heretofore haue ben in like roome place, office, or auctho[r]itie, or hereafter for the time shalbe, aswel in the time as after, ẏ they haue ben in any such place, office, roume or auctho[r]itie, but ẏ they shall now at all times weare after the said feaste al such apparell in & vpon their bodies, hozses mules, and other beasts, and also rytizens and burgesses, shall and may weare such hoodes of cloth & of such colours as they haue heretofore vsed to weare: any thyng in this act mencioned to the contrary notwithstanding: except that it shal not bee lawfull to any of them to weare velnet, damask or saten of ẏ colours of crimzen, violet, purpure or blew, otherwise then by the cõtenue of this act, in any of ẏ clauses before mẽcioned, is by

Chancelor Treasorer Presidẽt of the counsell Lord priuy seale

Velnet Satten Silkes Furres

Clergy Bishop Abbot Prior Lord of the parliament

Archdeacons Deans Prouostes Wardens Prebendaries Doctors Bacheiors in diuinitie

Sarcenet Satten Chamlet Velnet

Cloth Furres Budge Foines Shanks Miniuer

Clergie Furres Black cony

Shanks Calaber Grey Fitch Fox Lambe Otter Beuer Masters of art Bachelers xx.li. Tippets

Kings coũs. Iust. of both benches Barons of ẏ eschequer Master of the Rolles Serieants Masters of ẏ chancery Coũcellors Apprentices at Law Kings phisicions Maiors Recorders Aldermen Shirifes Baillifes Wardens Barons of.b. ports Officers

Citizens Burgesis Hoodes of cloth

Velnet Damaske Satten

Landes

is by reason of their landes or otherwise permitted, limitted or assygned. Ne also this act or any thing therein mencioned, shal extend to embassadors or other personage, sent frō outward princes or to noble men, or other comming into the kings realme or other part of his obeysance, to visite see or salute his grace, or to see the coūtrey, and not minded to make long or continual demurre in ỳ same, ne to any henchman, herauld or pursevant at armes, minstrels, players of enterludes, fightes, reuels, iustes, turneis, barriers, solempne watches, or other marciall feates or disguysings, or to men of warre, being in the kings wages of warre, nor to any mā for wearing any apparel, geuē vnto him by the kings highnes, the Queene, the French Queene, ỳ prince or princes ne to any sword bearer of the citie of London, or of any citie, borough or towne corporate, ne also shall extend to any vtter barrester of any of the Innes of court, for wearyng in anie of his apparel such silk and furre as is before limitted for men that may dispend in lands, tenements, rents, fees, or annuities for terme of life xx. li. ouer all charges, nor to any other studēt of the Innes of ỳ court or chācery, or to any gentleman being seruant to any lord, knight, squire or gētleman, of this realme, whose maister may dispend. xl. li. ouer al charges, for wearing by such studēt or gentlemā being seruant, of doublets, partlets of saten, damaske or chamlet, or iackets of chamlet, which doubletz, partlets, or iackets be geuen vnto thē by any of their parents, maisterz or kinsfolkes, so al waies they be not of the colours of crimzen, purpure, scarlet or blew, or for wearing of any furrs whereof the like groweth win thys realme, Wales or Irelād, Marterns

Embassadors

Henchman
Herauld
Pursevant at armes
Minstrels
Players

Men of warre

Sword bearer

Utterbarrester

Silke Furre

xx. li.

Student

Gentleman

xl. li.

Apparel geuen

Furres
Marterns

ỳ black conyes except. It is also further enacted ỳ if any mā vse or weare at anie time after the said feast any apparell, or other the premisses contrarie to the tenour and fourme aforesaid, then he so offending shal forfait the same apparel & other the premisses so by him vsed or worne vpō his person, horse, mule, or other beast, wherwith soeuer it be garnished, embrodered, doubled or mixed, or ỳ value therof, & also iij. s. iiij. d. in ỳ name of a fine for euery date that hee shall so weare the same contrary to the tenor and purport of this act. And that euery man that will may lawfullie sue for the same by accion of detinue, to be cōmenced within xb. dates next after the begynnyng of the terme, next ensuyng after any such tyme & cause of forfayture so geuen, in the which accyon the defendant shal not bee suffered to wage his lawe, nor anie essoigne or protection shalbe to hym allowed in that behalfe. The one halfe of the whych forfayture and fine shalbee to the kynges hyghnesse, and the other halfe to hym or them that wyll sue for the same, in fourme and within the tyme before lymytted. And it is further enacted by the auctoritie aforesayd, that it shalbee lawefull to the Iustices of peace in their sessyons, the sherife in hys turne, the Steward in anie leete or lawday, the Aldermē in their wardes, and to al other persones hauyng auctoritie to enquire of bloudshed & frayes, to enquire euerie of the sayd offences and forfaytures, and ỳ parties offendyng agaynst this statute and so presented shall make fine in maner and forme, and after the rate aforesaid. Ouer this it is enacted by auctoritie aforesaid, ỳ al other actes made for reformatiō of excessi appell or array at any tyme before this sitt

T.ij. parlia. set

Black conyes

Forf.

iij. s. iiij. d.

xb. dayes.

Writte

Iust. of ỳ Shirife
Steward
Alderman

Fine

parliament, & al & singuler articles, prouisions, forfaitures and penalties mencioned in the said former actes or any of them be frō henceforth vtterly void, repelled, extinct, & of nōe effect, & al transgressions, offentes, sūmes of money, penalties, & forfaitures for any thing done contrary to the sayd former actes or any of them, before this time made for reformation of excesse in apparel, be clerely remitted, pardoned & released, & the offendors in that behaise & euery of them to be therof discharged & acquited for euer. Prouyded alwayes that this act nor any thing therin conteined, be hurtful or prejudicial to any spirituall or temporal person, in and for the wearing any ornaments of the Church, vsed for executing diuine seruice, or for wearing their amices, mantiles, habites, or garments of relygion or other thinges, which they bee vsed or bound vnto by their roumes or promotions, or religions, ne also to anie Graduats, beadels, or ministers to ỳ Graduats, in vniuersities & schooles for wearing of their habites or hoodes with furres linynges, or otherwise, after such fourm as heretofore they haue ben accustomed to do, anie thing in this present act made to the contrary notwithstāding. Prouided also that this act nor any thing therin contained, be preiudicial or hurtful to any persō or persons for wearing of any linnen cloth, made or wrought out of this realme, or other parties of the kings obeisance, ne to any person being of the degree of a gentleman for wearing of any shirt made, wrought, or embrodred with threede and silke onely, so the same worke or embrodry be made within thys Realme of England, Wales, Calcis, Berwick, or ỳ marches, Anno. 24. H. 8. ca. 13.

Lloyd Repealed

Spiritual person

Temporall person

Church Deuine seruice

Graduats Beadels

Linnen Cloth

Gentleman Shirt

Embrodery

6 ¶ No person borne wīn this realme, or the dominions of the same, other then the sonne and heire apparant of a knight, or other thē such as may dispēd xx. li. by the yere in lāds offices, feez, or other yerely reuennez for term of life, or be worth in goods ỳ. C. li. shal after ỳ first day of Aprill nert cōming, wear any maner of silk in or vpon his hatt, bonet, nightcap, girdle, scabard, hose, shoes, or spurre leathers, vpō pein of iij. moneths imprisonment, & forfaiture of tenne li. for euery daies wearing, contrary to the tenour of this act. And be it ec. ỳ Justicez of assise in their circuits, Justices of peace in their sessions, sheriffz in their turnes, stewardes in Leetes, and lawdaies, Maiors, Sherifs, and baylifes of cities, borroughs & townes corporate in their courts, shal & may enquire, heare & determine frō time to time, al & euery the sayd offences committed or done within the limits of their seueral iurisdictions & auctorities, & wher any such forfaitures, shal happē to be found within ỳ precinct of any citie, borough, town corporate, leete or lawday, thē ỳ Maior, sheriffs & baillifs of the said cities, boroughs & townes, and owner of the said leete or lawday, to haue the one moitie of the said forfaitures, and the other moytie to bee to any subiect of this realme, that will sue for ỳ same in any court of record, by accion, informatyon, bill or otherwyse, in which no wager of law, protectiō or essoign shalbee allowed. And where such forfeiture shalbe found out of any citie, borough, town, leete or law day, that the moitie of all such forfeitures shalbee to the king & Queenes maiesties, & the heires of ỳ Queene, & thother moity therof to any of their subiects ỳ will sue for the same, by bill, playnt, accion, information, or otherwise

Heire of a Knight xx. li.

Offices

C C. li.

Silk Hatt

Imprisonment

Forf. x. li.

Justices of Assise

Iust. of ỳ Shirifes

Stewards

Maiors

Baillifes

Forf.

Leete

Lawday

Moity

Forf.

Moitie

Writ

otherwise in any court of recoꝛd, as is afoꝛesaid, in ẏ which no wager of lawe, pꝛotection, oꝛ essoin shalbe admitted oꝛ allowed. And ẏ all & euerie such pson & psons as haue auctho-ꝛytie by vertue of this act, to heare & determine the pꝛemisses, may vpō the conuiccion of euery such offendour awaꝛd pꝛocesse vnto the sherife of any shire wᵗin this realme, foꝛ the appꝛehension of the said offender which being appꝛehended, shalbe cōmitted by the sherife, vnto the Gaole of the said shire, there to remaine without baile oꝛ mainpꝛise, vntil the said offendour hath payd the said foꝛfaiture, wherein he is so cōuicted. And be it further enacted by the auctho-ꝛitie afoꝛesayd, that if any person oꝛ persōs, of what estate, conditiō, oꝛ degree so euer hee oꝛ they bee, after the said first day of Apꝛil next cōming, knowing any seruant oꝛ seruāts of his oꝛ theirs, to offend contrary to this act, do not putt ẏ same out of his oꝛ their seruice, but shal keepe in his oꝛ their seruice ẏ sāe offēder oꝛ offēders by ẏ space of xiij. dayes nert after such knowledg had, oꝛ els being so put out of his oꝛ their seruice, shal retaine the same offēder oꝛ offēderz to his oꝛ their ꝑuice again wᵗin one yeare nert ensuing ẏ tyme of committing any such offēce, & that no person oꝛ personz so keping oꝛ reteinig again, in oꝛ to his oꝛ their seruice any such seruāt oꝛ seruāts offēding cōtrary to ẏ tenoꝛ of this act as is afoꝛsaid, shal foꝛ euery his oꝛ their offence foꝛfait C.li. of lawful money of England, the moity wherof to bee to ẏ king & Queenes maiesties vse, & the heires & succesoꝛs of ẏ queene, & the other moity to him that wil sue foꝛ the same in any court of recoꝛde by action, bill, plaint, informatiō oꝛ otherwise, wherin no wager of law, essoin oꝛ pꝛotection shalbee admitted oꝛ allowed. Pꝛouided alway & bee it enacted, ẏ this act oꝛ any thing therin conteined shal not extend to any plō beyng of, oꝛ aboue the degree of a knights sonne oꝛ daughter, oꝛ being wife to any of them, noꝛ to such as haue ben, be oꝛ shalbe Maioꝛ, bailif, Alderman oꝛ head officer in any citie boꝛough oꝛ towne coꝛpoꝛate, oꝛ to the wife of any of them, noꝛ to any of the kings oꝛ queenes seruāts in oꝛdinary wages attendāt and wearing the kings oꝛ queenes oꝛdinary liueries, but that they and euery of them may vse & weare as they oꝛ any of them might lawfully vse & weare beꝛe ẏ making of this act. Pꝛouided also, ẏ no person shalbe cōpelled by this act to put away his pꝛentice oꝛ hired seruant beꝛe the end of the terme beꝛe agreed betweene thē, noꝛ that any maister shall foꝛfayt oꝛ lose ante pain oꝛ foꝛfaiture foꝛ the keeping of his pꝛentice oꝛ hired seruāt after hys offence contrary to this act, vnto the ēd of ẏ terme beꝛe agreed betwene thē. Any thing aboue said to the contrary notwᵗstanding. Pꝛouided also ẏ women may weare in their caps, hats, girdels & hoods, as they oꝛ anie of them might vse, & weare lawfully beꝛe ẏ making of this act. An. 1. & 2. P. & M. cap. 2.

7 ¶ Be it enacted by auctho-ꝛitie of this pꝛesẽt parliament, ẏ whatsoeuer person after the feast of Easter nert, shal sel, oꝛ by any meanes deliuer to any person, hauing not in possessiō lands oꝛ fees to ẏ cleere yerely value of thꝛee thousand pounds auerable & triable by bookes of subsidies oꝛ by any other sufficiēt true way oꝛ meanes, any maner of foꝛeyn stuffe, oꝛ waꝛez not grown oꝛ first wꝛought in any ẏ queenes maiesties dominyons, of what kind, nature, name, oꝛ condition soeuer the same be, apper-



Oier & terminer
Pꝛoces
Shirife Gaole
Seruant
xiij. daies
One yeare
Fork: C.li. Moitie
Knights sonne
Maioꝛ Bailife Alderman
Knight seruants Liueryes
Pꝛentice
Women
Sell
Landes 3000.li.
wares

feining or tending to the apparelling clothing, decking, garnishing or adorning of the bodie or the part of the body of any maner of person, for all the which stuffe or wares, or for the woorkemanshyp thereof or any part thereof, the seller, deliuerer or woorker, their executors or admynystrators shall not haue receiued ỳ whole money or full satisfaction, eyther in hãd or within 28. daies after the sale, deliuery, or making thereof: that in euery such case, the seller, deliuerer, woorker or maker, their executors & administrators shalbee without anie remedy by order of any law, custom, or decree, to recouer or demaũd anie money or recõpence for the said stuff or wares, or for the woorkmanship of any part thereof, what assurance so euer he or they shal haue by bond, suertie, promise or pawne of the partie or of any other on his or their behalf to the contrary. And ỳ al bonds & assurance whatsoeuer, made in ỳ case & for that purpose, by anie meanes or waies, directly or indirectly, shalbee vtterly void to al intents, And thys act shal endure onely to the end of ỳ next parliament. An. 5. Eliza. cap. 6.

woorkmanship
Executors Administrators
28. dayes
Custome Decree
wares woorkmanship
Bond Suertie Pawne
Void

## ¶ Appeales.

NO man shalbe taken or imprisoned vpon the appeale of any woman, for the death of any other then of her husband. Magna Charta. cap. 34. Anno. 9. H. 3.

Imprison woman

2 ¶ For as much as it hath ben vsed in some countreis to outlaw persons being appealed of cõmaũdmẽt, force, ayde & receipt within the same tyme that he which is appealed for ỳ deede is outlawed. It is prouided and graũted by the king, that none bee outlawed vppon appeale of commaundment, force, ayde, or receipt, vntil hee ỳ is appealed of ỳ deede be attainted so that one like lawe be vsed therein through the realme. Neuertheles he that will sue appeale, shal not by reason of this intermyt or leaue to commence his appeale at the next county against them, no more then agaynst their principals, which bee appealed of the deede, but their exigent shal remayne, vntill such as be appealed of ỳ deede, be attainted by outlawry or otherwise, W. 1. ca. 14. An. 3. E. 1.

Outlaw
Outlawed & Commaundement
Force Ayde Receipt
Exigent Attaint Outlawry

3 ¶ It is prouided also that no appeal shalbe abated so slightly as they haue beene heretofore, but if the appellor declare the deede, the yeare, the daye, the howre, the tyme of the kyng, and the town wher the deede was done, and with what weapon hee was slayne, thẽ ỳ appeale shall stand in effect, and shall not be abated for default of fresh suit, and the partie shall sue within the yeare and the day after the deede done. Glou. 9. Ann. 6. Eliz. 1.

Abate Yeare Day Howre Time Towne Weapon Abate
Fresh suit

4 ¶ When anie being appealed of felony surmysed vppon him, doth acquite hym selfe in due maner, either at the suite of the appellour, or the kynges: the Iusticers, before whom the appeal was heard and tried, shal punish the appellour by a yeres imprisonment, and the appellours shal neuertheless restore to the partyes appealed their damages according to the discretion of the Iusticers, hauing respect to the prisonment & trouble that the party hath sustained by reason of such appeales, and to the sclaũder and infamy that they haue incurred by ỳ imprisonment or otherwise, and shal neuertheless make a greenous fine vnto the king. And if ỳ appellours be not able to recompence ỳ damages, it shalbe inquired by whose abbetment and malyce the appeale was commenced, if the party appealed desire it. And if it be found by the same

Felony Acquit
Iusticers
Imprisonment
Damages Iusticers
Sclaunder
Fine
Abettment

same inquest, that any man is abbettour through malice, at the suit of the party appealed, he shalbe distrained by a iudiciall writ, to come before the Iusticers. And if he be lawfully conuict of such malicious abetment, hee shal be punished by imprisonment, & shal pay damages, as before is said of the appellour. W. 2. cap. 13.

writt

Conuict Imprison Damages

5 ¶ The kinges pleasure is, that theeues & appellours (when so euer they will) may confesse their offences vnto two priests, but let the confessors beware that they informe not such appellors erroniously. Articuli cleri. cap. 10. Anno. 9. E. 2.

Theeues

Confesse Priests

6 ¶ Where as certain Iusticers of late were assigned to take assises in al shires of the realme, & also to deliuer ẏ gailes of ẏ sãe shires at euery of their cõmings after the taking of such assises, as more plainly is cõteyned in a statut made by ẏ king therupon, our soueraigne lord ẏ kyng, at his parliament at Westminster, ẏ 28. yere of his raign, for more sure obseruation of his peace, & felonies to bee more quickly punished & prisoners to be sooner deliuered, hath grãted, ordeined, & prouided, ẏ who so euer hee appealed by puours, being in prisõs, which the same Iusticers do deliuer (where so euer in our realme ẏ such appealees be dwelling or lurking) ẏ immediatly it shalbee cõmaũded to ẏ sheriffe, in whose libertie ẏ parties so appealed be cõuersãt or may be fouũd by ẏ kinges writ vnder ẏ testimony of the same iustices, ẏ he so take such persons appealed, & cause them to be brought vnto the gails, wher the appealors be kept, ẏ appealed them, & shal aunswer ther before ẏ same iustices. And if they ẏ be appealed, will put them selues vpon the countrey, it shalbe cõmaunded in like maner by a iudiciall writ, by the same iustices

Iustices Assises Gaoles

Peace Felonies Prisoners

Prouers Iustices

Shirriffes writt

Gaoles Iustices

Countrey

to the sheriffe, in whose libertie the felonies were dõe, of which they are appealed, ẏ hee shal cause an inquest of ẏ coũtrey to come before the same Iustices vnto the same place where ẏ appealors be kept vnto a certain day. And the sheriffs & other (in whose keping such appealours bee detayned) shal receiue wout contradicciõ, those ẏ be appealed by such prouors where the partyes appealed bee taken in forme aboue sayd and brought vnto ẏ same appealours. Stat of appeals. Anno. 28. E. 1.

Shirifs

Inquest

7 ¶ All the appeales to be made of things done wỏin the realme, shall be tried & determined by the good lawes of the realme, made and vsed in the tyme of the kynges noble progenytours: and that all the appeales to be made of things done out of ẏ realme of Enland shal be tried & determyned before the Constable & Marshall of England, for the time being, and more ouer it is accorded & affeted, ẏ no appeales be frõ hẽcefoꝛth made, or in any wise pursued in the parliament in anie tyme to come. Añ. 1. H. 4. Cap. 14.

Constable Marshal

8 ¶ Anno. 7. H. 5. cap. 1. an act was made to endure to ẏ next pliament, ẏ appeales & indictments in the coũtie Palentine of Lancaster of offences supposed to bee done in places where there was no such places should bee voide, and the vtlaries thereuppon void also. And An. 5. H. 5. cap. 1. a like act was made to endure to the next parliament after the kinges returns into England.

Lancaster

Utlaries

¶ *Appeales to Roome.*

THat al causes testamentary, causes of matrimony and deuorces, rightes of tithes, oblations & obuentions, the knowledge whereof by the goodnes of princes of this realme, &

Testament Matrimony Deuorce Tithes Oblations

Spiritual iurisdiccion

Marches

Determined

Spiritual courts

Custome

Inhabitations

Rome

by the lawes & customes of the same appertaineth to the spiritual iurisdiction of this realme already commenced, mooued, depending, being happening, or hereafter comming in contention debate or question within thys realme, or within any the kings dominions or marchez of the sáe, or elswhere, whether they concern ỳ kyng our soueraigne lord, his heirs or successors, or any other subiects or resyauntes within the same, of what degree so euer they bee, shall bee from henceforth heard, examined, discussed clerely, finally, and diffinitiuely, adiudged and be determined within the kings iurisdiccion and auctoritie, & not else where in such courtes spirytual and temporal of the same as the natures, conditions, and qualitytes of the causes and matters aforesayd in contention, or hereafter happenyng in contention, shal require, wtout hauing any respect to any custõe, vse, or sufferaunce, in hynderaunce, let, or preiudice of ỳ same, or to anie other thing vsed or suffered to the cõtrary therof by any other maner plõ or psons in any maner of wise. Anie forein inhibitions, appeales, lẽtres summons, citations, suspẽciõs, interdiccions, excõmunicatiõs, restreints, iudgements, or any other proceese or impedimẽts, of what nature, namez, qualities or cõditions soeuer they be from the See of Rome, or any other forein courts or potentats of ỳ woꝛld or from & out of this realme or anie other the kings dominions, or marches of the same, to ỳ See of Roome or to any other forein courtes or potentates, to the lette or impeyment therof, in any wise notwithstãding. And that it shalbe lawful to the king our soueraign lord, and to his heires and successours, and to all other subiects or resiantes within this realme or wtin any the kinges dominions or marches of the same, notwtstanding, that hereafter it should happen anie excõmengement, excõmunications, interdictions, citations, or any other censures of forein proces out of anie outward parties to be fulminate promulged, declared or put in execution wtin this said realme, or in any other place or places for any the causes before rehersed, in preiudice, derogatiõ or cõtempt of this said act, & the very true meaning & executiõ therof, may & shal nevertheleese as wel pursue, execute haue & enioy the effects profitz, benefits & commodityes, of all such proceses, sentences, iudgementes, & determinations, done or hereafter to be done in any ỳ said courts spiritual or temporal, as ỳ cases shall require, wtin the limits, power & auctoritie, of this the kings said realme, and dominions, & marchez of the same. And those only & none other to take place, and to be firmly obserued and obeied wtin the same, as also that al the spiritual prelates, pastours, ministers, & Curates within this realme & ỳ dominions of the same, shal & may vse, minister, execute & do, or cause to bee vsed, ministred, executed & done, all sacraments, sacramẽtals, diuine seruices, and al other things, within the said realme and dominions, vnto al the subiects of ỳ same, as catholike & christen mẽ ought to do, any former citatiõs, proceses, inhibitiõs, suspencions, interdiccions, excõmunicatiõs or appeales, for or touching any of ỳ causes aforesaid, frõ or to the See of Roome, or any other forein prince or forein courtes, to the let or contrarie therof in any wise notwithstãding. And if any of the said spiritual plõs, by the occasion of the said fulminations of any of the same interdiccions, censures, inhibitions, excommunycations,

Marches

Excommunications

Interdictions

Citations

Proces

Sentence

Iudgemẽt

Spiritual courts

Marches

Prelats

Ministers

Curats

Sacramẽts

Diuine seruice

Rome

Spiritual persons

cations, appeales, suspencions, sommons, or other forein citations, for ẏ causes beforesaid, or for any of them do at any time hereafter refuse to minister or to cause to be ministred the Sacramẽt said sacraments and sacramentalles & other diuine seruices, in forme as is aforesaid, shal for euery such tyme or times ẏ they or any of them do refuse so to doe, or to cause to bee done, Imprisõmẽt. haue one yeres imprisonmẽt, and to Fins make fine & raunsome at the kinges pleasure, And it is further enacted by thauctoritie aforesaid, ẏ if any persõ or persons inhabiting or resiant within this Realm, or within any ẏ kigs Marches dompynions, or marches of the same or any other personne or persons, of what estat, conditiõ, or degre so euer he or they bee at any time hereafter, for or in any the causes aforesaide do attempt, moue, purchase, or procure, Rome from, or to the See of Rome, or frõ, or to any other forein court or courtz out of this Realme, any manner forein Proces proces, inhibitions, appeals, sẽtences, sommons, citations, suspencions, interdiccions, excommunications, restreints or iudgmẽts, of what nature kind or quality so euer they be of or execut any of ẏ sãe proces or do any acte or acts, to ẏ lett, impedimẽt hinderance, or derogatiõs of any proces, sẽtẽce, iudgmẽt, or determinatiõ had, made, done, or hereafter to bee had, done, or made, in any courts of this realme, or the kings said dominions or marches of the same for any of the causes aforesaid, contrary to ẏ true meaning of this present act, and the execution of the same, that then euery such person or personz so doing, & their fautours, comforters, abbettours, procurers executours, and coũsailours, and euery of them, being cõpicte of the same, for euery suche default shal encure and rũne in ẏ same peins penalties, and forfaitures, ordeined and prouided by the statut of prouision and premunire, made in ẏ Premunire sixtene yere of the reigne of the right noble prince king Richard the secõd, against suche as attempt procure or make prouision to the see of Rome or els where, for any thing or things to the derogation, or contrary to the prerogatiue or iurisdictiõ of ẏ crown and dignitie of this Realme. And further more in eschewing the said great enormities, inquietations, delayes, charges & expences hereafter to bee susteyned in pursuing of such appels & forein procelle, for and concerning the causes aforesaid, or any of them, do therefore by auctoritie aforesayd ordeine and enact that in such cases, where heretofore any of the kinges subiects or resiants haue vsed to pursue, prouoke or procure any appeale to the see of Rome, & in al other cau- Rome ses of appeals, in, or for any of ẏ causes aforesaid, they maye & shall from henceforth, take, haue, and vse their appeles within this Realm, and not & els where in maner & forme as here after ensueth, & not otherwise, that is to say, first from the archedeacon, or Archdeacõ his official, if the matter or cause bee ther begonne, to ẏ bishop diocesan of Bishop ẏ said See, if in case any of the parties be greued. And likewise if it be cõmenced before the bishop diocesan or his commissarie, from the Bishop Cõmissary diocesan or his commissary, within sixtene daies next ensuing the iudge- xv. daies ment or sentence therof there geuen to the Archbishope of the prouince of Caunterbury, if it be within his pro- Archbishop Canterbury uince, & if it bee within the prouince of Yorke, thẽ to the archbishoppe of Yorke yorke, & so likewise to al other archbishops in other the kings dominiõs as the case by order of iustice shal require, and there to be diffinitiuely, & finally

Iustice finally ordered decreed, & adiudged, according to iustice, without any other apellation or prouocatiõ to any Court other persõ or persõz, court or courtz, And if the matter or contention for any of the causes aforesaid, be or shal be cõmitted by any of the kings subiects or resiants before the Archdeacon of any Archbishop or his cõmissary, then the partie greeued, shall or may take his appeale wtin fiftene daies nert after iudgmẽt or sentence there geuen, to the court of the archez or audience of the same archebishope or archbishoppes, and from the said Arches Audience court of the Archez or audience with in xb. daies then nert ensuinge, after Iudgemẽt Sentence Determin iudgment or sentence their geuen, to the archbishop of the same prouince, there to be diffinitiuely & finally determined, wout any other or farther Proces proces or appeale therupon to be had or sued. And it is ẽc. ẏ all and euery matter cause & contẽcion now depending, or that herafter shalbe commẽced by any of the kings subiects or resiants for any of the causes aforesaid Archbishop before any of ẏ said archbishopz, that then the same matter or matters, cõtencion or contencions shalbe before the same archbishop wher ẏ said matter cause or proces shalbe so commẽsed, diffinitiuely determined decreed or adiudged without any other appeale Procuratiõ procuratiõ or any other forein proceße out of this Realm to be sued to the lett or derogatiõ of ẏ said iudgment, sentence, or decree, otherwise then is by this act limitted & appointed. Sauing alwaies the prerogatiue of the Archbishop & church of Caunterbury, in al the foresaid cases of appeles, to him and to his successours Canterbury to bee sued within this Realme in such and like wise as they haue bene accustomed and vsed to haue heretofore. And in case any cause, matter or contencion, nowe depending for the causes before rehearsed, or any of them, or that hereafter shal come in contenciõ for any of the same causes in any of the foresaid courtes, which Courts hath doth shal or may touch the kig, his heires or successors kings of this Realme, that in al and euery such case or cases, the party greeued as before is said, shal or may appele from any of the said courts of this realme, where the said matter nowe beinge in contencion, or hereafter shal come in contencion touching the king, his heires or successours, as is aforesayd shall happen to bee dentilate commenced or begon, to the spiritual prelates and other abbots and priors of Abbots the vpper house assembled and aduocate by the kings writte in the convocation, being or nert ensuing writt within Prouince the prouince or prouinces, where the same matter of contencion is or shalbe begon. So that euery such appele be taken by the partie greued, wtin xb. daies nert after the iudgement xb. daies or sentence thereupon geuen or to Iudgement be geuen. And that what so euer bee done or shalbe done and affirmed, determined, decreed & adiudged by the foresaid prelats, abbottes, and pry- Prelats ours of the vpper house of the said cõ Vpper house uocation as aforesaid, appertaining Convocatiõ concerning or belonging to the king his heires and successours, in any of these foresaid causes of appeales shal stande and bee taken for a final decree, sentence, iudgmẽt, diffinition, & determination, & the same matter so determined, neuer after to come in question & debate, to be examined in any other court or courts. And if it Examin Court shal happen any personne or personz hereafter to pursue or prouoke any appele contrarye to the effect of this act, or refuse to obey, execute and obserue al thinges compriſed within ẏ same

same, concerning the said appeales, prouocations, and other forein proces ses to be sued out of this Realme for any the causes aforesaid, ẏ thē euery such person or persons so doing refu sing or offending, contrary to ẏ true meaning of this act, their procurers fautours, aduocates, counsailors & abbettors, & euery of thē shal incurre into the peines forfaitures & penal- ties ordeined & prouided in the sayde statut made in ẏ said xbi. yere of kig Rychard the seconde, and with like proces to bee made against the sayd offenders, as in the same statute and made the said xbi. yere more plainly appereth, An. 24. H. 8. ca. 12. This act was repealed, Anno. 1. 2. Phi. & Ma. and after renued, Anno. 1. of Queen Elizabeth as appereth in Crowne 6.

Forf.

Proces

Repealed Renued

¶ *Apprentice*

Plough Cart Husbandry

HEe or shee, which vse to labor at the ploughe, & carte, or other la- bour or seruice of husbandry, til they be of ẏ age of xii. yeres, that frō hence forth they shal abide the same labour without being put to any misstery or handecraft. And if any couenant or bōd of apprētice be frō hēceforth made to the contrary, the same shal be hol- den for none. An. 12. R. 2. ca. 5.

Handy craft

Loyd

2 ¶ No man nor woman, of what estate or condition they bee shall put their sōn or daughter, of whatsoeuer age he or she be to serue as apprētice, to no crafte nor other labour within any citie or borough in the Realm, ex cept he haue land or rent to the value of xx. s. by the yeare at ẏ lest, but they shal be put to serue at such labors bee it wi city borough or wont as ẏ said father or mother vsed or such other la bors as their estates doe require, vp- pon paine of one yeres imprisonmēt and to make fine and raunsome at ẏ kinges wil. And if any couenant bee made of any such enfant, of what es-

Woman

Craft City Land Rent xx. s.

Imprison Fine

Couenant Infant

tat or condition that hee bee, to the contrary, it shalbee holden for none. Prouided allwaies that euerye man or womā, of what estate or conditiō that he be, shalbe free to set their sōne or daughter to take lerninge at anie manner schole that pleaseth thē with in the Realme, & ẏ from hencefoorth euery person that wil make his sone or daughter apprentice to any crafte within city or borough, that he bring to the Maior, or bailifes of the said ci- tie or borough, a bil sealed vnder ẏ seales of two Iustices of peace of the countie, where such enfant is borne: Testifing the valour of the lands or rents of hys said father and mother as afore is said. And that no man or woman of what estate or condition ẏ he be receiue any apprentice cōtrary to this ordinaunce vppon payne to pay to the kinge. C. shillinges, aswel at the kinges suite as of euerie per- son that wil complaine, aswel before the Iustices of peace as in any other court of the kinge. And he that will sue in this behalfe shall haue ẏ one halfe for his labour, and the king the other halfe. And that in euery leet be it in the kinges hand, or of any other the kinges liege men once in the yeare all the labozers and artificers dwellinge in the same leete shalbee swozne, to serue and take for their seruice after the fourme of the sayd statuts. And if they refuse that to do, they shalbe put in the stockes within the town wher they be taken by three dates without baile or mainprise, til they wil make gree, and from thence they shal bee sent to the next gayle. And that euerye towne or seignio- rie that fayleth of their stockes, so that they bee not made before the feast of Easter nert commynge, shal incurre against the kinge the paine of C. shillinges to bee leuyed and

School

City Borough Maior Bailifes

Iust. of p.

Payne C. s.

Iust. of p.

Moitie Leete

Labozers Artificers

Swozne

Stocks

Mainprise

Gaole Stockes

Payn C. s.

payed

Quinisme payde in aide of the quinisme to bee graunted hereafter, An.7.H.4.c.17.

3 ¶An.8.H.6.ca.11.it is enacted to endure at the kings pleasure that ẏ customes of Londō for taking of apprentices shalbe kept without rūnig in the pein of An.7.H.4.ca.17.

Custōes of London

4 ¶She An.11.H.7.c.11.& an.19.H.7. ca.17.ẏ the citizens of Norwich be except out of the said statute of 7.H.4. ca.17.

Norwich

5 ¶Euery person of the aforesaid occupation, (*S. of Worsted makers*) within your county of Norffolke, ẏ which the iiii. wardens of the said occupation within your foresaid countie, yerely chosen shal enhable to keepe a prentice, shal by this present act, be at lybertie to take & keepe at al times one or two apprentices, any person or psons hereafter put to thaforesaid occupation, so ẏ he passe not two at once at the most. And in likewise hereafter euery person shalbe at his liberty to put any apprentice to the aforesayd occupatiō. Any act or ordinārce afore made to the contrary notwithstanding An.12.H.7.ca.1.

Worsted makers
Norfolke Wardens
Libertie
Occupatiō

¶*Appropriations.*

¶ In euery licence from henceforth to be made in ẏ chauncery of appropriation of any parish church, it shal be expressly conteined & compriſed, ẏ the diocesan of the place vppon thappropriation of such churches shal ordeyne according to the value of such churches, a conuenient sūme of money to be payd & distributed yearely of the fruits & profits of the sāe churches by those that shal haue the sayd churches in propre vse & by their successours to ẏ poore parochians of the said churches, in ayd of their liuing & sustenaunce for euer, & also ẏ ẏ vicare be wel & sufficiently endowed. Ann. 15.R.2.ca.6.

Licence Chaūcery Church
Fruites
Successors Poore
Vicar

2 ¶An.4.H.4. ca.12.it was enacted ẏ the statut of An.15.R.2.c.6. should be kept & put in execution, & appropriations made since the statut contrary theranto, to be reformed before a certaine time or els to bee void, except Haddenham. And al vicarages ānexed or appropriated since, An.1.R 2.to be void.

Haddēham

3 ¶And that from henceforth in euery Churche so appropried, a secuier person be ordeined Vicare perpetual, canonically instituted & inducte in the same, & conenably ēdowed by the discretion of the ordinarie, to doe diuine seruice, & to enforme ẏ people & to keepe hospitality ther (except the church of Hadenham aforesaid), And ẏ no religious bee in any wise made vycar in any churche so appropried, or to bee appropried by no way in time to come, An.4.H.4.cap.12.

Church Vicar
Diuine seruice
Hospitality Haddēham
Religious

¶*Approuer.*

AN.5.E.2.cap.34. it was enacted that they that bee appealed by approuers, and be of good fame, shalbe let to mainprise, & that no approuer shal haue more space to approue thē three daies. But this statut is repelled by Anno.15.E.2. I find not these two statutes in any booke of statutes, but onely in the abridgement.

Appeale
Mainprise
Repealed

¶*Approuements.*

BEcause many great men of England (which haue infeffed knights & their freeholders of smal tenemēts in their great maners) haue cōplayned, that they can not haue profit of ẏ residue of theire maners, as of wast woodes and pastures, because ẏ sāe feffees ought to haue sufficiēt pasture according to their holde. Thus it is prouided and graunted that when so euer such feffees do bring an assise of

Infeffe Freeholders
Wast woods Pastures
Feoffees

Assise of Nouel dissi.

of nouel disseisi for their comō of pas ture. And it is knowledged before ỳ iustices, ỳ they haue asmuch pasture as suffiseth to their hold, & that they haue free egresse & regresse frō their land vnto the pasture: then lett them be cōtented therewith, & they on whō it was complained, shal goe quite of as much as they haue made their pro fite of their lands wast, woodes and pastures. And if they alledge ỳ they haue not sufficiēt pasture, or sufficiēt egresse & regresse according to theire hold, than let ỳ truth be inquired by assise, And if it be foūd by the assise, ỳ ỳ sāe deforceors haue disturbed thē of their egresse or regresse in any thig, or that they had not sufficiēt pasture (as before is said) then shal they reco uer their seysin by vew of the inquest so ỳ by their discretion & othe ỳ plain tiffes shal haue sufficient pasture and sufficient egresse & regresse in forme aforesaid. And the disseisors shalbe a merced, & shal yeld damages as they were wont before this prouisiō. And if it be certified by the assise, that the plaintiffes haue sufficient pasture ī free & sufficient egresse & regresse, as before is said, let ỳ other make their plit or approuemēt of ỳ residue and go quit of ỳ assise. Mertō c. 4. an. 20. H. 3.

Comon of pasture
Iustices
Egresse
Regresse

Assise
Deforceors

View
Inquest
Oth

Disseisors
Amerce
Damages

2 ¶ As in a statut made at Mertō, it was graūted, ỳ lords of wast woods & pastors might improue ỳ said wast woodes & pastures, notwithstanding ỳ contradition of ỳ tenantes, so ỳ the tenants had sufficiēt pasture to their hold with free egresse & regresse to ỳ same. And for as much as no mencō was made betwene neighbors, many lordes of wast woodes & pastures haue ben troubled heretofore by the contradiction of neighbours hauing sufficient pasture. And for because fo rein tenants haue no more right to cōmun in the wast woodes, or pas tures of any lord, then ỳ lordes own tenants: It is ordeined, ỳ the statute of Merton prouided betwen the lord & his tenants, frō henceforth shal hold place betweene lords of wast woods & pastors & neighbours, sauig sufficient pasture to their tenauntes and neighbors so that the lordes of suche wast woodes & pastures maye make improuement of the residue, & this shalbe obserued for such as claim pas ture as appurtenāt to their hold, but if any do claime cōmon of pasture by special fetement or graunt for a cer taine number of beasts, or otherwise which we ought to haue of common right, wher as couenant barreth the law shal haue such recouery as ought to be had by forme of ỳ graunt made vnto him. By accasiō of a mille wind mille, berkary wetre, deyery inlarging of a court or courtilage, frō hēce forth no man shalbe greued by assise of nouel disseisin, for common of pas ture, and wher some time it chaūceth ỳ one hauing right to improue, do le uy a dike or an hedge, & sōe by night, or at an other season when ỳ suppose not to be espied, do ouerthrowe the hedge or dike, & it can not be knowen by verdicte of the assise or iurie, who did ouerthrowe the hedge or dyke, & men of ỳ towns nere, wil not indict such as be giltie of the facte, ỳ towns nere adioining shalbe distrained to le uye the hedge or dike at theire owne cost, & to yeld damages. W. 2. cap. 45. An. 13. E. 1.

Wast woods
Pastures
Improue

Egresse
Regresse

Forein
tenants

Improuemet

Common
of pasture
Feoff. ment

Mill
Windmill
Berkary
Courtilage

Assise
Improue
Ditch
Hedge

Indict

Distrein

Damages

3 ¶ The two statuts aforesaide of Merton ca. 4. & W. 2. cap. 45. and all braunches, clauses, articles, sentēces matters, & points conteined and spe cified in the and euery of them nowe not repelled, shal frō henceforth bee good & effectuall, & also stand & bre in their ful strength, force, & effect. And because ỳ such persons as shall bring

assise

Assise

assise of nouel disseisin vpon the said estatuts or vpon any of them shal by force of the same estatut recouer but only single dãages which is thought to be a smal recompence for ỳ same. Therfore be it ꝛc. that al such person & persons, as shal at any time hereafter bring assise vpon a braunch or article of this said estatuts or any of thẽ and haue iudgment to recouer, shall haue his or their damages trebled, by the iudgment of ỳ court where suche assise & iudgement shalbee had. And where in diuers countryes of this re alme there hath ben builded vpon cõmons or waste grounds certaine necessary houses with ground, vnder ỳ quantitie of three acres, & not aboue three acres enclosed to & with ỳ same, & in some place ther is enclosed a garden, orchard, or ponde, out of or in such wastes or groundes, which exceede not the quantitie of ii. acres, or therabouts, which doth not hurt, and yet is much cõmoditie to the owner therof, & to others. Be it ꝛc. ỳ the sayd two former acts, nor any of thẽ, nor any thing in thẽ conteined shal extẽd to any such houses grounde or other thing so enclosed, as is last herein before mencioned, ne shal cause any ỳson or persons to lose or forfaite any pain, damage or penaltie for the sãe, Prouided alwaies & be it enacted, ỳ if any such house hath ben hertofore builded vpon any waste ground as is aforesaid and that there be aboue the number of three acres enclosed to the same, ỳ thẽ the sayde house & three acres parcell of the same enclosure, shal stil remaine stande abide and cõtinue in like and the same forme and degree as it nowe doth, and that the ouerplus of the said iii. acres so enclosed as is aforesaid, shal and may bee laid open by the owner or owners of the same waste, any thinge in this act, or in any of the said former acts to the contrarie in any wise notwithstanding, An. 3. E. 6. ca. 3.

Branch of a statut

Judgemẽt Treble damages

Cõmons waste grouñdz

iii. acres Enclose

Garden Orchard Pond

ii. acres

Enclosed

Enclosure

## ¶ *Archery.*

IN the statut of westminster as appereth in robbery 2. & An. 12. R. 2. c. 6. it is enacted what persõ shal haue bowes & arrowes, but those partes of those statuts that concerne hauing of bowes and arrowes be repelled by 33. H. 8. cap. 9. as appereth in plaies & games 2.

Bowes Arrowes

Repealed

2 ¶ An. 3. H. 8. ca. 3. & An. 6. H. 8. ca. 2. were ii. statuts made for maintenãce of Archery with longe bowes. But both those statuts bee repelled by 33. H. 8. as appereth in plaies & games. 2 And there is a good statut made for the maintenance of Archery w̃ long bowes, See the statute.

Lõg bowes Repealed

## ¶ *Armoure.*

EDwarde by the grace of god king of England, lord of Irelãd, duke of Acquitaine, to his Iustices of his bench, greeting. wher as of late certain persons deputed to treate vpon sundry debates, had betwene vs & certaine great men of our Realme, Amõgest other things it was accorded that in our next parliament after ỳ missions being made by vs and by the comon assent of the prelates, Erles, & barons, that in al parliamẽts, treaties, and other assemblies, which should be made in the Realme of England for euer, that euery man shall come without al force and armour well & peaceably, to the honour of vs, & of the peace of vs & our Realme. And now in our parliament at Westminister after the said treatise, the prelates, Erles, barõs and the cominaltie of our Realm there assembled, to take aduise of this business, haue, said ỳ to vs it belongeth, and our parte is

Parliamẽts

throughe

throughe our roiall signiorie, streightly to defende force of armour, and al other force against our peace, at all times when it shal please vs, & to punishe them which shal doe contrarye accordinge to the lawes and vsages of our Realme, And hereunto they are bound to aide vs as their soueraigne lorde at al seasons when nede shalbe. we commaunde you, that yee cause these things to bee redde afore you in the said bench, and there to bee enrolled. Geuen at Westminster, y xxv. day of october, the seuenth yeare of our reign. Stat of armoury an. 7. E. 1.

Peace

Enrolled

2 ¶ In Statuto armor, it is ordeined how many squires & lords shal haue attornes, & what signes harnes, weapons & other things squieres and heraudes & other shall beare attornes & what shalbe forfaited and lost attorneis.

Esquiers
Lords
Attorneis
Signes
Harnes
Weapons
Heraulds

3 ¶ The king will y no man from hence forthe shalbee charged to arme himselfe, other wise then he was wont in y time of his progenitours kings of England. And y no man be compelled to go out of his shire, but where necessite requireth & sodain comming of straunge enemies into y Realme. And then it shalbe done as hath bene vsed in times past for the defence of y Realme, Anno. 1. E. 3. Stat. 2. ca. 5.

Enemies

4 ¶ No man great or smale of what condition so euer he be except y kings seruants in his presence, and his ministers in executing of the kings precepts or of their office, and such as be in their company assisting thé & also vpon a cry made for armes to keepe the peace, and the same in such places where such actes happen, be so hardy to come before the kinges iustices or other of the kings ministers doing their office, with force and armes nor hauing no force in affraie of peace, nor to go nor ryde armed by night or by day in faires, markets, nor in presence of y Justices or other ministers, nor in no part elswhere, vpon peine to forfait their armour to the king, and theyre bodies to prison at the kinges pleasure. And that the kings Justices in their precinctes, shiriffes and other ministers of the kinge in theire bailiwickes, lords of fraunchises and theire Bailifes in the same, and Maires Baylifes of Cyties and Boroughes within the same Cyties and Boroughs, and borough holders and wardeins of y peace within their wardes shall haue power to execute thys acte. And that the Justyces assigned at comming downe into the countrey, shal haue power to inquire howe suche officers and lordes haue exercised their offices in this case, and to punish them whom they find that haue not done that that perteined to their office. Anno. 2. E. 3. cap. 3.

Peace

Justices
Armed

Forf.
Imprison

Justices
Shiriffes
Bailifes
Maiors

5 ¶ From henceforth no man shal ryde in harnies within the Realme, contrary to the statut of Northampton thereuppon made, neither with launcegay within the Realme, the which launcegayes be prohibited and clerely put out within the sayd Realme, as a thinge prohibyted by our soueraigne lord the king, vppon peine of forfaiture of the sayd launcegaies, armours, and other harneis, in whose hãds or possessions they be fou̇nd that beare the win the realme contrary to the statutes & ordinaunces aforesayde without the kinges speciall lycence. Anno. 7. Richardi. 2. cap. 13.

Armed
Launcegay

Forf.

Licence

6 ¶ No seruant of husbandrye or labȯrer nor seruant or artificer nor of vitailer shal frõ hence forth beare any buckler, swerd, nor dagger, vpõ forfaiture of y same, but in y time of warr for defence of the realm of England, and

Seruant
Labȯrer
Buckler
Sword
Dagger
warre
Forf.

and that by the hurtneighing of ꝯ arrayes for the time being or trauelige in the country vnto their maister, or in their maisters mesnage. Anno 12. R. 2. cap. 6.

Lasse gayes

Fine

Armed

Liueries Harts Imprison Fine

Horses

Foyl

Repealed

Horses Geldings Warre

Temporall man

7 ¶ The statuts of An. 2. E. 2. ca. 4. & 7. R. 2. cap. 13. shalbe fully holde and kept and onely executed, & ꝯ the sayd Launcegayes shal be clere out, vpon the payne conteined in ꝯ said statute of Northampton, & also to make fine and ransome to the king. And more ouer that no lord, knight, nor other, lyege nor great shall go nor ryde by night nor by day armed, nor bear salet nor skulle of yron nor other armoure, vpō the pein aforesaid, saued and except the kings officers & ministers in doing their offices. And more ouer the king hath ordeined, ꝯ the statut made the first yeare of hys raigne of liueries of hattes shal bee holden & kept vpon the pein conteyned in the same statut, & vpon payne to be imprisoned and make fine and ransome to ꝯ king. An. 20. R. 2. ca. 1.

8 ¶ For the better furnyture and defence of this Realm, Be it enacted &c. that as much of all & euery act & statut concerning onely the kepinge or finding of horse, horses or armour, or of any of them, hertofore made or prouided, and al and euery forfaiture and penaltie concerning onely ꝯ same, shalbe from henceforth vtterly void repeled & of none effect. And it be further enacted by auctoritie aforesayd that euery noble man, gentleman & other temporal person, after the rate & proporcion hereafter declared, shal haue & keepe in readinesse such horse geldigs, armour, & other furnitur for the warres at the least, & in such sort & maner as is & shalbe in this act hereafter expressed & declared. That is to say, al and euery person temporal hauing any honors lordships mannors houses lands medowes pastures or woods of estate of inheritance or freehold, to the clere yerely value of one thousād pound or above, shall frō & after the first day of May, which shal be in the yere of our lord God, a thousand v. hundreth fifty & eight, haue, finde, and keepe sufficine and maintain within this Realm of England of their owne proper, & at their own proper costs & expences vi. horses or geldings able for dimilances, where of iii. of the at the least to be horses or sufficient harnesses, steele sadels and weapon requisite & apperteinyng to the said dimilaunces, horses or geldings, and tenne light horses or geldings able and meete for light horsemen with the furnitures of harnes & weapō requisite for the same. And al so xl. corselets furnished, xl. almaine riuettes, or in steed of the said almain riuettes, forty cotes of plate, corselettes or brigandines furnished, forty pikes, xxx. longe bowes, xxx. sheffe of arrowes, thirty steele cappes or sculles, twenty blacke billes or halbertes, twenty harquebuttes, and twenty mogians or sallettes. And euery person temporall hauinge any honours lordshippes, manours houses, land medowes, pastures or woodes of any such estate, as is afore said, to the clere yearely value of a thousand markes or above, & vnder the clere yearely value of a thousand pound, shal haue, find, sustain & maintaine within this Realme, of and at their own proper costs & expēces iiii. horses or geldings able for demilances, wherof ii. at the least to be horses with sufficient harnesses, & weapō & sadles meete & requisite to ꝯ said dimilances horses or geldings, & fyue light horses or geldigs able & meete for light horsemen with furniture of harnes & weapon requisite for the same. And

Freehold 1000. li.

6. horses

10. light horses

40. corslets 40. Almain riuets

1000. Markes

Horse

also

also of armour & weapon .xxx. coꝛse-
lettes furnished .xxx. almain riuets,
oꝛ in stede of the said almain riuets,
xxx. cotes of plate coꝛselets oꝛ bzigan-
dines furnished, xxx, pikes, xx. long
bowes, xx. sheffe of arrowes, xx. steele
cappes oꝛ sculles, x. blacke billes oꝛ hal
berds, x. harquebutts, and x. moziantz
oꝛ sallets. And euery person tempo-
rall hauing honours, lordshipps, ma-
noures, houses landes, medowes, pas-
tures oꝛ woodes of any such estate as
is afoꝛesaid to the cleere yearely va-
lue of. CCCC. li. oꝛ aboue, and vn-
der the cleere yerely value of a thou-
sand marks, shal haue, find, keepe sus-
taine, and maintein as is afoꝛesaid ii.
hoꝛses, oꝛ one hoꝛse and one gelding,
able foꝛ dimilaunces with sufficient
furniture of harnes, steele saddels, and
weapõs foꝛ the same, as is afoꝛesayd,
and iiii. geldings able foꝛ light hoꝛse-
men with sufficient harneste and wea
pon foꝛ the same, and also xx. coꝛselet-
tes furnished, twenty almain riuets
furnished, oꝛ in stede of almain riuets
twenty cotes of plate, coꝛselets oꝛ bzy
gandines furnished twenty pikes, fif
tene long bowes, fiftene sheffes of ar
rowes, xl. steele caps oꝛ sculles, fyre
harquebuts, and vi. moziãs oꝛ sallets.
And that euery person tempoꝛall ha-
uing lordshipps, manoꝛs, houses, lands
medowes, pastures, oꝛ woods, of any
such estate as is afoꝛesaid, to the cleere
yerely value of CC. pounds, oꝛ a-
boue, and vnder the cleere yerely va-
lue of CCCC. li. shall from the sayd
first day of May, haue keepe sustaine
and maintein one great hoꝛse oꝛ gel-
ding, able foꝛ a demilaunce, with suf-
ficient furniture of harnes, steele sa-
dle and two geldinges able foꝛ lighte
hoꝛse men with harnes and weapons
sufficient as is afoꝛesaid foꝛ the same,
and also x. coꝛselettes furnished, tenne
almaine riuettes oꝛ in the place of al-
maine riuets. x. cotes of plate, coꝛ-
selets oꝛ bzigandines furnished, x. pi-
kes, viii. long bowes, viii. sheffe of ar-
rowes, viii. steele caps oꝛ sculles, iii. ha
quebuts, and iii. mozians oꝛ sallettes.
And euery person tempoꝛal hauing a-
ny lordshipps, manours, houses landes
medowes, pastures oꝛ woodes, of a-
ny such estate as is afoꝛesaid, to the
cleere yerely value of i. hundꝛed. li. C. li.
oꝛ aboue, and vnder the yerey value
of. ii. hundꝛed pounds, shall from
and after the said first day of May
haue kepe and maintain (as is afoꝛe-
said) ii. geldings able & mete foꝛ light
hoꝛsemen with sufficient harnes and
weapon requisite foꝛ the same. And
also three coꝛselets furnished, iii. al-
maine riuets oꝛ in stede of them so ma
ny cotes of plate coꝛselets oꝛ bzigan-
dines furnished, iii, pikes iii. lõg bows
iii. sheffes of arrowes, iii. steele caps oꝛ
oꝛ sculs, ii. haquebuttes, and ii. mur-
rians oꝛ sallets. And also euery
person tempoꝛall hauing lordshipps,
manours, houses, landes, medows,
pastures, oꝛ woodes, of any such es-
tate as is afoꝛesaid to the cleere yere-
ly value of a C. mark oꝛ aboue, & vn- C. Marks.
der ẏ yearely value of C. li. from the
said first day of May, shal haue keepe
maineteine and sustein one geldinge
able and mete foꝛ a light hoꝛsemã, wt
the harnes and weapon sufficient and
requisite foꝛ the same, ii. coꝛselets fur-
nished, ii. almain riuets oꝛ in stede of
the same ii. cotes of plate, oꝛ bzigan
dines furnished. ii. pikes. ii. long bows
ii. sheffes of arrowes, ii. steele cappes
oꝛ sculles. i. haquebut. i. mozian oꝛ sal
let. And also euery person tempoꝛall
hauing lordshipps, manoꝛs, landes,
houses, medowes, pastures oꝛ woods
of any such estate as is afoꝛesaid, to
the cleere yerely value of xl. li. oꝛ aboue xl. li.
& vnder ẏ yerely value of a C. markes
shal fꝛõ & after ẏ said first day of May
haue maintein, & kepe ii. coꝛselets fur
nished, ii. almain riuets, oꝛ in stede of
ẏ same ii. cotes of plate, coꝛselets oꝛ
bzigandines furnished. ii. pykes,
one longe bowe, one sheffe of ar-
rowes, one steele cap oꝛ scull. ii. haque-

buts li. mozians oz sallets. And also e-
very person tẽporall having lozdships
manozs, houses, lands, medowes, pas-
tures, oz wodes of any such estate
xx.li. as is afozesaid, to the clere yerely va-
lue of xx. li. oz aboue & vnder ẏ yerely
value of xl. li. shal frõ ẏ said first day
of May, haue, kepe, & maintaine one
cozselet furnished, one pik, one haque-
but, one mozian oz sallet, one long
bowe, one shefe of arrowes, & on stele
cap oz scul. And also euery person tem
porall having lozdships, manours,
houses, landes, medowes, pastures
oz woods, of any such estat as is afoze
x.li. said, to the clere yearely value of x.
pounds, oz aboue, & vnder ẏ yerely va
lue of xx. pounds, shal frõ & after ẏ said
day, haue kepe & sustain one almaine
riuet, cote of plate oz brigandine furni
shed, one haquebut, one mozian oz sal
let, & one long bowe & one shefe of ar
rowes, one stele cap oz scull. And also
v.li euery person tẽporal hauig lozdships,
manozs, houses lands, medowes pastu
rez, oz woodz of such estat as is afozsaid
to ẏ clere yerely value of v. pouds oz a
boue, & vnder the yerely value of ten
poundes, shall from and after the said
first day of May, haue, kepe, and sus-
teine one coate of plate furnished, one
blacke bill, oz halbert, one longe bowe
one shefe of arrowes, and one steele
cap oz scull. And also euerie person tẽ-
porall having goodes oz cattels to the
Goods 1000 marks value of one thousand marks oz aboue
shal from the said first day of Maye,
haue finde, kepe, sustaine, & maintaine
as is afozesaid one hozse oz gelding, a-
ble foz a demylaunce wt sufficient har
neys, steele saddle and weapon requi-
site and conuenient foz the same, and
one gelding able and meete foz a light
hozseman, with harneis and weapon
sufficient & requisite as is afozesaid foz
ẏ same oz xviii. cozselets furnished in
the steede of the said hozse and gelding
and furniture of the sãe at his choise.
And also shal from the same day haue
finde kepe, and maintain of armour
and weapon two cozseletz furnished,
two almaine riuets, oz foz the same
almaine riuets two coates of plate,
two cozselets, oz two brigandines fur
nished, two pikes, lower long bows,
lower sheses of arrowes, lower steele
cappes oz sculles, & three haquebutes,
with three murrians oz sallets. And
also euery person tempozall hauinge
goodes oz cattelz, to the value hereaf
ter in this present act specified and de
clared, shall from and after the sayd
first day of Maye, haue finde, kepe,
sustaine and maintaine such geldings
armoure weapõ & furniture, foz warr
as is hereafter declared. That is to
say, hauing to the value of lower hun-
dred poundes oz aboue, and vnder the 400.li
value of a thousand markes, one gel-
ding able & meet foz a light hozseman
with sufficient harneys and weapon
requisite and meete foz the same, oz
iv. cozseletts furnished, at his election,
& also shall haue, finde, and keepe one
other cozselet furnished, one pike two
almaine riuets, oz plate cotes oz bzy-
gandines furnished, one haquebutte,
twoe long bowes, twoe sheses of ar-
rowes, and two steele capps oz sculs.
And hauing in goodes and cattels to 100.li.
the value of two hundred pound oz a
boue and vnder lower hundred, one coz
selet furnished, one pike, two almain
ryuetes, plate cotes, oz brigandines,
furnished, one haquebut, one murrian
oz sallet, two longe bowes and twoe
sheses of arrowes, and two sculles oz
steele cappes. And hauing in goodes & C.li.
cattels to the value of a hundred pou-
des oz aboue, and vnder two hundred,
one cozselet furnished and one pyke,
one paire of almaine riuets, one plate
coat oz paire of brigandines furnished
two long bowes, and two sheses of ar
rowes and two sculles. And hauinge
as is afozesaide, in goodes and cattels xl.li.
to the value of fourtye poundes oz a-
boue and vnder a hundred poundes, li.
paire of almain riuets, oz two coates
of plate oz brigandines furnished, one

long

longe bowe & one sheefe of arrowes, one steele cappe or scull, and one black bil or halbert. And having as is afore-
xx.li. said in goodes and cattels to the value of twenty poundes or aboue and vnder fourty pounds, one paire of almaine riuets, or one cote of plate, or one paire of brigandynes, two longe bowes, two sheefes of arrowes two sculles, or steele cappes, and one black bill or halbert. And having as is afore
x.li. said to the value of tenne pounde or aboue and vnder twenty pounds, one long bowe, one sheefe of arrowes with one steele cappe or scull and one blacke bill or halbert. And also that euery person tempozall, not being aboue charged by this act, having, or that hereafter shall haue any annuity
Annuitie or annuities, or yerely fee or fees for
Fees terme of life or of any estate of inhe-
Copy hold ritance, or any copy hold or copiholds for terme of lyfe or of any estate of inheritance, to the clere yerely value of
xxx.li. xxx. poundes or aboue, shalbe charged
Warre and chargeable with such furniture of warre as is afore said in euery degree qualitie and condicion according to the
Goods proporcion and rates before expressed limitted and appointed for goodes and cattels. And bee it further enacted by the auctoritie aforesaide, that euery person which by vertue of the act made in the parliament holde at westminster in the xxviii. yere of the raign of king Henry the eight was bound by reason that hys wife should weare
Wife Apparel such kinds of apparel or other thinge, as in the same statute is specially mencioned and declared, to keepe or fynd one great stoned trotting horse, and
Stod horse is not by this acte before charged, to haue maintain, & keepe any horse or gelding, shall from the said first day of
Gelding May, haue, keepe and maintain one gelding, able and meete for a lighte horseman, with sufficient harneys and weapon for the same, in such maner and fourme as euery tempozall person hauing lozdshipes, houses, landes, meadowes, pastures or woodes of such estate as is afore said, of the clere yerely value of one hundred marks C. marks
is charged or appointed to fynd, haue and maintaine by this present act.
And be it further enacted by thauctoritie aforesaide, that if any persons chargeable by this act as is afore said
3. monethes shall by the space of any three whole monethes after the said first day of May, lacke or want the said number and kyndes of horses, geldynges, armour weapon and furniture afore said or any of them, after such rate, proportion, maner and fourme as is in this act aboue limitted declared, and appointed: That then euery such person shal forfeit and lose for euery such
Forfet. three monethes that shall so lack and want the same number and kynds of horses, geldinges, armour, weapon, and furniture or any part thereof, for euery horse or geldyng so lacking ten poundes, and for euery dimillance and furniture of the same three poundes, and for euery corselet and furniture of the same xl.s. & for euery almain riuet cote of plate or brigandine, & the furniture of the same. xx.s, & for euery bowe and sheefe of arrowes, byll halbert, harquebut, steele cappe, scull, murryan and sallet x.s. the one moity of which said forfaitures, shalbe to ỹ kyng & Quen our soueraign lord and lady and to the heirs and successours of ỹ same our soue-
Moitie raign Lady, & ỹ other moitie to him or them that will sue for ỹ same in any court of recorde, by bill, plaint accion of debte, or information, in ỹ which bill, plaint, accion, or information, no wager of lawe essoigne, or protection shalbee allowed or admitted.
And be it further enacted by the auc-
Citie &c. toritie aforesaid that the inhabitantes of euery citie, borough, towne parish & hamlette, within this realme, other then such as are specially charged before in this act, shall haue, fynde, kepe sustaine, and maintaine at their comon charges & expences, such har-

D.ii. neis

neis, and weapon, and as much there of as shallbee appointed by the commissioners of our said soueraigne lord and lady, and of the heires and successors of the same our soueraigne ladye for the musters or viewe of armour within such citie, borough, towne parish or hamlet, ther to bee kept in suche place as by the said commissioners shalbe appointed. And the numbers and kindes thereof to be written and compiled in a paire of indentures, to be made betweene the said cõmissioners, or two of them at the least, and twelue, eight or fower of the chiefest of euery such citie, borough, towne, parish or hamlet, whereof one part to remain vnto ỹ chief officer of ỹ same citie borough, towne, parishe, or hamlette, and the other parte to remaine with the clerke of the peace of the shiere or county where euerye such Citie, Towne, Borough, parish, or hamlet shall stande or be. And if the same inhabitantes of euery such citie, borough, towne, parish, or hamlet, other then such as are spectally (as is aforesaid) charged shal lack or wãt such harneyes or weapons, or anye parte thereof as shalbe vnto them appointed by ỹ said commissioners for the musters and viewe of armour, as is aforesaid, by the space of any three Monethes together next after anye such appointment made, that then ỹ same inhabitaunts shall forfait for euery the said three monethes for euery such harnes or weapons so lacking after ỹ rate aboue limitted, ỹ one moitie thereof to be to our said soueraigne lord ⁊ lady, ⁊ to ỹ heirs ⁊ successours of our said soueraigne lady, and the other moity to him or them that will sue for the same in any of the courtes of recorde of our said soueraigne lorde and lady, and of the heires and successors of ỹ same our soueraign Lady, by bill, plainte, accõ of debte or informacion, wherin no wager of lawe, essoine or protection shalbe admitted or alowed.

Cõmissioners

Viewe Cities &c.

Indenture

Clerk of the peace

3. monethes

Forf.

Moity

¶ And be it further enacted by thauctorities aforesaid, that the lorde Chauncellor of England for the time being shall haue full power and auctorite by vertue of this present acte from time to time to graunt out commissions vnder the great seale of England to the iustices of peace within euery shire or county of this Realme, or to so many of them as by his discretion shalbe thought mete and conuenient for the appointing and limitting of ỹ said harneis and weapons, to be found kepte, and maintained in euery such citie, borough, towne, parish and hamlet, at the comon charges of the inhabitantes thereof, as is aforesaid. Prouided alwaies, that this Act or anything therin conteyned shal not extẽd to take away or discharge any tenant or fermour of his seruice or conenant towardes his Lorde, for the findinge of Horse, Armour, or weapon, or for doing of seruice by him selfe or any other, which by the tenure of his land or ferme, hee is bounde to do at the time of makig of this act, but ỹ he shal yelde, paye, and do the same in as large ample maner, and fourme, as though this act had neuer bene had ne made. And be it further enacted by thauctoritie aforesaid, that ỹ iustices of peace of euery shire, shall haue power and auctoritie by vertue of this acte, from time to time, to make serch and viewe of and for the said furnitures of horses, geldynges, armour and weapon to be founde, mainteined and kept by any persõ aboue said hauing lordshyps manours, houses, landes, medowes, pastures or woodes to the clere yerely value of CC. poundes or vnder, and not aboue ỹ yerely value of CCCC. poundes, or to be found maynteined or kept by any persone or persones chargeable by this acte, by reason of his or their goodes cattels, annuities, fees, or copyholdes, as is afore saide, and to heare and determine at their quarter sessions all and euery the

Chaūceloz

Cõmissiõs Great seal Justi. of p.

Common charges

Tenant Couenant

Tenure

Justice of p.

Serch

CC. li.

Quarter sessions

ỹ defaultes cõmitted or doñ contrary to this acte within the county, where such Sessions shalbe kept by inquisition, presentment, byll, or informacion before them exhibited, or by examinacion of two lawfull witnesses at the discrecion of the same iustices, and to award proces thereupon as though they were indicted before thẽ by verdict of twelue men or more. And vpon the conuiccion of the offender by informacion or suit of any other then the kyng or the Quéene, or of the heires or successors of ỹ Quéen to make estraytes of the one moitie of the said forfaitures to bee leuyed to the vse of our said soueraigne Lorde and lady, or of the heires or successours of the same our soueraigne Lady, as they vse to doe of other fines, issues, and amerciamentes, growing in the sessions of peace, and to award execucion of the other moitye for the compleinant or informer against the offender, by fieri facias or capias, as the kinges iustices at westminster, may do and vse to do. And if any such conuiction shall hereafter happen at the onely suite of our saide soueraigne lorde and lady or of the heires or successoures of the same our soueraigne lady, that then the whole forfaitures to be estreated and leuied to their vses onlye. And bee it further enacted by the auctoritie aforesaid, that whensoeuer any person shall at any time hereafter bee conuicted by vertue of this acte, for any defaulte or thing mẽcioned in this act, that then the same person shall not otherwise or eftsones be vexed, troubled, sued, or conuicted for the same defaulte or thing, wherefore he shalbe so conuicted. And be it more ouer enacted by the auctoritye aforesaid, that if any souldioure shal at any time hereafter make sale of his horse harneys and weapon, or any of them contrary to the forme of the said statute made in the said second & third yere of the saide late king, that thẽ not only the same souldioure shall incurre ỹ penalties of that statut, but also the said sale made by such souldioure to any person or persons knowing him to be a souldioure shalbee voide and of none effect against him or thẽ ỹ soũde or set forth the said house, harnesse, & weapon or any of them, to, or for the furniture of such souldioure to serue to the same. Prouided alwaies that no person shalbee empeched or troubled for any offence done contrary to thys acte, vnlesse presentment or suit therof be hadd, made, or taken within one yere next after the offence done, any thing in this act to the contrary therof in any wise notwithstanding. Prouided alway and be it enacted by thauctoritye aforesaid that if at any time hereafter it shal fortune any person or persons aforesaid to bee sued or impeched for any forfaiture or penaltie, for not hauing sustayning or kepig such furniture or corselets, pikes, harquebuts, or murrians, as by this act is before limitted rated, and apointed, and for his or their excuse & answere shal allege and plede that the same furniture so lacking, could not by him or them conuenientlye be had, gotten, or prouided, for want and lacke of the same with in this realme, according to the tenure and purport of this act, the same matter of want and lacke as is afore said, shalbe alloued and taken for a good and sufficient answer and barre in the lawe, in case it bee true, and if the same be denyed or trauersed, that thereupon an issue shalbee ioyned, and that the trial shalbe of euery such issue only had by the certificat to be made by ỹ lord Chancellor, lord Treasorer, ỹ lord presidẽt of ỹ coũsel, ỹ lord Steward of ỹ kings & Quéens most honorable houshould, the lorde prime seale, ỹ lord Admiral & the lord Chamberlayne of ỹ said houshould, or by three of thẽ in writing vnder their seales or ỹ seales of three of them this present act or any statut, law or vsage

Proces.

Estrets. Moity.

Execution. Fieri facias. Capias.

Forf.

Conuict.

Souldioure Sell.

Voyde.

Presentmẽt.

Forf.

Trauers. Issue. Triall. Certificat. Chauncelor. Treasorer. L. Presidẽt. L. steward. L. priuy seal. L. admiral. L. Chãberlaine. Seales.

herctofore had to ẏ contrary notwith
standing. Prouided also & be it enac
ted by ẏ auctoritie aforesaid, that no
person or persons chargeable by ver
tue of this act, to or for ẏ finding or ha
uing of any horse, gelding armour,
weapon, or furniture for the warre as
is afore said, shalbe charged vñ to the sãe
or vñ any of them both for his ma
nours, houses, landes, medowes, pas
tures & woodes, and also for his goods
cattels, fermes, leases, copiholds, rẽts
and ãnuities. Prouided also & be it fur
ther enacted by ẏ auctoritie aforesaid
ẏ this act or any thing therin contay
ned, shal not in any wise extend or be
adiudged or interpreted, to abrogat, re
peale, or make void any part, sentẽce,
matter, clause, article, or thing cõteig
ned or specified in the statut made in ẏ
xxviii. yere of the raigne of the late no
ble prince of worthy memory kig Hẽ
ry the eight, for or concerning the ha
uing of long bowes & arrowes, & the vs
ing, order exercising & maintenãce of
archery & shooting in long bowes, but
ẏ the sãe statut & euery article, clause,
sentence & thing therin cõtained & spe
cified touching or in any wise contay
ning ẏ hauing of long bowes, arrows
bling, order, exercising or maintenãce
of archery & shoting in long bowes,
shal stand & remain in force & be obser
ued performed & kept, according to the
tenor, effect & trus meaning of the said
act, vpon the paines conteined in ẏ sãe
as though this act had not ben had ne
made, this preſẽt act or any thing ther
in contained to ẏ contrary in any wise
notwithstanding. Prouided also that if
it shal fortũ ẏ said furniture of armour
aforesaid, or any parte thereof, at any
time hereafter to be lost or spent in a
ny seruice of defence of this realme, or
els the horses or geldings aforesaid, to
be killed or destroyed, or els by some o
ther occasion to be dead, ẏ in such case
or cases, no pers̃ or pers̃s, shalbe char
ged vñ any forfaiture or penaltie afore
said, for not hauing such quãtity or nũ
ber of armour, horses or gelding as
is aforesaid, so that he or they within
one yere next after such losse or want
do supply the sãe againe in al pointes,
according to the true meaning & pur
port of this act, any thing in the same
act to the contrary ther of notwithstan
ding. Prouided also that the want of
any gauntlet or gauntlets, shal not be
demed, accompted, or taken for any
lack or want of furniture for a corſelet
any words before expressed sounding
to ẏ contrary notwithstãding. Prouided
also & be it enacted by the auctoritie a
foresaid ẏ euery person & persons char
ged vñ ẏ finding of any haquebut & his
or their seruant or seruãts shall & may
exercise & vse shooting in ẏ same haque
but, at such markes as is limitted and
appointed by the statute made in the
xxviii. yere of the raigne of king Hẽry
the eight or at their own proper gães
so that they carry not, or vse not ẏ same
haquebut in any high way vnleſſe it
be comming or going to or from the
musters or marching towards or frõ
ẏ seruice of defence of the realme, any
clause or article in ẏ said act of ẏ xxviii.
yere to the contrary notwithstanding.
Prouided alway that this acte ne any
thing therin conteyned shal extend to
charge any person or persons, dwelling
or abyding with in the cõtreys of North
wales, & Southwales, & with in the cõ
tie Palentine of Lancaſter, & Chester
or either of them vñ the finding or ha
uing of any haquebut, but that they &
euery of them shal & may at their will
libertie & pleasure, haue & kepe i ſtrede
& place of euery haquebut charged by
this act, one long bowe & one sheſe of
arrowes, ouer & besides such other ar
mour & municion as is by the lawes of
this realme limitted & appointed, any
thing in this act to the contrary not
withstanding. Prouided alwayes that
the lord Chauncellour of England or
keper of the great seale for the tyme
being, shal and may frõ time to time
by vertue of the kig and Queenes
high-

Horse Gelding

Landes

33. H. 8.

Long bowes Arrowes Archery

One yeare Supply

Gauntlet

Haquebut

33. H. 8.

High way Musters

Wales

Lancaster Chester

Long bow

Chancelor L. Keeper

Cõmissio-ners

Iust. of p. Pales

highnes commission name, assigne and appoint commissioners in euery citie, borough and towne corporat wherin there be Iustices of ỹ peace, as well in England as in Wales, so many of the same Iustices of peace, with such and as many other persõs to be ioyned with them dwelling out of the said cities, boroughes, & towns corporate, as hee or they shall thinke meete to take view of armour in euery of the same cities, boroughes & towns corporat according to thys preſẽt act, and also to assigne what harneys & armour shalbe prouided and kept by the inhabitantes of euery such Citie, Borough and Towne corporate, as is aforesaid according to this present act, Anno. 4. & 5. P. & M. ca. 2.

New Cities &c.

## ¶ Arrowheades.

Arrowes Quarrels Hased

ALl the heads for arrowes and quarels after this time to bee made shalbe well boiled or hased and hardened at the pointes of steele, & if any of the said arrowe smithes do the contrary, they shall forfayt al such heades and quarelles to the king, and shalbee also emprisoned and make a fyne at the kinges will, and that euery arowhed and quarrell be marked with the marke of him that made the same.

Forf.

Imprison

Markes

Iust. of p. Maiors Shirifes Bailifes

And the Iustices of peace in euery countie of Englande, and also ỹ maire and sheriffes, and bayliffes of cities & burghes within the same cities & burghes, shal haue power to enquire of all such deceitfull makers of heedes & quarells, & to punish them as afore is said An. 7. H. 4. ca. 7.

Punish

## ¶ Arrestes.

Bailifes

GReat men and their bailiffes, & others exrept the kings officers (vnto whome speciall auctoritie is geuen) which at the complaint of some, or by theyr owne auctoritie, attache other passing through theyr iurisdiction with their goodes, compelling them to answeare afore thẽ vpon contracts couenaunctes, and trespalles done out of their iurisdiction, where in deede they hold naught of them, nor within the fraunchise (where their power is) in preiudice of the king and his crowne and to the damage of the people: It is prouided, that none from henceforth so do, and if any do, he shal pay to him that by this occasiõ shalbe attached, his damages double & shalbe greuously amerced to the king. W. 1 ca. 34. An. 3. E. 1.

Attach Goods

Contracts Couenants Trespasses

Damages Amerc.

2 ¶ Because that cõplaint is made to our soueraigne lorde the king by the clergie of his said realme of England, that as wel diuers priestes, bearyng ỹ sweete body of lorde Iesu Christ to sicke people, & their clerkes with them as otherwise diuers other persons of holy church, whiles they attend to diuine seruices in the churches, churchyards, & other places dedicate to god, be sundrie times take and arrested by auctoritie royall, and commaundement of other temporall lordes in offence of god & of the liberties of holy church, & also in disturbance of diuine seruices aforesaid, The same our soueraigne lord ỹ king (who would be displeased, if any did in such maner) will & graunteth, & desendeth vpon his greuous forfaiture, ỹ none do the like frõ henceforthe, so ỹ collusion or feyned cause be not founde in any of the sayd persons of holy church in this behalfe. An. 50. E. 3. cap. 5.

Clergy Priestes

Clerks Sacramẽts

Churches Churchyards

Diuine seruice

Collusion

3 ¶ Because that the prelats do complaine thẽselfe, that aswel beneficed people of holy church, as other be arrested & drawẽ out eswel of cathedral churches as of other churches & their churchyards, & sometyme whyls they be entending to diuine seruices, and also in other places, although they be berig the body of our lord Iesu Christ to sick persons, & so arrested & drawen out, be bound & brought to pliso against ỹ liberty of holy church. It is ordeyned, ỹ if any minister of ỹ kig or other do

Prelats Priests Cathedrall Churches Church-yards

Sacrament Prison

Impṕil. Fine

rest any person of holy church, by such maner and thereof bee lawfully conuict, he shall haue imprisonment, and ther be raunsomed at the kinges will, and make gree to the parties so arrested. Prouided alwayes that ỳ said people of holy churche shall not hold them

Sanctuaries Collusion

within the churches or sanctuaries by fraude or collusion in any maner. An. 1. R. 2. cap. 15.

## Artificers.

IT is ordeyned, that artificers han by crafte people, shall hold them euery one to one misterye, which hee wyll chose betwirte this and the said feaste of Candlemas. And. ii. of euery

Surueye

craft shalbe chosē, to surueye that none vse other craft thē ỳ whiche he hath chosen, & that iustices bee assygned to

Justices Oyer & terminer

enquire by procesle, to heare & determyn in this article as is ordeyned in the article before said, sauyng ỳ ỳ trespassoures in this article shalbee punished by imprisonment of two yeare, & moreouer to make fyne & raunsome according to the quantytie of the trespas. And ỳ surueyours by the discretiō of ỳ iustices, as before. But the intēt

Trespasses Impṕil. Fine

of the king & of his counsell is, ỳ women, that is to say bruers, bakers, carders, and spynners, & workers as well of woll as of linen cloth & of silk

Women Bruers Bakers Wooll Lynn cloth

brayndesters and breakers of wolle, & all other that do vse and worke handy workes, may freely vse and worke as they haue done before this time, without any impechement, or being restreyned by this ordynaunce. Anno. 37. E. 3. ca. 6.

2 ¶ Where dyuers estatuts penall heretofore haue bene made against

Aliens

straungers artificers, for exercising of handycrafts wyn this realm, & for keeping of houses, apprentices and seruaunts estrangers, as by the said seueral estatuts more plenly is rehearsed.

Apprētices

Bruers Bakers

Sithēs the making whereof Bakers which ben common bruers, & bakers, & also surgeons & scriueners being straungers inhabiting & dwelling within this realme, haue bene put to trouble and great vexation by occasion of informatiō brought against thē vppon the said estatut supposing that straungers vsing baking, bruing surgery, or writings, should be handicrafts men, vpō ỳ which information great doubts & ambiguities haue risen whether straungers vsing any of the said misteries or sciences, should be vnderstand such handy crafts men as were intended by any of the said estatutes, for plein declaration whereof be it enacted &c. that no person or persons, straungers, being a common baker, bruer, surgeon or scriuener, shalbe enterpreted or erpounded handicrattsmen, in, for or by reason of vsing any of ỳ said misteries or sciēces of baking bruing surgery or writing: and that al informations suites, actions and proces had taken or hereafter to be taken vppon any of the said estatutes, againe any such stranger or straungers, being bakers, bruers, surgeons or scriueners, shal by auctority of this present act be void & of none effect. Anno. 22. H. 8. ca. 13.

Surgions Scriueners

Handy crafts men

Void

3 ¶ If any bouchers, brewers, bakers poulters, cookes, costermongers or fruterers: shal at any time from & after the first day of March next comming conspire, couenaunt, promise or make any othes, ỳ they shal not sel their victuals, but at certein prices, or if any artificers, worke men, or labozers do conspire couenāt or promise together, or make any othes ỳ they shal not make or do their workes but at a certein price & rate, or shal not enterprise to take vpō thē, to finishe ỳ another hath begō, or shal do but a certein worke in a day, or shal not worke but at certein howers & times, ỳ thē euery person so conspiring couenanting swering or offēding, beig lawfully cōuict therof, by witnesse confessiō or otherwise, shal forfait for ỳ first offence, ten

Watchers Bruers Bakers Poulters Cookes & Costermongers Othes Victuals Artificers Labozers

Price

Conspiracy

Forf.

pound

pound to the kings highnes, and if he haue sufficient to pay the same, and do also pay ỹ same within sixe days next after his conuiction, or else shall suffer for the first offence xx. dayes imprison ment, & shal only haue bread and water for his sustenaunce. And for the second offence, shal forfait twenty pound to the king, if he haue sufficient to pay the same, and do pay the same within six days next after his conuiction, or else shall suffer for the second offence, punishment of the pillory. And for ỹ third offece, shal forfait fourty pounds to the king, if he haue sufficient to pay the same, and also do paye the same wi in sixe dayes next after his conuiction or else shall sitt on the pillory and lose one of hys eares, and also shall at all times after that, bee taken as a man infamous, and hys sayinges, depositions or othe, not to be credited at any time in any matter of iudgment. And if it fortune any such conspiracy, couenant or promise to bee had and made by any societie, brotherhed, or compa ny of any craft, misterie or occupati on of the victualers aboue mencioned with the presence or consẽt of ỹ more part of them, that thẽ immediatly vp pon such acte of conspiracy, couenant or promise had or made, ouer and be sides the particuler punishment be fore in this act appointed for the of fendour, their corporation shalbee dis solued to all intents construction and purposes. And it is ꝛc. ỹ all & singuler Iustices of assises, Iustices of peace, Maiors, bailifs & stewards of Leets at al & euery their sessions, Leets and courts, shal haue full power & authoritie to enquier heare and determin all and singuler offences committed a gainst this statute, and to punishe or cause to bee punished the offendor ac cording to the tenour of this statute. An. 2 E.6. ca. 15.

4 ¶ And in the same act is an arti cle that none shall disturbe any artifi cer named in that article (that is an English man or denizen) to worke in any of the craftes theyr named in any Citie bourough or towne corpo rat with any person though these artifi cers do not dwell or bee not free there ꝛc. But this last article is repealed by 3, E.6. cap. 20.

¶ *Assault and fraies.*

BEcause that Richard Chedder Es quier, which was come to this pre sẽt parliamẽt with Thomas Broke knyght, one of the knights chosen to the same parliament for the county of Somerset, and menyall seruant with the said Thomas, was horribly bea ten, wounded, blemished, and may med, by one John Sauage. It is or dayned & stablished, that for so much as the same horrible deed was done within the time of the said parliamẽt, that proclamation be made, wher the same horrible dede was done, that the said John appere and yelde him in the kynges Bench within a quarter of a yeare after the proclamation made, & if he doe not, the same John Sauage shalbe attainted of the said dede, and pay to the partie greued his double da mages, to be tared by the discretion of the Iudges of the sayd benche for the time being, or by enquest if it nede be, & also he shall make fine and raunsõe at the kings will. Moreouer it is ac corded in ỹ same parliament, that like wise it be done in time to come in case lyke. An. 5. H. 4. cap. 6.

2 ¶ If any assaut or affray be made to any Lord spirituall or temporall, knyght of the shere Citezin or Bur gesse coming to the Parliament or to the councell of our soueraigne Lord ỹ king by his commaundemẽt, & theyr being & attending to the parlyament or counsel of our soueraigne Lord the king, that then proclamation shall bee made in ỹ most opẽ place of the town by ỹ three seuerall dayes wher the af fray was made that the partie that made

Impytion

Offence

Pillory

Conspiracy

Corporatiõ dissolued

Iust. of ass. Iust. of p. Maiors Bailifes Stewards of leetes Oier & terminer Punish

Denizen

Repealed

Chedder

Brooke

Somerset Parliamẽt Rayme Sauage

Proclamatiõ

Kings bẽch

Attaint

Damages

Iudges Enquest Fine

Parliamẽt Counsel Proclama tion

made such affray or assaut yeld hym before the kyng in his bench within a quarter of a yere after the proclamation made if it be in ỳ time of ỳ terme or other wise at the next day in ỳ time of ỳ terme folowing the said quarter, & if he do not that he be attainted of ỳ said dede & paie to ỳ partie grieued hys double damages: to be tared by ỳ discretion of Justices of the same benche for the time being or by enquest if it be nedefull and make fine & raunsome at the kings will, And if he come and be found gyltie by enquest by examynation or other wise of such affray or assault then he shal pay to ỳ partie therby grieued his double dāages found by the enquest or to be tared by ỳ discretion of the sayd Justice and make fine & raūsome at ỳ will of our Soueraign Lord ỳ kyng as aboue is said. An. 11 H. 6. cap. 11.

Attaint

ij. damages
Justices
Enquest
Fine

Examinatiō
Affray

ij. damages

Fine

¶ *Assises*

Worcestre

Chiefe Justice
Knights of shires

Determin;

Circuit
Difficulty

Eschetor
Shirife
Writte
werrant

Diffeise
Freehold

Assyses of newe dilleysin, and of Mortdaunceltour shal not be takē but in their sheres, & after this maner If we be out of this realme, our chief officers shall sende out our Justicers through euery county once in the yere, which with the knyghts of the shers shall take the sayde Assises in those counties, and those things that at the comming of our forsaid officers being sent to take those assises in the coūties, can not be determined, shalbe ended by thē in some other place in their circuite. And those thinges whych for difficultie of some articles can not be determined by them, shalbe reserred to our Justicers of ỳ bench, & their shal be ended. Mag. Carta cap. 12.

2 ¶ No Eschetour, sheriffe, nor other bayliffe of the kynge, by colour of his office, without speciall warrant or commaundement or authoritie certain pertaining to his office, diffeise no man of his freehold, nor of any thing belonging to his freholde. And if any dede it shalbe at the election of the diffesie, whether that the king by office shall cause it to be amended at his complaint, or that he will sue the common lawe by an assise of Nouel dilleisin, & hee that is attainted therof shall paye double damags to the plaintife, & shall be grieuously amerced vnto the king. W. 1. ca. 24. An. 3. E. 1.

Office

Cōmō lers
Attaint
ij. damages
Amerced

3 ¶ It is prouided also & agreed, ỳ if any mā be attainted of dilleisin don in the tyme of the king that now is, of robbery of any maner of good or moueable & be found against him by recognisance of assise of nouell dilleisin, the iudgement shall be such, that the plaintife shall recouer seasen for the land & his damages, as well of the goods moueables aforesaid, as for the freehold, & the dilleisour shall make fyne, which whether he be present or not (so it bee presēted) shal first be awarded to prisō And in like maner it shall be don of dilleisin wō force & armes, although there be no robbery. w. 1. ca. 36. A. 3. E. 1.

Attaint
Dilleisin
Robbery

Recognisāce
Iudgement

Damages
Freehold
Fine

Prison

Force

4 ¶ Assises of nouel dilleisin, Mortdaunceltour, & darrain presentment, should be taken in aduēt sertuage sime & lent, euen aswel as enquests may be taken, W. 1. cap. 48.

Mortdaunceſtour
Darrein
presentmēt
Aduent
Septuagesima
Lent

5 ¶ De execution 2. of assl. by tenāt by elegit. And se recogn. 2. of assise by tenāt by statut merchāt. And se staple 8. of assise by tenant by statut staple.

Elegit
Statut
merchant

6 ¶ For as much as there is no writ in ỳ chaūcery, whereby plaintifs can haue so spedy remedy, as by a writ of n uel dilleisin, our soueraign lord ỳ kig to the intēt that Justice may be more speedily myniſtred, and delayes in pleas may bee abrydged and taken away, graunteth, that a writte of Nouell dilleysin shall holde place in mo cases then it hath done heretofore, and graunteth that for estouers of wood, profit to be takē in woods by gathering of nutts, acornes and other fruictes, for a corodie, for deliuery of corne & other vitayles and necessaries to be receiued yearly (in a place certayn) tolle, tronage, passage, pontage pawnage, and such lyke to be taken in

Chancery
Plaintifes
Nouel diſſ.

Iuſtice
Delates
Eſtouers of wood
Nutts
Acorns
Fruites
Corody
Tolle
Tronage
Paſſage
Pontage
Pawnage

woods Parkes Forestes Chases warrens Bailliwicks Offices

places certaine, buildings of woodes, parkes, forestes, chases, warrens, parkes, and other bailiwikes, and offices in fee, from henceforth an assise of nouel disseisin shall lye, & in al ỳ cases afore rehersed the writte shalbe De libero tenemento. And as before times it hath lien and holden place for common of pasture, so shall it from henceforth hold place for common of turuelande, fishing, and such like commons which any man hath appendãt to fre holde, or without freeholde by speciall dede, at the least for terme of life. In case also when any holding for terme of years, or in ward alieneth the same in fee, and by such alienation the freeholde is transferred to the feffee, the remedy shall bee by a writte of nouel disseisin, and as well the feffour as ỳ feffee shalbee had for disseisours, so that during the lyfe of anye of them, the sayd writte shall hold place. And if by the death of the parties remedy happen to fayle by that write, then remedy shalbee obtayned by a writte of entre, and albeit that aboue mention is made of some cases wher in a wrytte of nouel disseisin helde no place before, lette no man think therfore that thys writte lyeth not nowe wher it hath lyen before. And though some haue doubted whether a remedy bee hadd by thys wrytte, in case where one commeth in the seuerall of an other, lette it bee hadd for certaine, that a good and a sure remedy is geuen in that case by ỳ said writ & lett them that bee named disseisours beware from henceforth, they alledge not false exceptions, wherby the takynge of the assise may bee deferred, saying that another tyme an Assise of the same land passed betwen the same parties, or saying untruely that a writ of more high nature hãgeth betwen ỳ same parties for the same lãd, & vpon these & like matters do vouch rolles or records to warrãtie, to ỳ end ỳ by the sãe vouching they may take alway the

Alienation writt Seuerall Disseisons False exceptions Rolles Record Vouch

deliuere of ỳ lãd, & receiue the rentes & profits, to the great damag of ỳ plaintife. And wher albeit before non other pein was limitted against him ỳ falsitie ỳ had alledged such untrew exceptiõs but only ỳ after such false surmises disproued, ỳ assise should passe: Our soueraigne lord ỳ king to whom such false exceptions be odious, hath ordeined, ỳ if any being named disseisour do personally alledg ỳ exceptiõ at ỳ day to him geuẽ (if he fayle of the warrantie ỳ he hath vouched) he shalbe adiudged for a disseisour wõut taking of the assise, & shal restore ỳ damages before required or to be enquered after ỳ double, & shal neuertheles haue a pers imprisonmẽt for his falshod. And if ỳ exception be alledged by a bailife, ỳ takyng of ỳ assise shal not be delayed therfore, nor ỳ iudgement vpon ỳ restitution of the lãds & damages. Prouided neuertheless, ỳ if ỳ master of such a bailife ỳ was absẽt, cõe afterward before ỳ same Iusticers, that take ỳ assise, & offer to proue by the record or rolle, ỳ an other time an assise passed betwen ỳ same parties for the sãe land, or ỳ a plaintif at an other tyme did withdraw his suit in a like writ, or that a plea hangeth by a writ of more high nature: a writ of venire facias shal be made to him vpon ỳ sãe record, & when he hath the same, & the Iusticers do perceiue, that ỳ record so shewed by him before the iudgement should be so anayable, that ỳ plaintife by force of ỳ sãe should be barred of his accion, ỳ Iusticers shal award immediatly a Scire fac. against hym ỳ first recouered, ỳ he bee before thẽ at a certain day: at ỳ which ỳ defendãt shal recouer his seysin and damages (if hee ought to haue paied any by ỳ first iudgemẽt) to the damages also ỳ he had after ỳ first iudgmẽt geuen, which he shal recouer to the double as before is sayd, & he that first recouered shalbee punished by imprisõmẽt after ỳ discretiõ of ỳ Iusticers. In ỳ sãe maner if ỳ defendãt against whom ỳ assise passed

Mesture Profits Exceptions Disseisor Iudged Damages Imprison Bailife Iudgemẽt Master Iusticers Venire fac. Plaintife Warre Accion Scire fac. Defendant Damages Iudgemẽt Imprison

in

Absence
Deedes
Releases
Jury
Examin
Pleading

in his ablence, shew any deeds, or releasses, vpon ỹ making wherof ỹ iury were not examined nor could bee examined because there was no mẽcõ of lykelyhode made of thẽ in pledyng, & might be ignorãt of ỹ making of those wrytings, The Justicers vppon the sight of those writings shall award a

Scire fac.

Scire facias to the partie that recouered, that hee appere before them at a certain daye, and shall cause the iurours of the same assise to come. And if they find those writinges trewe by

Iurors
Verdict
Inrolmẽt
Payne
Shirife
Ore

their verdict or by inroulemẽt, he that purchased ỹ assise contrary to his owne deede shal be punished by the peyne aforesaid. Neyther shal the sheriffe frõ henceforth take an ore of the disseisie, but of the disseisour onely, & if there be many disseisours named in one writ yet shal he be contented with one ore, nor shall are any ore but of fiue shyllynges pryce, or the value. Wl. 2. cap. 25. An. 13. E. 1.

K.S.

Common
Vsurpe
Infant
Woman
Dower
T. by curtesie

7 ¶ Where one hauing no right to common, vsurpeth cõmon, what time an heire is within age, or what time a woman is couert, or whylest ỹ pasture is in the handes of tenauntes indower by the curtesy, or otherwise for terme of lyfe, or yeares, or in fee taile, and the pasture bee long vsed, many holde opinion, ỹ such pastures ought

Appurtenãt

to be sayd appurtenaunt to freeholde, and that the possessioner ought to haue

Writ

action by a writte of nouel disseisin, if

Declare

he be defaced of such pasture: but frome henceforthe this must bee holden for lawe, that such as haue entred within the tyme that an assise of

Mortdauncestor

Mortdauncestor hath lyen, if they had no common before, shall haue no recouery by a writte of nouel disseisin, if they bee forced. Wl. 2. cap. 25.

Attorneis

8 ¶ Where tenants in an assyse of nouell disseisin myght not make attornes heretofore, it is agreed that the tenãts in assise of nouel disseisin from henceforth may make attornes. yet the kinge intendeth not hereby that ỹ tenaunts and defendants in assises of nouel disseisin shall plead by bayliffes at their owne pleasure as ỹ haue done heretofore, Statut Ebor. cap. 1. An. 12. E. 2.

Bailifes

9 ¶ Forasmuch as it chaunceth many times in assises of nouel disseisin, that the tenant doth plede against the plaintiffe, that he holdeth the lãds being in demaund ioyntly wyth hys wife, not named in the writt, & sometime with a straunger who likewyse is not named in the writt, & sheweth forth a deed testifying the same, & demaundeth iudgement of the writte: It is agreed and ordeined, that if the plaintiffe will offer to auerre by assise that the day of his writ purchased, hee that aledged the exception was sole tenant, so that neither his wife nor any other had any thing in the said landes, then the Justices, before whom the assise is arrayned, shal retayne the same deede sauely in their keping vntil the assise be tried betwen them thervpon, And they shall lette the party absẽt to vnderstand by our writte vnder theyr witnessing, and also to the iointenant that is present, of whom the dede maketh mencion, that he be present, at a certain day bỹ the other tenant, for to answer vnto ỹ party plaintife as well vpon ỹ exception aledged, as of ỹ lãds demaunded & put in viewe, if it seme expediẽt for him, at which day if both ỹ are named tenauntes do come in, & do not disse ỹ same seasement, they shal answer & maintain ỹ exception alledged by on of thẽ, & further shal answer vnto ỹ assise as though ỹ originall had bẽ purchased against both of thẽ ioinctly. And if it be moued by assise, that ỹ exceptiõ was alledged malitiously for to delay ỹ plaintife of his right so that they held not ỹ same lande iointly the day of ỹ writte purchased, thẽ shall it ỹ same assise go passe for the tenaunts, & against ỹ plaintife, yet they ỹ alledge ỹ exceptiõ shall be punished by on pers vnprisonmẽt, frõ whẽce they shal not be

Deeds
Auerre
Iustices
Writ
Exception
View
Feoffements
Original
Joint.
Punish
Imprison.

Fine Justices

be delyuered vpon greuous fyne. And let the Justices bee well aduised, that from henceforth they doe not allowe

Bailifes

an exception alledged by the bailiffes of any such tenauntes: and if hee that alledgeth the exception absent hym selfe at his dayes, and the other that is named iointenãt do appere, although he iustifie the same dede, and say that he hath nothing in the foresaid landes &c. neuertheless the assise shal passe a-

Default

gainst him that is absent by default. And if it bee found by assise, that they were not iointly seased the day of the writte purchased, and likewise that the tenaunt against whom the writ was purchased, or an other named in the

Disseise

writte did dissease the plaintife, the hauing regard to them that were falsely & maliciously alledged to the hurte of the partie, and to the disseisin that they made, the plaintiffe shall recouer

½ damages

his seysin & double damages, and they that alledge the false exception, shall, haue the punishment aforesaid. But if neyther of the tenauntes doe come in at the day, then vppon their default

Default

the assise shal passe against them. And if it be found, that the same exception was lawfully and trewely alledged, & that they that alledged it were iointly seysed before the plaintiffe purchased his writte against them, the assise

Writ Abate

shall passe no further, but the writte shall be abated. The same shalbee obserued if both or one do appere, if it be found by assise that the exception was trewly alledged, as before is said. The same order shalbee obserued in assises of Mordaunceltour and writtes of

Mordaunceltor Juris vtrū

iuris vtrum that the first day that the parties appeare in court, if the tenant alledge the exception against the demaundaunt: shewing a dede thereupon, and the demaundaunt will offer

Auere

to auere by the assise or iury, that the day of his writte purchased, he that alledged the exception was sole tenant,

Sole tenant

hereafter the same maner of procesle shalbee vsed in assises of Mordaunces-



tour, and writtes of Juris vtrum, as before is ordeined in assises of nouel disseisin and like punishement shal be awarded to the offendors. But in other writtes whereby landes are demaunded, such procesle shall bee made at the first day that the parties appere in court, if the tenaunt doe alledge the foresaid exception of a ioint feffement and the demaundãt will offer to auere by the countrey, that the day of the writte purchased he that alledged the exception, was sole tenant, then the

Writs Process

Jury

same manner of procesle shalbee obserued betwixt the parties until a iury haue passed betwene them thereupon. And if it be founden by the iury, that the same exception was trewly alledged, then the writte of the demaundant shall abate: And if it be founden by the iury that ỹ same exception was falsely and maliciously alledged to the hinderance of the party, then the demaundant shall recouer his seasen of the landes in demaunde, and the tenaunt shall be punished by the paine aboue said in a writte of nouell disseisin,

Abate

Imprison Damages

as to the imprisonment, and as to the damages according to the discretiõ of the Justices. An. 34. E. 1.

10 ¶ An assise of Nouell disseisyn shall be from henceforth graunted & made of rent behind due of tenemẽts being in diuers counties, to bee holden in the confyne of the counties, wyth in which the tenements be. And thereupon the assise taken and tried by people of the sayd counties in the same maner as is done of a common of pasture being in one county, and appendaunt to tenements in an other countie. And that as well of disseisyns don in times paste as of disseisins yet to be done, and that writtes thereupon at the suit of the plaintifes bee made frõ hereforth in the chauncery wonte any maner of contradiction in a due forme. An. 7. R. 2. cap. 10.

Rent

Confines

Comms of pasture

Appendant Disseisin Writs

Patents

11 ¶ In case annuelties or tenements be graunted by ỹ kyngs patẽt

Enquest Entre

without title found by enquest or other wise there where the kinges entre ys not geuen by the lawe: They that be put out or disseysed of theyr freehalde

Disseised Chaūcelor

shall haue a speciall assise of the chauncellers graunt, without other suite to be made to the king in that behalfe, & if the persons hauing the kings letterz

Ayde Procedendo

patents doe pray in ayde, a writte of Procedendo shall be graunted by the said chauncellor, without making other suite to the kyng. And in case that they which be put out or disseised, doe recouer against ỳ persons hauing such patents: that thē they which be so put

3. Damages

out or disseised, shall recouer their treble damages. And that this ordinance and statut holde place as well after ỳ kynges arryuaill into England, as in al time to come. Anno. 1. Henrici. 4. cap. 8.

Forcible entries

12 ¶ Wher as dayly ỳ great mē of the realme do make forcible entres into other mennes lands, and put out the possessours of the same, clayming some time in their owne right, where their entrie is not lawfull, & sometim in an others right, wher they haue no thing in reuercion in ryght nor in demeane, nor there is no affinitie nor cosynage betwixt them & those in whose ryght the haue entred, and also take

Goods Robberis

theyr goodes and catals in maner of roberie, so that oftentimes they bee in such maner put out, and of their goods & catals spoyled, ỳ they haue nought to pursue for their right, and so by such forcible entries and maintenaunce the land tenaunts and possessours be vtterly disherited and destroyed: Our sayd souereigne Lord the kyng, mynding to doe euen right to all hys lyege people aswell the small as the great, and that his lawes be duely executed, at the greuous complaint of the said comons, by the aduise and assent of

Riots

all the lordes aforesaid, for to punishe and chastice such ryotes and forcible entries so made, and hereafter to be made against the lawes of the lande, hath ordeyned and stablyshed, that if any man great or smal of what estate or condicion that hee bee, make any such forcible entrie in his owne ryght or to hys owne vse, or in an others right, or to an others vse by way of

Maynteneūce Maintenis

maynteneaunce, or take or cary away any goods after such forcible entrie from the possessour of the freehold, that if the partie greued or other lawfull man wyll make affyaunce in hys

Affiance

name, that ỳ entrie was made in such forcible maner, That the Chaunceler of England for the tyme being, shall haue power by his discretion to grant a speciall assise in this case to the party greued, of what soeuer valour ỳ tenements be, without kyng to the king, And if such disseyzor be attainted of such

Chaūceler Disseisor Attaint

disseison made in such forcible maner, he shall haue one years imprysonmēt

Imprison

and yelde to the partie greued his double damages: And if hee be conuicted

2. damages Conuict

by the same assise: that he hath taken or caried away any goods or cattels of such disseisies: ỳ Justices of ỳ same assyse shal haue power for to heare and

Goods' Justices Ours & terminer

determyne as well for our souereigne Lord the king as for the partie, of the goodes and cattels so caryed away, and to awarde to the same partie so greued hys Damages: And that in

Damages

euery such especiall assyse bee named one of the same Justices of the one benche or of the other, or the chyefe baron of the Eschequer, if hee be a mā of the lawe. And that hereafter no

Suppledias

writte of Supersedeas bee granted to the contrary of such especiall assyses. An. 4. H. 4. cap. 8.

Justices

13 ¶ Anno. 9. Hen. 5. cap. 3. the kynge commaunded that his Justices should holde the assyses through hys Realme by the maner accustomed.

14 ¶ Anno. 9. H. 5. cap. 3. & An. 4. H. 6. ca. 2. & Anno. 8. H. 6. cap. 13. & Anno. 14. E. 4. cap. 2. diuers seuerall acts were made to endure for certein yers

Recoueries

wherein were enacted the recouerie

Reuercion

in assise should not be prejudicial to thē in the reuercion which were beyond the Sea wyth the Kyng in hys seruice, if they were not named in the Assyse.

Panels

15 ¶The panelles of the Assises shalbee arrayed, and a copy indented of the same by the sheriff delyuered to plaintifes tenauntes and defendants, vi. dayes at the lest before the Session of the Justices, yt they the same demaund. And as to the returne or answer of the Bailiffes of fraunchises, they shall make their returnes or answers to the sheriffes of such speciall assises, vi. dayes before the session in the maner as afore: And that vppon payne of xl li. to bee payed by the sayd sheriffes or bayliffes to the kyng, as often as they or any of them doe contrarye to this ordynaunce or statute. An. 6. H. 6. cap. 2.

Shirife.

Returns

vi. dayes

Paine

Bailiffes

16 ¶Wher as diuers persons, oftentimes do sue assises of Nouel disseisin before Justices assigned against diuers persons, and by crafte and collusion, for to haue their writtes of their said assises direct to the coroners of the counties, where the tenements bee, for to make execution of the sayd writs, do name in their said assises ỳ sheriffs of the same County one of ỳ disseisors, where hee is not nor neuer was disseisour nor tenant of the tenements in demaund, wherby oftētimes the said assises bee awarded by the default of the tenauntes which haue no knowledge of those assises, in so much that they found not any assise against them of ỳ sheriffe in the syle, nor haue no suspection of any suche assise taken against the sheryffe and them: Our soueraigne Lord the kyng, willyng in this case to prouide remedy, of the assent and auctoritie aforesaid, hath ordeyned that in all such assises purchased at this time hanging or hereafter to be purchased herwen any persons what soeuer they bee, before any such Justices in which assises any such sheriffe be named disseisour, if the tenauntes in the said assises or any of them will auerre, that the said sheriffe is not nor neuer was disseisour nor tenaunt of ỳ tenementes in demaund, but was named disseisour by collusion, the auermēt shalbe receiued. And if it be found by the sayd assise, that the said sheriffe bee not nor neuer was disseisour nor tenant of the tenemēts, but was named disseysour by collusion, then the sayd Justices shall doe to bee abated the said writte purchased or to bee purchased in the fourme abouesayd. And that the plaintifes or plaintife be in ỳ grieuous mercy of the kyng. An. 11. H. 6. cap. 2.

Collusion writs

Coroners

Shirifs

Auerre

Justices Abate

Fyle

See the lyke Statut in consuance. An. 9. H. 4. Cap. 5. & Anno. 8. H. 6. Cap. 26.

17 ¶That the plaintifes in every assise trō hēceforth may at his pleasure seuer & abridge his plaint, of any part or partes, whereunto any barre is pleded, in such like manner as he or they might doe in case that pleas in barre had bene had and deuided to any certeintie or number of acres in the plaint, and that the plaint for the residue of the parte or partes of the landes not abridged, shalbee and stand good and effectual in the lawe. Anno. 21. H. 8. cap. 3.

Abridge

## ¶ Attainder.

Anno. 11. H. 2. Cap. 5. ffi. certeine persons were attainted by parliament.

2 ¶An. 5. H. 4. ca. 1. & An. 7. H. 4 12. certen persons were attainted by parliament.

3 ¶See vles 8. of attainder of Empson and Dudley.

4 ¶An. 25. H. 8. ca. 12. an act was made concerning the attainder of treason of Elizabeth Barton nunne of Caunterbury, Richard master, Edward Booking monke, John Deering and Hugh Rice, Richard Risby ob-

obseruant fryers, & Henry Colde, of
Misprision misprision of treason of John Fisher
bishop of Rochester, Th. Gold, Th.
Lawrace, John Adelton, & Thomas
Abell. &c.

5 ¶ De Crowne 4. of the attainder
of Anne Bollein and her brother and
other.

6 ¶ An. 33. H. 8. cap. 21. an act
was made for the attainder of treason
of Queene Caterin Haward, the lady
Rochforde, Culpoper and Derham, &
Treason of the attainder of misprision. An act
of treason of the Duches of Norfolke
the Countesse of Bunge water, Lord
william Haward & diuers other men
and women.

7 ¶ In An. 2. E. 6. cap. 17. an act
Treason was made for the attainder of treason
of sir will. Sherington knight, & after
Restored An. 3, E. 6 ca. 13. he was restored to
his blood.

8 ¶ In An. 2. E. 6, ca. 18. a great
Treason long act is made for the attainder of
treason of sir Thomas Seymor lord
Admirall, and after an. 3. E. 6. Cap.
14. Marye Seymor hys Daughter
Restored was restored to her blood.

9 ¶ In An. 1. & 1. Parliamento
2. Sessione ca. 16. an act is made for
Treason the confirmation of the attainder of
treason of John Dudley Duke of Nor-
thumb. Thomas Cranmer Arche-
bishop of Cauterbury, will. Marques
of Northampt, John, Earle of War-
wike, sir Ambrose Dudley knyght,
Daylford Dudley Esquier, and Jean
his wife, Henry Dudley Esquier, sir
Andrew Dudley knight, sir John
Gate knight, and sir Thomas Pal-
mer knight, & diuers articles concer-
ning that matter.

10 ¶ An. 13. Eliz. Regine ca. 16
An act is made for the confirmation
of the attainder of Charles Earle of
Westmerlande, Thomas Earle of
Northumberlande & many other,
knightes, Esquiers and Gentlemen.

The Kinge of hys office shall from
hence for the graunt attaints vpon
Freehold inquests in plea of land or of free hold
or of any thing touching freehold whe
it shall seme to him necessary, W. 1.
cap. 37. An. 3. E. 1.

2 ¶ Of proces to runne in Juries
Juries of trial. because that by the lawe the
same hath not bene of late vsed. Justi-
ces haue not taken Juries vntil all the
Justices. Jurors first Jurours which were alive did ap
peare before them in court, And those
Appeare Jurours doubting to bee attainted,
would rather lose their Issues then ap
per in court, by meas whereof ye plaun-
tifes were greatly delayed, and false
pleas sued times punished. It is ther
fore ordeigned and established that if
the first Jurours which shalbe tryuing
appere not in court before the Justi-
ces which shalbe assigned such Juries
Grannd. dilices. to take, at the first graund dilires vp-
pon them returned, or that returne be
made, that they haue nothing whereby
they may bee distrayned, that then by
ther absence, ther be no delay made of
the Jurie, obserning in al other things
Proces. ye proces in such Juries vsed, this not
withstanding. W. 4. de vic. & ballid
Cera.

3 ¶ A writ of attaint shalbe grau-
Writ of attaint. ted as well vpon the principall, as vp-
Principal Damages. on the damage of such writte of tres-
Tresp̄as pas. And that the chancellour which
Chancellor. shall be for the time, shall haue power
to graunt such writtes of attaints wi-
out speaking therfor to the king. And
in such and all other cases of attaintes
Justices the Justices shal not let to take the at
taintes for ye damages not payd. An.
1. E. 3. cap. 6.

4 ¶ Where as Jurours haue the
Jurors lesse doubted to be perjured, by reason
Perjury of the long delaies that haue ben in at-
taintes, before the Justices of the one
Justices of both benche and of the other, and before o-
benches ther Justices. It is enacted that no es-
soigne of the kings seruice, nor protec-
Essoigne Protection Juries. tion shall be from hence forth alowed
in such Juries, no more then in al o-

of

of nouel diſſeiſin. And that fiue daies by the peare bee geruen before the Iuſtices of the common bench in the ſayd iurys at the leaſt. And that a Niſi prius bee as well geuen in ſuch writtes as in other. And where as it is conteyned in a ſtatute late made at Weſtminſter, in the firſt yeare of the reigne of our ſoueraigne lord the king that now is after the coronation, that attayntes ſhould be graunted in writtes of treſpas. It is ordred and eſtabliſhed that writtes of attaynt ſhall be frō henceforth graunted as well in pleas of treſpas mooued without writ, as by writ before Iuſtices of record: if the dammages iudged do paſſe. xl.s. Anno.5. E.3. cap.6.& 7.

Iuſtices of the cōmon bench
Niſi prius
writs of treſpas
Damages

5 ¶ The writ of attaint ſhalbe grāted frō henceforth, aſwel vpon a bill of treſpas, as vpon a writ of treſpas of enquells which be to bee taken in time to come, without hauing regard to the quantitie of the damages. An. 28. E.3. cap.8.

Bill of treſpas
Damages

6 ¶ Euery man againſt whō they paſſe, may haue the attaynt as well in plee reall as perſonall. And ỳ the attaint be graūted to the poore people which will affye ỳ they haue nothing therof to make fine (but onely their cōtenance) wōut fine, & to all other by eaſy fine, An. 34. E.3. cap.7.

Real
Perſonal
Poore people
Affye

7 ¶ It is accorded and aſſented, ỳ if the tenant for terme of life, tenāt in dower, tenant by the curteſy of England, or tenant in taile after poſſibilitie of iſſu extinct be impleaded, and pleade to an enquell, and loſe by the othe of xij. or that they loſe by default or in other maner, that hee to whom the reuerſion of the tenemēts ſo loſt perlayneth at the time of ſuch iudgement geeuen, his heires and his ſucceſſours ſhal haue an accion by writ of attaint to attaint the ſame othe, if they will aſſigne the ſame othe to be falſe, and alſo by writte of errour, if errour be found in the record of ſuch iudgement, as wel in the life of ſuch tenants that ſo do loſe, as after their death. And if ſuch iudgement erronious be reuerſed, or ſuch falſe othe be found, that the tenaunt that did loſe by the firſt iudgemēt, if he be in life, ſhall bee reſtored to hys poſſeſſion of the tenements ſo loſt, with the iſſues in the mean time, and the party purſuyng to the arrerages of the rent yf any be due of the ſame tenementes. And if ſuch tenaunt bee dead at the time of the iudgement geuen vpon ſuch writtes of attaint and of errour that reſtitution of the ſayd tenemēts be made to the party purſuyng, with the iſſues after the death of the ſayd tenaunt, together with the arrerages of the rent, if anie to hym were due in the lyfe of the tenaunt. Prouided neuertheles, ỳ although the tenaunt, which ſo dyd loſe by the firſt iudgement be in life, and ỳ partie purſuyng will alledge, that the ſame tenaunt was of couyne, and of the aſſent of the demaundant, which recouered, that ſuch tenemēts ought to bee loſt, that reſtitution of ỳ ſame tenementes bee made, to the ſame party purſuying, with the iſſues and arrerages, as afore is ſayd. Sauyng to ſuch tenaunt hys accyon by writ of Scire facias out of the ſame iudgement ſo reuerſed or geeuen, or writ of attaint if he will trauerſe ỳ couyne aſſent aforeſaid, and other wiſe not. An. 9. R.2. cap.3.

Errour
Reuerſe
Iſſues
Arrerages
Reſtitution
Couin
Reſtitution
Iſſues
Arrerages
Scire fac.
Trauers
Colluſion

8 ¶ Se An. 13. R.2. cap.1. how ỳ of a verdict taken before the Maior and Bailliſs of Lincolne, attaynt ſhalbe ſued in the kinges benche or cōmō place, & the Jury ſhalbee of the cōtye of Lincolne.

Verdict
Maiors
Bailifes
Kings bēch
Cōmō place
Lyncolne

9 ¶ Se An. 3. H.5. cap.5. how ỳ of a verdict

a verdict take before the Maior & bayliffes or shirif of Lincoln, attaint shal be sued in the kings bench or common place, & the iury shalbee of ỳ couty of Lincoln though Lincoln were made a county by it selfe.

10 ¶ Our soueraign lord the king, by the greeuous complaynt of hys cõmons, considering the great mischiefes had within the realme, & yet not remedied, and also the great damage & dishenheritance ỳ cõmeth by the vsual periury of iurrours, empanelled in ẽquestz, aswel in ỳ courtz of our soueraigne lord the king, as of other, the whych periury haboũdeth & encreaseth dayly more then it was wont, for the great giftes that such iurrours take of the parties in pleas sued in the sayd courtes, insomuch that the greater partie of people that haue to sue in the sayd courtes, leue their suites for the mischief aforesaid, and namely for cause of the delayes ỳ be in the writs of attaintes, for ỳ in times past in writtes of attayntes when the graund iurie had appeared in court, and were readie to pas, one of the tenaunts or defendauntz or of ỳ petit iurrours named in such writs sometime haue pleaded false & fayne pleas which were not triable by the graund iury of ỳ attaint, & by ỳ cause delayed the taking of such graũd iuries till such pleas were tried: And after such pleas tried & found for the plaintife an other of the iurrours tenaunts or defendants myght pleade an other such false and faint plea after the last contynuance in the same attaints. And so euery of the defendants iurrours or tenaunts after other might plead such false and faint plee, & delay the graund iury whẽ it was ready to passe. And though ỳ al such false & faint plees were foũd against them which pleaded, no peyn was geeuen to them by the common law. For cause of which delayes the graũd iuries in attaints haue beene greuously vexed & trauayled, and the plaintifs in such attayntes put to so great costs & therby impouerished, ỳ they might not sue forth their sayd suites, wherefore the iurrours be the more incouraged to be periured and make their false othes in such cases: Our said soueraign lord ỳ king willing vpon ỳ to prouide remedy at the request of the said cõmõs and by the assent of the lords abouesaid, hath ordeined & stablished ỳ ỳ parties plaintifes in all such attaintes shall recouer their damages and costs against al such tenants, iurrours, and defendaunts, which they haue sustained in ỳ behalfe. An. 11. H. 6. cap. 4.

Periury Iurrors

Recouer Damages

11 ¶ No sherif, bayliffe of fraũchise nor coroner in accions or writs of attaint of plea of land, of the yerely valour of. xl. s. or more, nor accion of attaynt of deedes concerning lands or tenements of like value or more, nor personal, wherof the iudgement of ỳ recouery shal extend to the summe of xl. li. or more, shal returne nor impanel in any inquisitiõ nor enquest, no persons, but such as bee inhabityng within his bayliwicke, which haue estate to their owne vse or they to whose vse other persones haue estate of fee simple, fee taile, or freehold in lands & tenements of the yerely value of. xx. li. or more in his bayliwick & of auncient demeane, the. b. portes, and ỳ tenour of Gauelkind, nor shal not returne in the kinges court lesse issues in the sayd accyons of attaint then. xl. s. at the first writ of distresse, and an ℔. s. at the second writ of distresse, and the double of euery other writ of distresse agaynst the persons impanelled & returned to be sworne in the same accions. And ỳ no person of lesse

Shirifs Bailifs Coroners

Delaies

Graũd iury

Pety iury

Faint plees

Returns Panell Inquest

xx. li.

b. Ports Gauelkind Returns Issues

Writ of distres

Impanel Returns Sworne

Freehold xx.li.

of lesse sufficiencie of freehold then of the yearely value of twenty poũd in ẏ fourme aforesayd, shalbe sworn in the kynges court vppon any issue in the said accyons of attaint, if he be for the same by the plaintifes in due fourme challenged. And that also as often as any sherife, baillife of fraũchise or cozoner do contrary to thys ordynaunce, he shal pay and by this statute be bound to pay to the kyng x.li. and to the plaintifes in the sayd accions and writz of attaint for their delay other x.li. And if anie of the forein aũswers & pleas be tried & foũd against any of the said defendaunts: ẏ then the same iudgement, agaynst the same defendants and for the said plaintifes shalbe geuen by the kings Justyces and consideration of hys courtes, as by the law should be geeuen against the same defendaunts in case ẏ the graund iury in the said actionz and writs of attaint vppon the pointes and articles of the sãe writs passed against the same defendaunts and with the said playntyfes. And ẏ by the same iudgements none other of the said defendauntes, but they against whom the aforesaid forein aũswers and plees be foũd & tried, shalbe hurt or indamaged. And ẏ this statute touching the office of sheriff, baylike of fraunchise, and cozoner, in returning of the said persons of the sufficiency of freehold of the yerely value of.xx.li. and ẏ no person of lesse sufficiency of freehold bee sworne in the said acciõs, and writs of attaint shal not extend to cities & boroughes within the said realme nor to the inhabitants in any of them. Prouyded alwaies ẏ if in any of ẏ said coũtyes there be not psons inhabiting vnder ẏ estate of a baron, of possessiõ of lãdz & tenemẽts of ẏ yerely value of.xx.li. in ẏ same coũty in ẏ forme aforesaid, to suffice ẏ numbre to be empanelled & returned in the said accions & writs of attaint, ẏ then the sheriks & baillifz of fraũchises, & cozoners of the same county shal impanel & returne in the same accions and writs persons ther inhabiting, of the most sufficient of possessiõ of yerely value of lãds & tenements within the value of.xx.li in the same county, in the fourme aforesaid. And ẏ to such persones the sayd challenge shal not extend, that he is not of possession of landes and tenements of the yearely value of twẽtie pound in the same county, and that as often as any of the same sheriffes, bayliffes or cozoners do contrarie to this article, he shal pay to the king x.li. & to the plaintifz in fourme aforesayd. An.15.H.6.cap.5.

Fozein ples

Judgemẽt

Courts

Graũd iury

Returne xx.li.

Baron

Shirifes Baillifes Cozoners.

Challenge

xx.li.

Foz.

12 ¶ Those men which haue estate to their vse, & also they to whose vse other men haue estate of fee simple, fee taile, or freehold, in lands & tenements, of the yerely value of.xx.li. of the tenour of gauelkind shalbe returned & impanelled, in al such attaints as be aboue recyted, which attaintes be not now hanging, but may hang in time to come, in ẏ same maner & fourme as any other person may bee returned & impanelled, by force of ẏ said statute made ẏ said xv. yere. An. 18.H.6.cap.2.

Gauelkind Impanel

13 ¶ No person ne persõs hereafter be impanelled, sũmoned or sworn in any iury or enquests in courtes within the same city (*s. of London*) except he be of lands, tenements or goods and cattals to the value of.xl.marke. And ẏ no person nor persõs hereafter be empanelled, summoned or sworn in any Jurie or enquest in anie court within the said city, for landz or tenementz or accion personel, wherin the debt or damagez amoũteth to ẏ sũme of xl.mark or aboue, except her be in

Sworne Jury London

xl. Marke

Empanelled

lands & tenemẽts goods or cattels to
C.marks ẏ value of a C.mark & the same mat-
ter & cause alledged by any of the said
Challenge parties by way of challenge, & so foũ-
den, shalbe admitted & takẽ in euery
of the same courts as principal chal-
lenge. And ẏ euerie such person here
after to bee impanelled or sũmoned
to appeare in any iury or enquest be-
Judges Default fore any of the said Judges of ẏ same
Forf. citie making default at first sũmons
Illues xii.ẏ. lose and forfait in illues.xij.ẏ.& at the
ẏ.default ẏ.s second default ẏ.s.& so at euery such
Illues doubled default after that the illues & penal-
Maiors court ties to be doubled, & al such illues left
Forf. in the Maiors court shalbe forfaited,
Vſe leuied & perceiued to the vse & behoke
of the Maior & cõminaltie of the sayd
citie. And al such illues lost in ẏ she-
shirifs court rifes court or courts shalbe forfaited
Forf. leuyed, & perceiued to the vse of the
Vſe sheriffes of the same citie for the tyme
Fee ferme being toward their fee ferme. And
also be it enacted by like auctho-itie
Falſ verdict ẏ the party greued by any vntrue or
Courts false verdict hereafter to be geuen in
Bill any of the courts of the said citie, shal
Hustings & may haue & sue attaint by bil in the
Cõmõ pleas hustings in London holde for cõmon
Maior pleas before the Mayor & Aldermen
of the same city for the tyme being, &
Precept thereupon a precept to be awarded &
Alderman made by the same Mayor to euerie
Alderman of the said citie or his de-
putie in his absence to present & cer-
Certifie tify the names of.xiij. indifferẽt and
discreet persons of good fame, & eue-
C.li. ry of thẽ of substance of C.li.or more
Maior citizens of the same city dwelling in
his warde, to the Maior & aldermẽ of
the said citie for the time being at the
hustings of cõmon pleas wiin ẏ same
vi.aldermẽ xiiij citie then next ensuing to be holdẽ, of
which persones so presented & certy-
fied, the said Maior & vi. aldermen or
mo holding ẏ same court of hustings
shal take, name & impanel. xiiij. by
their discretiõ thought most able, suf-
Sufficient Indifferent ficient & indifferẽt, & the Maior & his
succellors Maiors of the said city shal
do to be sũmoned the said xiiij. per-
sõs so by the said Maior & aldermen
Iurors Petty iury named & impanelled, & also ẏ iurors
of the pety iury & ẏ party or partyes
named as tenants or defendãts in ẏ
said bill of attaint to appeare before
ẏ Maior & aldermen of the same citie
Hustings at the hustings of cõmon pleas then
next to be holden in ẏ same city, and
if the same attaint then or anie other
time happen to remain vntaken for
Default Challenge Tales or by default of iurours, by challẽge
or otherwise, ẏ vpon euery tales grã-
ted, the said Maior & aldermen shall
impanel the said persons which were
certified by the sayd aldermẽ or their
deputies & omitted out of the said pa-
nel, or put therin other persõ or per-
sons being citizens of the said citie &
C.li. Pleas of the substãce of C.li. or more, & al-
so ẏ al the plee & plees to be alledged
or pleaded by or for the tenant or de-
fendant, tenants or defendantz or by
Pety iury any of the iurrours of the pety iurie
in ẏ sãe attaint, & triable by any iury
or enquest shalbe tried wiin the same
Citie city & by thenquests of ẏ same, & in
none other place ne coũtye. And that
none of ẏ said petit iury ne other par-
ties named in any such bill of attaint
shall or may haue ante challenge to
Challenge Array tharray, or to any person or poll ther
Poll in being impanelled for lack of suffi-
Insufficient Judgement cient of goods or of landes. Muer ẏ
be it prouyded & enacted ẏ the iudge-
ment in any such attaint, shal not ex-
tend to any landes, tenements, ne to
Punishmẽt Proces other punishment of the petit iurie,
ne other proces to be in the same at-
taint then is limitted & appointed in
this present act. And if the.xxiiij. per-
sons of the said.xiiij. persons swoꝛn
in the same attaint, find ẏ the iurors
Pety iury named in the petit iury, haue made,

and

Fall verdict Judgemēt

writt

Forf. xx.li.

vse

Impriſon Mainprize

Diſabled Tempozal Judge

Graūd iury True verdict

Enquirie Reward Money

Corruptiō

Forf.

x.times

and geuen an vntrue verdict, ẏ then the iudgement ſhalbe againſt ẏ partie defendant in the ſame attaynt as is vſed in attaint ſued by writ at common laiwe. And furthermoze ẏ iudgement in ẏ ſame attaint ſhalbe againſt the petit iury, ẏ euery of the iurours of the ſame pety iury ſhal forfait and loſe. xx. li. oz moze by the diſcretion of the Maioz and aldermen of the ſayd citie, keping ẏ ſame huſtings oz anie other huſting of cōmon plees to ſuch vſe & behoofe as other iſſues & penalties ben forfait & loſt in any acciō oz plaint cōmenced befoze the Mayoz & aldermen of ẏ ſame city & his body to be impriſoned there to remain wout baile oz maynpzyſe. vi. monethes oz leſſe by ẏ diſcretiō of ẏ Maioz & aldermen of ẏ ſame city foz ẏ time being, & to be diſabled foz euer to be ſwozn in any iury befoze any tempozal iudge. And ouer ẏ be it enacted by the ſame auctho3itie, ẏ if it bee founden by the graūd iury in the ſame attaint ẏ the petit iury haue geuen a true verdict, ẏ then the graund iury ſhal haue auctho3itie and power to enquire if anie of the petit iury toke oz receiued anie ſumme of money oz other reward oz pzomiſe of money oz other rewarde of ẏ named defendāts oz tenants in ẏ ſame attaint, oz of any other perſō oz perſons by the cōmaundment, couyn oz aſſent of any of them to oz foz the entent of their verdict geuen, whervppon the ſame attaint is grounded, And after any ſuch co3ruption by the ſaid graund iury founded, ẏ then the iurrour oz iurrours of the ſayd petyt iury that is found ſo defectiſe in taking & perceiuing any ſūmes of money oz other reward oz pzomiſe of reward, ſhal loſe, forfait and pay to the plaintike oz plaintikes named in the ſame attaint. x. times the value of the ſūme oz other reward ſo taken, perceiued oz pzompſed in fo3me aboueſaid, and to ſuffer impziſonment wout baile oz maimpzyſe. vi. moneths oz leſſe by the diſcretion of ẏ ſaid Maioz & aldermen, & to be diſabled foz euer to be ſwozne in any iury befoze anie tēpozal iudge. And ouer ẏ be it enacted ẏ ſuch defendant oz tenant, defendants oz tenantz in the ſame attaint, ſhal loſe, forfait & pay, to ſuch vſe and behooſe as other penalties been fo3feited wōin the ſame cities. x. times ẏ value of the ſūme of money oz other reward by him oz thē ſo geuē to anie of the ſaid pety iurie. And ẏ ſame defendāt oz tenant, defendāts oz tenātz to be impziſoned there to remain wout baile oz mainpzyſe during vi. moneths oz leſſe by the diſcretion of the ſaid Maioz & aldermen. And if anie debts & damages oz coſts bee recouered in acciō wherupō ſuch attaint is grounded, & by the ſame attaint it be found ẏ the petit iury haue geeuen a falſe ſerement, ẏ then foz the recouerye & reſtitution of ẏ ſame debt & damages & coſts, the plaintike oz plaintiſs in euery attaint, ſhall & may ſue an accion of debt againſt ẏ ſame defendāt oz tenāt, by writ, bil, oz plaint in euery of ẏ kings courts, wherin ẏ ſame defendant oz tenāt, and euerie of them, ſhal not be receiued to do his laiwe. And ouer that be it enacted ẏ if any plaintif oz plaintiſs in any ſuch attaint commenced befoze the ſayed Maioz and aldermen vppon any recozd remaining within the ſame city & therin be nonſuit, oz if the firſt ſerement therin be affirmed, ẏ then he oz they ſhall haue impziſonment and make fine by the diſcretiō of ẏ Maioz & aldermen of the ſaid citie foz ẏ time being, & that fine to bee and go to the Maioz & comminaltie of the ſayd cytie. And if there be two oz mo plaintifes in any ſuch attaint oz deyned by

Impziſon Mainpziſe

Diſabled

Defendant

Forf.

x.times

Impziſon

Debts Damages

Falſe ſerement Recouery

Accion of debt

Maioz Aldermen Recozder

Nonſuit Serement

Impziſon Fine

this estatute, & any of them die, & be nõsuit, the other by this act shalbe enabled to sue for the proceedyng in ẏ same attaint, & notwithstanding the death of the defendant or tenãt, defẽdants or tenãts, or any of ẏ pety iury named in the same attaint, so ẏ there be two of the same pety iury on live, ẏ same attaint shal not abate. And also be it ordeined by the same auctho-rity, ẏ if any of the iurrours of ẏ sãe graund iury empanelled & sũmoned in forme aforesayd at ẏ sũmõs make default, so ẏ the attaint remaineth to be takẽ for the default of iurrours, ẏ then euery of ẏ same iurrours so making default, lose & forfait for the first default. xl.s. & at the secõd default. l. li. & at euery default after ẏ. x. li. and like proces to be made & sued ther against ẏ graũd iury & the pety iury, & the party & parties as is to be made & sued in attaint sued at the cõmõ law. And ẏ the same proces be made returnable at euery hustinges of common pleas, & ẏ thattaint remayn not to be taken after the first sũmõs returned for or by the default of the defendant or tenant, defendants or tenantes or of any of the pety iury named in the same attaint by the act ordeined, & ẏ the said issues or penalties forfayted by any of the said graund iury be forfait, leuied and perceiued to the vse of the Maior & comminaltie of the sayd citie, and ẏ no protection nor essoyne be allowed in this attaint by thys act pursueed. Prouided alway ẏ vpon al attaints hereafter to bee commenced within the city vpõ any record wherin the trial and enquest was by halfe tong ẏ the said Maior and aldermen shall empanel the graũd iury in the same attaint, the one halfe of straũgers of good fame and of the substãce of goodes to the value of a hundred poũd and more, inhabiting ẏm the same city at large, and the residue of the same iurie to be of like value and substance of goods empanelled of cytizens as is aforesaid. And ouer thys be it enacted by the sayd auctho-rity, ẏ no act of attaint of ẏ petit iury made in this present parliament, nor no-thing therin conteined other thẽ this preſẽt act, nor none other penalty or punishment in any other act then is before conteined in this preſẽt act be hurtful nor extend to any iury or enquest hereafter to be taken before any Judge of & within the same cytie. An. 11. H. 7. cap. 21.

14 ¶ An. 11. H. 7. cap. 24. An act for attaints was made to endure to the nert parliament. And after An. 12. H. 7. cap. 2. it is continued to endure to the nert parliament. And after Anñ. 19. H. 7. cap. 3. it is cõtinued to ẏ nert parliament. And after Anno 1. H. 8. cap. 11. it is continued to the nert parliament.

15 ¶ Vpõ euery vntrue verdict here after geuen betwixt party & partie, in any suit, plaint, or demaũd before any iusticez or iudges of record, wher the thing in demaũd & verdict thereupon geuen, extẽdeth to the value of xl. li. & concerneth not the leopardy of mans lyfe, the party greeued by the same verdict shall haue a writ of attaynt against euery person hereafter so geuing an vntrue verdict, & euerie of them, and agaynst the partie, which shall haue iudgement vpõ the same verdict. And ẏ in the same attaint there shalbe awarded against ẏ petit iury, the partie, and the graũd iurie Somons, Relesn and distresse infinite, which graund iury shalbe of like nũber as the graũd iury is now in attaint, and euery of them ẏ shall passe in the same, shal haue lãds and tenements to the value of. xx. markes by the yere of freehold out of ẏ auncient

Enabled

Defendãts

Graũd iury

Default

Forf. 2. default

Proces
Graũd iury
Pety iury
Common law
Returnable

Sõmons

Issues Forf.

Maior Protection

Cittie
Record
Triall
Medietate lingue

Jury

Vntrue verdict

Suit
Justices
Verdict

xl. li.

writing

Judgemẽt

Sõmons
Relesõmons
Distres infinite

xx. Marke

cient demeine. And vpon the distresse which shalbe delinered of record vpō the same open proclamation to bee made in the court there, the distresse shalbe awarded more then vb. dayes afore the retorn of the same distres, and euery such distresse shalbe made vpō the land of euery of ẏ said graūd iury as in other distresses is ꝛ hath been vsed. And if the said party defēdant or the petit iurors or any of thē appeare not vppon the distresse then the graūd iury to be take agaynst thē ꝛ euery of thē ẏ shal so make default. And if any of the said petit iury appeare, then the party complainant in ẏ behalfe shall assigne the false serement of the first verdict vntruely geuen whereunto they of the petit iury shal haue none aunswer, if they be ẏ same persons, ꝛ the writ, proces, returne and assygnement good ꝛ lawful, except ẏ the demaūdāt or playntyfe in the same attaynt hath afore ben nonsuit or discontinued his suite of attaint taken for the same, or hath for ẏ same verdict in a writ of attait had iudgement againſt the said petit iury, but only ẏ they made true seremēt, which issu shalbe tried by xxiij. of the sayd graund iurie ꝛ the partie shal pleade, ẏ they gaue true verdict or any other matter, which shal be a sufficient barre of the sayd attaynt. And that ples notwithstanding the graund iury to be taken without delay to enquire whether the first iury gaue true verdict or noe. And if they find ẏ the same petit iury gaue an vntrue verdict, then euery of the said petit iury to forfait. xx. li. whereof ẏ one half shalbe to the king our soueraign lord, ꝛ the other half to the party ẏ sueth. And ouer that, that euery of the sayd petit iury shall generally make fine and raunsome by the discretiō of the Justices, before whom ẏ said false serement shalbe found after their seueral offences, defaults ꝛ sufficiency of euery of the said petit iury. And after that, ẏ those of the said petit iury so attainted shal neuer after be in any credēce, nor their oth excepted in any court. And if such pleas as ẏ party pleadeth, which is a barre of ẏ said attaint bee found, or deemed agaynst him ẏ so pleadeth, then the party ẏ sueth shal haue iudgemēt to be restored to ẏ he lost wyth hys reasonable costes and damages. Forseen alway ẏ any vtlarye in action or cause personal, or excommengemēt pleaded or alledged in ẏ partie plaintif or demādant shalbee taken but as vaid plee, and to that he shal not be put to aunswer. And ẏ in al the aforesaied proces such day shalbee geuen as in a writ of dower, and none essoyne or protection to lye nor to be allowed in the same. And if the sayd graund iury appeare not vpon the first distresse had agaynst them, so that the iury for their default do remaine, he that maketh default shal forfeit to the kyng. xx. s. and vpon the secōd distres. xl. s. And after making default for euerie such default. b. li. And like penaltyes and forfeitures to be againſt them ꝛ euerie of them that shalbe named in ẏ Tales, as is afore expressed againſt euerie of the seyd graūd Jurie afore sayd. And that for and by the death of the partie or anie of the sayd petit iuries, the sayd attaynt shal not abate nor bee deferred agaynst the remnaunt, as long as two of the said petit iurie bee aliue. And if hereafter anie false verdict bee geuen in any action, suit or demaund afore any Justice or Judge of record of anie thyng personell, as debt, trespas and other lyke, which shalbe vnder the value of forty poūd, that thē the party greued shal haue attaynt wyth such proceſſe

Proclamation
xv. dayes
Distres
Def. Petty iurors
Graūd iury
Defant
Assigne False serement
Writt Proces Returne Assignemēt
Nonsuit Discōtinue
Judgemēt True serement
Barre
Forf. xx li. Moytie
Fine Justices
Disabled
Barre
Judgemēt
Damages Utlary
Excōmengement
Voyd
Proces Day
Essoin
Protection
Distres
Defant
Forf.
Forf.
Tales
Debt Trespas
Proces

and plees as is afore reherſed, & de-
laies to be taken away as is afore re
membred. Except ỳ in this caſe of at
taint euery perſon of the graund iu-
ry ỳ may diſpend fiue markes by the
yeare of free hold out of auncient de-
meſne, or is worth an hundred marks
of goods and catels ſhall be liable to
paſſe in the ſame attaint. And if ỳ pe-
tit iury be attainted, ỳ then they ſhal
in this caſe of attaint euery of thē to
forfait v.li. wherof one half ſhalbe to
the king, & the other half to the party
after the forme afore reherſed & ouer
ỳ to make fine & raunſome by the diſ-
cretion of ỳ Juſtices, as is afore ſaid.
And if there bee not perſones of ſuch
ſufficiencie within the ſhire or place
where any of the ſaid attaintes ſhall
be taken as may paſſe in ỳ ſame, Be
it ordeined by auctho[r]itie aboueſayd,
ỳ then one Tales ſhalbe awarded in
to the ſhire next adioining by the diſ-
cretion of the Juſtices, afore whō the
ſame atraints ſhall bee taken, which
ſhalbe warned to appeare vpon lyke
paines as is afore ſaid, and enabled to
paſſe in the ſayd attaintes, as if they
were dwelling in the ſhire wher the
ſame attaint ſhalbe taken. And ỳ the
ſame lawes, actions and remedy or-
deined by this preſent act be kept for
and to all them ỳ ſhalbee greeued by
ſuch vntrue verdicts of any inherye-
tāce in diſcent, reuerſion, remainder
or of any freehold in reuerſion or re-
mainder. And if ỳ party in attaint ge
uen by this act bee nonſuit, or ỳ ſame
diſcontinue, ỳ then the ſame party ſo
nonſuit or ſo diſcontinuing the ſayd
attaint make fine and raunſome by
ỳ diſcretion of ỳ Juſtices, afore whō
the ſayd attaint ſhalbe taken and de-
pending. And ỳ all attaintes hereaf-
ter to be taken, ſhalbee taken before
the king in his bench, or afore ỳ Juſ-
tices of the cōmon plate and in none
other courts. And ỳ Nihil prius ſhalbe
graūted by diſcretion of the Juſtices
vpon the diſtreſſe, and euery of ỳ ſaid
petit iury may appeare and anſwer
by atturney in the ſaid attaint. And
ỳ the moytie of the ſayd forfeiture of
the petit iury ſhalbe leuied to ỳ vſe of
our ſoueraign lord by Cāp ad ſatisfa-
ciēd, or Fieri facias, or Elegit, or by
acciō of debt, againſt euery ỳon of ỳ
petit iury ſo forfaiting, & againſt his
executors & adminiſtrators, hauig thē
ſufficiēt goods of their ſaid teſtatour
not adminiſtred, and ỳ other moytie
ſhal by like procez be leuied to the vſe
of the partie ỳ ſueth anie attaint gee-
uen by this act againſt euery of the
ſayd petit iury & his executors or ad-
miniſtrators hauing then ſufficiēcy of
goods as afore ſaid not adminiſtred.
And the iudgement of reſtitutiō to ỳ
party greeued ſuing this act and ex-
ecutiō of the ſame to be had, and like
iudgement for the party defendāt or
tenants to be diſcharged of reſtitutiō
as afore thys preſent act in caſe of a
graund attaint hath ben vſed. And if
there be diuers plaintifs or demaū-
dants in attaint, ỳ the nonſuit or re-
leas of any of thē ſhal not be in anie
wiſe hurtful or preiudicial to the reſt
due, but ỳ they and euerie of them in
ſuch caſes may be ſūmoned & ſeuered
like as it is vſed whē there be diuers
demādāts in acciō real. Be it alſo or-
deined &c. ỳ in euery writ of attaynt
hereafter to be taken by or vpō thys
act ỳ which ſhalbe ſuch as other writs
of attait be, & after ỳ teſte of the ſame
writ ſhalbe writtē thoſe wooꝛds. Per
ſtatut continuat, uſq; annū tricesimū
tertiū domini Henrici octaui dei gra
tia Anglie & Francie regis fidei defē
ſoris & domini Hiberñ. And it is alſo
enacted that thys act ſhall take effect
for verdicts hereafter to bee geuen &
ſo continus to the laſt day of the next
parliamēt.

Nihil prius
Atturney
Moytie
Capias
Fieri facias
Elegit
Accion of debt
Forf.
Executors
Proces
Judgement
Reſtitution
Graund attaint
Nonſuit
Releaſe
Accion real
Writs
Teſte
Verdicts

v. Marks
C. Marks
Forf. Moitie
Fyne
Sufficiency
Tales
Shire
Nonſuit
Diſcontinuance
Fine
Kings bēch
Cōmō pleas

parliament. Prouided alwaye that this act be not prejudicial to a statut made in the xi. yere of the late kinge of famous memory Henry ỳ seuẽth (*S. cap. 21. before. 13.*) for punishment of periury in vntrue verdicts geuen in plaints sued in ỳ courts of ỳ Citie of Londõ but ỳ it shalbe at the libertye of al plons for ỳ vpon any vntrue verdict giuen in any courts of the same citie, to sue their attaint vpon this estatut or els vpon the said statut made in the said xi. yere at their own pleasures ỳ wils. 23. H. 8. ca. 3. This act is continued. 28. H. 8. ca. 9. 31. H. 8. cap. 7. 37. H. 8. ca. 23. 7. E. 6. ca. 11. 1. M. 2. pl. ca. 13. 1. M. 2. pl. ca. 12. ỳ 1. ỳ. 2. P. ỳ. M. ca. 16. And after 2. ỳ. 3. P. ỳ. M. ỳ 4. ỳ 5. P. ỳ M. ca. 9. it is continued to ỳ last day of ỳ nert pl. And it is continued. 1. El ca. 19. vnto thend of ỳ next pl which began. 5. El. ỳ ended 8. El. ỳ this statut then discontinued was reuiued 13. El. ca. 25. ỳ made perpetual.

16 ¶ All ỳ euery maner person and persons bring citizens of your said citie (*S. of London*) and being in value of goods ỳ cattels to the summe of cccc. markes may be empanelled ỳ returned by the sherifes of your said citie in euery attait hereafter to be brought by vertue of the said statut (*S. of An. 23. H. 8. ca. 3.*) vpon verdicts hereafter to be geuen by your said citizens, wõ out any challeng for the sufficiencye of freehold of any of them, to be made by any of the said parties in any such attaint, vpon such verdicts hereafter to be geuen. And ỳ ỳ iustices for the time beinge shal sit only at the guild hal of the same citye or at some other conuenient place wi'h'n the same citie, and there to swcare ỳ graund iury, ỳ to take ỳ verdictz in such attaitz hereafter to be taken. And ỳ ỳ said citizens hereafter bee not cõpelled nor distraigned to appeare in any suche attaint, hereafter to bee taken vpon anye vntrue verdict, geuen or hereafter to bee geeuen in London, but only within the limittes of the sayde cyty, of and for the trial of the same, The said former act, or any thig therin conteined to the contrarye in any wise notwithstandinge, An. 37. H. 8. cap. 5.

London

Triall

Periury

London

## ¶ *Attourney.*

EVery freeman which oweth suite to the county, tithing, hundred, ỳ wapentake, or to the court of his lord may freely make his atturney to do thole suites for him, Perton cap. 10. An. 20. H. 3.

Freeman Countie Tithing Hundred Wapentake

2 ¶ Such as haue lande in dyuers shires, wher ỳ iusticers make their circuite, ỳ haue land in shires, wher ỳ iusticers haue no circuit, ỳ feare to be impleded, and are impleded of other lands in shires, where they haue no circuit, as before the iusticers at west minster, or in the kings benche or before iusticers assigned to take assises or in any countie before shirifes, or in any court baron, may make a general atturney to sue for them in all pleas in ỳ circuit of Justicers moued, or to be moued for thẽ or against thẽ during the circuite, which attourney or atturneis shal haue full power in al pleas moued durig ỳ circuite vntil the plea bee determined, or that his master remoue him, yet shal they not be excused therby, but ỳ they shalbee put in iuries ỳ assises, before ỳ sãe iusticers. W. 2. c. 10. An. 13. E. 1.

Circuit

Impleded

Kings bech

Shirifes Court barõ

Iuries Assises

3 ¶ De mortmain 4. that atturneis maye be made by writ out of the chãcerye and for whom and for what thinges.

Chauncery

4 ¶ An. 7. R. 2. ca. 14. It was ẽacted that they ỳ were gon ouer might answer in præmunire by their atturnes and

Præmunire

Lentued

London 400. markz

Shirifes

Verdicts Challenge Insufficiẽt

Iustices Guild hall

Sweare

and those persõs, which from hence-
forth shal passe by the kings licẽce, & Licence
be of good fame, that at their requeſt
the chauncelour, by the aduise of the Chauncelor Justices
iustices, may graunt to thẽ to make
their general atturneys in the chaun
cery by the kings patent before their Patent Præmunire
passage, to answere aswel in ỹ sayd
writes of Præmunire facias, as in o-
ther writtes and plaintes, in which
case erpresse mencion shalbe made at
al times of the writtes and plaintes
of Præmunire facias. And this patẽt
so made, the sayde atturneys from Absence
henceforth in absence of their master
may answere for them & make other
atturneis vnder thẽ before any iudg
of the Realme, to do and receiue in
the said cause as muche as in any o-
ther case or matter, notwithstandinge
any statut made to the contrary her-
tofore. An. 7. R. 2. c. 14.

5 ¶ Al ỹ atturneis shalbee eramined Justices
by the Justices, and by their discre-
tions their names to be put in rolle,
& they ỹ be good & vertuous, and of Good fame Sworne
good fame, shalbe receiued & sworne
welle and truely to serue in their of-
fices, & especially ỹ they make no suit
in a forein countie. And the other at Forein County
tourneis shalbee put out by the dis-
cretion of the said Justices, & ỹ there
Maisters, for whom they were attur
neis bee warned to take others in
theire places, so that in the meane
time, no damage nor preiudice come
to theire said Maisters. And if any of Die Justices
the said atturneis do die or cease, the
Justices for the time being, by their
discretion shal make one other in his
place, which is a vertuous man and
learned & sworne, in the same maner
as afore is said. And if any suche at-
torney be herafter notoriously found
in any defaut of record, or otherwise Abiure
hee shall forswere ỹ court & neuer af
ter be receaued to make any suite in
any court of the kinge, and that this
ordinance be holden in the eschequer Eschequer Treasorer
after the discretion of the treasourer
and of the barons there. An. 4. H. 4.
cap. 18.

6 ¶ No steward, baillife nor minister Steward Baillis
of lords of franchises, which haue re-
turne of writs, be attourney in any
plea within the fraunchises or bayly
wick, whereof he is or shalbe officer
or minister in any time to come An.
4. H. 4. ca. 19.

7 ¶ Whereas many of ỹ kigs liege Outlawed
people be outlawed, and many way-
ued by erronious proces and be so im Impotent
potente in their bodies by byuers ma
ladies and infirmatiues, ỹ they may
not come in their propre persones be
fore the king in his benche, there to
make their suite to reuerse such erro
nious processe, It is ordeined and sta
blished, ỹ euerie Justice of the one
benche and of the other, and also ỹ Justices of both benches Examin
chiefe baron of the eschequer, shall
haue power to eramine the same per
sons hauing such maladie and disea-
ses openly knowen, and thereupon
may the same iustices and the baron
& euery of thẽ by their discretion, re-
cord their attorney in this case, Pro- Capias ad satisfaciendũ
uided alwaies ỹ in ỹ writ of capias
ad satisfaciendũ, the comen law shal
hold place, An. 7. H. 4. ca. 13.

8 ¶ An. 5. H. 5. It was enacted ỹ al ỹ Hundreds Wapentake Court barons
sõs vntil ỹ next pl̃ might make their
atturneis in hundreds wapentakes
& court barons.

9 ¶ An. 3. H. 5. ca. 2. It was facted to
endure to the nert parliament ỹ all Abbots Religious Lancashire Yorkshire
abbots, and other religious in lanka
shire & Yorkshire might make attur-
neis in wapentakes. And after an. 9.
H. 6. ca. 10. this act was continued du-
ring ỹ kinges pleasure.

10 ¶ An. 2. H. 6. ca. 3. It was enacted
ỹ the duke of Bedforde then ouer ỹ
sea, might sue and bee sued by his at
turney.

tourney.

¶ An.15.H.6.cap.7. It was ẽacted to endure at the kings pleasure, ẏ al Abbots and other religious mighte make atturneis in wapentakes in Yorkshire.

Yorkshire

12 ¶ An.33.H.6.ca.6. It was enacted ẏ ẏ abbot of Fountains ꝛ his succeſſors might wage their law in court baronꝫ ꝛ wapentakes by atturney, ꝛ do their law by a deputie.

Abbott of Fountains

13 ¶ There shalbe but vi.cõmon atturneis in ẏ said countie of Norfolk, ꝛ vi.comon atturneis in the said coũtie of Suffolke, and two commen atturneis in the said citie of Norwiche, to bee atturneis in courts of recorde. And that all the sayd xiiii.atturneis bee electe and admitted by the two chiefe Justices of our soueraign lord the kinge for the time beinge, of the most sufficient and best instructed by their discretions. And that the electiõ and admission of al atrurneis, which shalbee electe and admytted by the saide Justices for the time beinge aboue the sayd number in the sayde counties, shalbee voide and of none authoritie nor recorde. And if any personne or personnes vsurpe or presume to bee atturney in courts of recorde in the sayd counties or citie, otherwise then before is specified, and that founde by inquisition taken before the Justices of peace in the sayd Citye or counties (which shall haue power by vertue of this ordinance to inquire thereof in their sessions) or in any other maner lawfully prued, ẏ then hee or they ẏ so presume, if they bee thereof lawfully conuicte, shal forfait twenty pounde as often as hee or they bee so conuicte, the one halfe thereof to bee taken to ẏ kings vse, and the other halfe to hys vse, which for the same will sue. And he that thereof will sue, shall haue an accion of debt agaynst ante such person which so presumeth to bee atturney. And such proces and recouerye in the same as lieth in an accion of debt at the common lawe vppon an obligation. Prouided alwayes that ẏ said ordinance begine ꝛ firſt take effect at the feaſt of Easter next cõing and not before if the same ordinãce seme reasonable to the Justices, An. 33.H.6.ca.7.

Accion of debt

Proces

Common law

Norfolk

Suffolk

Norwich

Chief Iust.

Election

Voyd

Iust. of p.

Fork.

Writis

14 ¶ An.7.H.7.ca.2. It was ẽacted ẏ they ẏ should goe wẏ king in hys warres in the voyage ẏ thẽ was toward, should make general atturneys or special atturneis.

warres

## ¶ *Auditors.*

An.33.H.8.c.39. an act was made for the erectiõ of the court of general surueiours of the kings lands with diuers matters concerning the auditors of those lands. And see ther of in courts 2. diuers matters concerning ẏ kings Auditors.

Surueiors

## ¶ *Auowrie.*

Whereſoeuer any maner lands tenements and other hereditamẽts bee holden by any manner personne or personnes by rents, customes or seruices, that if the Lords of whom anye such manners, landes, tenementes, or hereditamentes be so holden distraine vppon the same mannours, landes, or tenementes, for any such rents, customes or seruices and repleuin thereof bee sued that ẏ Lorde, of whom the same lands, tenementes, or hereditamentes, bee so holden, maye auowe or his bailife or seruant make conisance or iustify for taking of the said distresse, vpon the same lands, tenements, or hereditaments so holden, as in lãds, or tenementes within hys fee or seignior, alleging

Lands

Distrein

Repleuin

Auowe

alleging in the said auowry, coniſãce & iuſtification, the same mannours, lands & tenemẽts to be holden of him wout naming of any person certain to bee tenant of the same, and wout making any auowrye, iuſtification, or coniſaunce vppon any person certaine. And likewise the lord, bayliy, or seruant to make auowry iuſtification or coniſance in like manner and forme vppon euery writte sued of second deliuerance. And also be it enacted by the said auctoritie, ẏ euery auowant, and euery other person and persons that make any such auowry iuſtification or coniſance, as bailiy or seruant to any persone or persons in any replegiare, or second deliuerance for rentes, customes, seruices, or for damage fesant, or other rent or rẽts, vpon any diſtres taken in any lands or tenements, if the same auowry coniſance, or iuſtification be founde for them or the plaintifes in the same be nonsuit or otherwise barred, that thẽ they shal recouer their damages and costs against the said plaintifz, as the same plaintifes should haue done or had if they had recouered in the replegiare, or second deliuerance, found against the said defendantes. And bee it also ordeyned, ẏ the said paintifes and defendants in the said writes of replegiare, or writes of second delyuerance, and in euery of thẽ shal haue like plees and like aide and prayers in al such auowrpes, coniſances, & iuſtification, plees of diſclaime onely except as they might haue had before the making of this acte, & as though the said auowry coniſance or iuſtification had ben made after the due order of the common lawe. And it is further enacted by the said auctoritie, that al such persons, as by the ord of the common law maye lawfully ioine to the plaintifs or defẽdants in the said writtes of Replegiare or second deliuerance, as well without proces as by proces, shal from hencefoꝛth ioine vnto the said plaintifes or defendaunts, aſwell wout proces as by proces, & to haue like plees & like auantages in al things (diſclaim onlye except) as they might haue done by ẏ order of the common law before the makinge of this act, An. 21. H. 8. cap. 19.

Tenant
Writ
Bailife
Customes
Seruices
Damage fesant
Diſtres
Nonsuit
Damages
Costs
Writtes
Ayde
Plees
Diſclaime
Auantages

## ¶ Auowſon.

Where as for aduouſõs of churches ther bee but three original writs that is to saye, one writte of right, & two of poſſeſſiõs, which be darrain preſentment, and *Quare impedit*, and hitherto it hath ben vſed in ẏ realme that when any hauinge no right to present, had presented to any church whose clerke was admitted, hee that was very patron, coulde not recouer his aduouſon, but onely by a writte of righte, which should be tried by battaile, or by great aſſiſe, wherby heirz within age, either by fraud, or els by negligẽce of their wardeins, & heires both of right and meane eſtate, eyther by negligence, or els by fraude of tenauntes by the curteſie, tenãts in dower, or otherwise for terme of life, or for yeares, or in fee taile, were many times diſherited of their aduouſons, or at the least (which was ẏ better for them) were driuen to theire writte of right, in which case hytherto they were without remedye: It is prouided, that such preſentments shall not be so preiudicial to ẏ right heires or to them, vnto whom such aduouſons ought to reuerte after the death of other persons, For as oftẽ as any hauing no right doth preſẽt during ẏ time that such heires are in warde, or during the eſtates of tenaunts in dower, by ẏ curteſie, or otherwise for terme

Writs
Darrein preſentmẽt
Quare impedit
Preſent
Clerke
Patron
writ of right
Battel
Graũd aſſi
Infants
Colluſion
Right
Preſẽtmẽts
Tenants

terme of life, or of yeres, or in taile at
Lyfe Yeares Auoidance Action
ỹ nert auoidance when ỹ heire is cõe
to full age, or when after the deathe
of the tenantes before named the ad-
ouſon ſhal reuert vnto the heire be-
ing of ful age, he ſhal haue ſuch acti
on ꝛ recouerie by writ of aduowſon
poſſeſſory, as his laſte auncеſtour
ſhould haue had at the laſt auoidãce,
happening in hys tyme being of full
age before his death, or before the de-
uiſe was made for terme, or in fee
taile, as before is ſaid. The ſãe ſhall
be obſerued in preſentmentes made
vnto churches, beinge of the inherit-
Churches Women
tance of womẽ, what time they ſhal
be vnder the power of their huſbãds
Religious
which muſt be ayded by this eſtatute
by the remedy aforeſaid. Alſo religi-
Ayde
ous men, as biſhops, archedeacons,
parſons of churches, and other ſpiri
tual men, ſhalbee ayded by this eſta-
tut, In caſe any hauing no right do
preſent vnto churches belonginge to
prelacies, ſpiritual dignities, pionа-
ges or to houſes of religiõ, what tie
ſuch houſes, prelacies, ſpiritual digni
Vacation
ties, or perſõages be vacant. Neither
ther ſhal this act be ſo largely vnder
ſtandẽ ỹ ſuch perſons, for whoſe re-
medy this ſtatut was ordeigned ſhal
haue ỹ recouery aforeſaid, furniſſing
ỹ Gardeins of heires, tenaunts, by ỹ
curteſy, tenaunts in dower, for term
of life or for yeres, or huſbãds which
Faint
faintly haue defended pleas moued
by them or againſt them becauſe the
Judgemẽt
iudgmentz geuen in the kings courtz
ſhould not be annulled by this ſtatut
the iudgment ſhal ſtande in his force
Errour Aſſiſe Quare impedit Attaint
vntil it bee reuerſed in the courte of
the king as erronious, if errour bee
found, or by aſſiſe of darrain preſẽt-
mẽt, or by ẽqueſt in *Quare impedit*, if
it paſſed by attaint, or bee annulled
by certification, which ſhalbe freely
grãted. And frõ hẽceforth one forme
of pleading ſhalbe obſerued amõgſt
Iuſtices in writtes of darraine pre
ſentment, and *Quare impedit*, ſo that
where the defendaunt alledged ple-
narty in the church of his owne pre-
ſentatiõ, the plea ſhal not fail by rea
ſon of the plenartie, ſo that the writ
bee purchaſed within vi. monethes
thoughe hee can not recouer his pre-
ſentation, within the vi. monethes,
And ſome times where a fine is le-
uied betweene many claiming one ad
ouſon, and inrolled before the Juſ-
ticers in the rolle or fyne in this
fourme, that one ſhal preſent the firſt
tyme, and at the nert aduoidance an
other, and the third tyme an other, ꝛ
ſo of many, in caſe there bee many:
And when one hathe preſented for
his fourne, according to the fourme
of their agreement, and fine, and at
the nert aduoidaunce hee to whom
the ii. preſentation belongeth, is diſ-
tourbed by any that was partie to ỹ
ſaid fine, or in his ſteede. It is prouи-
ded, that from henceforth he that is
ſo diſtourbed, ſhall haue no nerde to
ſue a *Quare impedit*, but ſhal reſort to
the rolle or fine. And if the ſaid con-
corde or agreement be founde in the
rolle or fine, then the Sheriffe ſhall
be commaunded, that he geue know
ledge vnto the diſtourbour, ỹ he bee
ready at ſome ſhorte day, conteining
the ſpace of xb. dates, or three weeks
(as the place happeneth to be nere or
ferre) for to ſhewe if he can alledge
any thing, wherefore the partie that
is diſtourbed ought not to preſent,
And if hee come not, or peraduẽture
both come, and can nothinge allege
to barre the partie of his preſentatiõ
by reaſon of any deede made or writ
ten ſinte the fine was made or inrol-
led, he ſhall recouer his preſentation
with his damages. And where it chã
ſeth, that after the deth of the auncеſ-
tour

Darrein preſentmẽt Plenertie
vi. moneths
Fine
Rolle
Diſturbe
Concord Sheriffe Warning
xb. dayes
Deede
Recouer Damages

tour of him that presented his clerke vnto a churche, the same aduouson is assigned in dower to any woman, or to tenant by the curtesi, which doe present, & after ý death of such tenãts the very heire is disturbed to present, when the church is voide: It is prouided that from henceforth it shalbe in the election of the partie disturbed, whether he will sue a writt of *Quare impedit*, or of darraine presentment, The same shalbe obserued in aduousons dimised for term of life, or yerez or in fee taile. And from henceforth in writtes of *Quare impedit*, and darraine presentment, damages shalbee awarded, that is to wite, if the time of sire moneths pas, so ý ý bishop do present & ý very patrone leseth his psentation for ý time, damages shalbe awarded for two peres value of the churche. And if the vi. monethes bee not passed, & ý presentment be deraigned wiñ the said time, then damagez shalbe awarded to the halfe peres value of ý church. And if ý disturbour haue not whereof he may recõpence damages in case wher ý bishop presenteth by lapse of time, hee shalbee punished by two yeres imprisonmẽt. And if the aduouson be deraigned wiñ the halfe yere, yet the disturbour shal be punished by ý imprisonment of halfe a yere. And from henceforth writtes shalbe graunted for chapels prebends, vicarages, hospitals, abbaies, priores, & other houses, which be of the aduousons of other men, ý haue not ben vsed to be graunted before. And when the persionne of anie church is disturbed to demaũd tithez in the nert parishe by a writte of *Indicauit*, the patrone of ý pson so disturbed, shal haue a writ to demaũd ý aduousõ of ý tithes being in demãd & whẽ it is deraigned thẽ shal ý plea passe in ý court christen, as farforth as it is deraigned in the kings court, when an aduouson discendeth vnto p ceners, though one plent twise, & usurpeth vpon his coheire, yet he that was negligente, shall not be clerely barred, but an other tyme shall haue his tourne to present when it falleth. W.2.ca.5. An.13.E.1.

2 ¶ Of churches being vacant ý aduousons whereof belong to ý king & other present to the sãe, whereupon debate arpseth betwen ý king & other if the king by award of the court do recouer his presentation though it be after the lapse of sire monethes from the time of the auoidãce, no time shal prejudice him so that he present wiñ ý space of sire monethes. prerog.reg. ca.8. An.17.E.2.

3 ¶ An.14.E.3.p cleř cap.2. It was enacted ý the kinge should not present in anothers right but within iii. yeres after the auoidance. But ý act was after repelled by 25.E.3.p cleř. cap.2.

4 ¶ An.14.E.3.p clero ca.2. & An.25 E.3.p cleř.ca.1. It was enacted that the kinge nor his heires should not present by a title in anothers right in none of his progenitors time, sauing to the kinge and his heires presentments in other rights in time comminge.

5 ¶ Whereas before this time our soueraigne lorde the king hath takẽ title to present, at the suggestion of many clerkes where the title hathe bene true, and by such presentments and iudgements theruppon geeuen, the clerkes haue beene receiued by the ordinaries of the places, against god and good faithe, and in depression of them which had thereof a good and true title to the saide benefices, the kinge will and grauntethe, that at what time hee shall make collation or presentment from henceforth to any

Power Woman

Heire Voyd

Damages

vi monethes Bishop Patron Damages ý.yeares

Half a yers value

Laps Imprisonment

writts

Tithes Indicauit

Spiritual court

Parcenry

Turne

Vacant King

Award Lapse

vi.moneths Prerogatiue

King Present

Repealed

King Present

King Present

Collation

any benefice in an others right, that the title, whereuppon he grounderh him selfe shalbe wel examined that it bee true. And at what time before iudgement the title bee founde by good information vntrue or iniust, the collation or presentment thereof made shalbee repealled. And the patrone or the possessour, which shal shewe and proue the false title, shal haue thereuppon writtes out of the chauncerye as manye as to him shal bee needefull, Anno. 25. E. 3. capi. 3. stat 3.

Title Examin

Iudgemẽt vniust

Repealed

writtes Chauncery

6 ¶ When Archebishoppes, bishoppes, or other ordinaries haue geuen a benefice of right deuolute to him by laps of time, and after ỳ king presenteth & taketh the suite against the patrone, which percase wil suffer that the kinge shall recouer without accion tried, in deceipt of the ordynary or the possessour of the said benefices, that in such case, and al other cases like, where the kinges right is not tried, the Archbishope or bishop, ordinarie or possessour, shalbee receiued to counterplede ỳ title taken for the kinge, and to haue his aunswere and to shewe and defende his right vppon the matter, although that hee claime nought in the patronage in the case aforesayd. An. 25. E. 3. c. 7. Pe clerk stat. 3.

Laps

Collation

Title

¶ *Bankes.*

NO towne nor free man shalbee distrained to make bridges nor bankes, but such as of old time and of right haue bene accustomed to make them in the time of king Henry our graundfather. Mag. Car. c. 25. An. 9. H. 3. 44.

Towne Freeman Diuers

2 ¶ No bankes shalbe defended hẽ hencefoorth, but such as were in defence in the time of king Henry our graundfather, by ỳ sãe places & ỳ sãe boundes, as they were wont to be in his time, Mag. Char. c. 16. An. 9. H. 3.

¶ *Banckrupts.*

WHere diuers and sundrie persõs craftely obteyninge into theire handes greate substaunce of other mennes goodes, doe sodainely fle to parties vnknowen or keepe theire houses, not myndinge to paye or restore to anie their creditours, their debte and duities, but at their owne willes and pleasure consume the substance obtained by credite of other menne for their own pleasures, and delycate lyuinge againste al reason, equitie and good conscyence. Wee it therefore enacted by auctoritie of this present parliament, that the lord Chauncellour of Englande, or keeper of the great seale, the Lord Treasorer, the Lord President, Lord Priuie seale, and other of the kings most honorable priuie counsaile, and the chiefe Justice of either benche for ỳ time beinge, or three of them at the least, whereof the lord Chauncellor, or keeper of the great seale lord treasorer Lord President, or the lord Priuy seale to bee one vppon euery complaint made to them in writtinge by any parties greeued concerning the premisses, shal haue power & auctoritie by vertue of this act, to take by theire wisdome and discretions such orders and direccions, as well with ỳ bodies of such offendors aforesayd, wheresoeuer they may be had, as well in their houses as els wher, by imprisonment of their bodies, or otherwise as also with their lands, tenementes fers, annuities, & offices, which they haue in fee simple, fee taile, tearm of life, terme of yeares, or in ỳ right of their wyues as much as the interest

Chauncelor L Keeper L. treasorer L. president L priuy seal Chief Iust. of both B.

Complaint

Power

Orders

Imprisl.

Lands Annuities Offices

right

right, and title of ẏ ſame offendoꝛs ſhal extend oꝛ bee and may then lawfully be departed with by the ſaid offendour, and alſo with their money, goods, cattels, wares, marchandiſes & debts wherſoeuer they may be foũd oꝛ knowen. And to cauſe their ſayd lands, tenements, fees, annuities, offices, goods, cattels, wares, marchandiſes and debts to be ſerched, viewed rented, and appꝛaiſed, & to make ſale of the ſaid landes, tenementes, fees, annuities, and office, aſmuch as the ſame offender may then lawfullie geue graunt oꝛ departe with, oꝛ otherwiſe to oꝛder the ſame foꝛ true ſatiſfaccion and paiment of the ſayd credytours, that is to ſaye, to euery of the ſaid creditours, a poꝛcion rate and rate like, accoꝛding to the quantitie of their debts. And that euery direccion, oꝛder, bargaine, ſale, and other things done by the ſaid loꝛds aucthoꝛiſed as is afoꝛeſaid, in wꝛitinge ſigned with their hands, by aucthoꝛitie of this act ſhalbee good & effectual in the law to al entents cõſtructions and purpoſes againſt the ſayd offenders, their heirs and executouꝛs foꝛ euer as thoughe the ſame oꝛder direccion, bargain, and ſale, had ben made by the ſaid offender oꝛ offẽders at his oꝛ theire owne free will and libertie by wꝛiting indented enrolled in any the kings courts of recoꝛd. And be it &c. that if after any ſuch act oꝛ offence committed and complaint thereof made to the ſaid loꝛdes as is afoꝛeſaid, any party greeued concerning the pꝛemiſſes, knowinge, ſuppoſing oꝛ ſuſpecting, any of ẏ goods cattels, wares, marchaundiſes, oꝛ debts of ſuch offendoꝛ oꝛ offendours to be in cuſtody, ble occupping keeping oꝛ poſſeſſion of any perſon oꝛ pſonnes, oꝛ any perſon oꝛ perſons to bee indebted to any ſuch offendoꝛ oꝛ offendours do make relation thereof to the ſaid loꝛds to whom aucthoꝛitie is geeuen by this pꝛeſent act as is afoꝛeſaid, that then the ſaid loꝛds ſhal by vertue theroꝛ, haue ful power and aucthoꝛitie to ſẽd foꝛ and conuent afoꝛe them by ſuche pꝛoces waies oꝛ meanes, as they ſhal think conuenient by their diſcretions, all and euery ſuch perſon & perſons ſo known ſuppoſed oꝛ ſuſpected, to haue anye ſuch goods, cattels, wares, marchandiſes, oꝛ debts, in his oꝛ their cuſtody vſe occupation keepinge oꝛ poſſeſſion oꝛ ſuppoſed oꝛ ſuſpected, to be endebted to ſuch offender oꝛ offenders and vppon their apparaunce to examine them and euerye of them aſwell by their othꝛ as other wiſe by ſuch waies and meanes as the ſaid loꝛds by their diſcretions ſhall think mete & conuenient foꝛ and vppon the ſpecialty, certeintie true declaration & knowledg of al and ſingluer ſuch goods, cattels wares, marchaundiſes and debts of any ſuch offendours as bee ſuppoſed oꝛ ſuſpected to bee in his oꝛ their cuſtody, vſe occupation oꝛ poſſeſſion, & of al ſuch debts as by them oꝛ any of them ſhalbee ſuppoſed oꝛ ſuſpected to bee owing to any ſuch offendour. And if any ſuch perſon oꝛ perſons vppon ſuch examination do not diſcloſe plainlye declare and ſhewe ẏ whole truth of ſuch things as he oꝛ they ſhal bee examined of, concerning the pꝛemiſſes, then euery ſuch perſon oꝛ perſons ſo examined, and not declaring plaine & whole truth, cõcerning the pꝛemiſſes vppon due pꝛoofe theroꝛ to bee made, before the ſayd loꝛdes theroꝛe aucthoꝛiſed as is afoꝛeſayd by witneſſe, examinatton, oꝛ otherwiſe, as to the ſame loꝛd ſhall ſeeme ſufficient in that behalfe, ſhall loſe & foꝛfait double ẏ valu of al ſuch goods cattels, wares marchãdiſes & debts, by

Money Goods Debts

Sale

Payment

Rate like

Oꝛder

Effectual

Complaint

Keeping

Relation

Power

Pꝛoces

Examin

Othes

Specialtie

Pꝛoofe

Foꝛf.

by them or any of thē so concealed & not wholy & plainly declared & shewed, which forfaiture shalbee levyed & recouered by the said lords having auctorite as is aforesaid, by such waies & meanes as to them shal seeme requisite & conuenīēt. And ỹ same forfeiture to be distributed and imployed to and for the satisfactiō and paymant of the debts of ỹ said creditour or creditours in such like maner, rate, & fourme as is afore declared concerning ỹ ordering of the goods & cattels of the said offendours keping their houses, or flieing to places vnknowen as is aforesaid. And be it &c, ỹ if after any such person or persōs shal kepe his or their houses or flee to parties vnknowen as is aforesaid, any person or persons do fraudulētly by couin or collusion, claim or demaund any debt dutie or other thing by writting or otherwise, of any such offender or offenders, other then such as he or they cā & do proue to be due by right & conscience, in forme aforesaid, before the said lords having auctorite by this present act as is aforesaid, and the same to proceed bona fide, without fraude or couine: that then euery such person and persons, so craftely demaunding or clayming any such debt dutie or other thig, as is aforesaid, shal forfait & lose double as much as hee or they shal so claime or demand. And the same forfeiture to be levyed recouered & employed in maner & fourme as is aforesaid. And be it &c. that if any such person or persons, which shall kepe his or their houses, or flee to parties vnknowen, as is aforesaid, of entent to delay or defraude their creditours deceiptfully by couin or collusion suffer or cause any other persone or persons to recouer against him or them any debtes goodes, cattales ware or marchandises, whout iust cause and title so to do, proceding bona fide, without fraud or couin, that then vpon complaint thercof made to the said lordes having auctorite by this present act, as is aforesaid, the same lords shall haue power and auctorite by vertue hereof to conuent and call before them the said recouerer or recouerers, and after such fraud, disceit, couine or collusion shall plainly appere or be duly proued before the said lords auctorised as is aforesaid, al the said goodes and cattals of the said offender so recouered, shalbe chargeable & employed ordered & delivered toward the payment of true and due debtes of ỹ said creditour after the maner, forme and rate as is afore specified, by the discretion of the said lords having auctorite by this present act, the aforesaid false and fained recouerie notwithstāding, so that alwayes such false and fayned recouveries shall not be in force or any execution therby had of or vpon any goods, cattels, landes, or tenementes or any such offender or offenders, vntil such time as all his or their true and due debtes and duties, shalbe fully satisfied contented and paid to hys or their creditours. And neuertheles after that the said true debtes and duties shalbee fully satisfied and payed, as is aforesaid, as well the body of the said offender, as his landes, tenementes, goodes and cattals shalbee charged and liable to the execution of the said recouery according to the tenour force and effect of the same. And be it &c. that if any persone or personnes which shalbee endebted, do withdraw himselfe out of this realme, and other the kings dominions, into any forein realme or countrey, to thintent there to abide & remaine, in defraud of his creditoures: that then vpon complaint in writting concerning the premisez ther of made to ỹ said lords having auctorite, as is aforesaid, the same lordes shall by vertue and auctorite of this present act, haue power and auctorite to award proclamatiōs to be made in such places as to thē shalbe thought meete and conuenient, commaūding by the same such offendour in ỹ kyng



Distributed

Flyt

Collusion

Forf.

Collusion

Complaint

Power

Execution

Proclamations

our soueraigne lordes name, to return in al conuenient hede into this realm & to yeld his body before the said lordes hauing auctoritie as is aforesaid or one of them. And if the said person with thzee moneths next after he shal haue knowledg of such proclamation or as soone after as he conueniently may, do not repaire and yelde his body as is aforesaid, that then the body of all and euery such offendour and offendours shalbe adiudged taken and deemed to all intentes and purposes out of the kinges protection, and that also all goodes cattels, landes, tenemẽts & debts of euery such offendour shall be by the order & discretion of the said lordes imployed and distributed amongest his creditoures equally & indifferently rate for rate in like maner and fourme as is aforedeclared. And that also euery person & persons ỳ shal willingly helpe to ayde, inbesil, or conuey any such person or persons, their goodes, cattels, wares, or marchandises out of this realme and other the kinges dominions, into any forreine realme or place knowing the said person or persons to depart or withdraw themselues or conuey their said goods cattels, wares, and marchandises for the cause & intent aforesaid, shall suffer such paines by imprisonment of their bodyes or pay such fine to our soueraigne lord the king his heires or successours as to the said lordes hauing auctoritie by vertue of this present act shall seme meete and conuenient for their said offence or offences, Prouided alwais and be it &c. ỳ the creditors of any such offendour or offendours, which shall kepe his or their house or houses, or which shall absent or withdraw themselues into places vnknowen for the causes aforesaid, bee not fully satisfied & paid or otherwise contented for their debts & duties, by the wayes and meanes afore specified & declared, that then the said creditour and creditours, and euery of them shall & may haue their remedy for the recouery & leuying of ỳ residue of their said debts or duties whereof they shall not be fully satisfied & paid, or otherwise contented in forme aforesaid, against the said offendour or offendours in like maner & fourme as they should or might haue had before the making of this acte. And that the saide creditour and creditours, and euery of thẽ shalbe onely barred and excluded by vertue of this act, of and for all and euery such part & portions of the said debts and duties as shalbe paide, satisfied, distributed or delinered vnto him or them by the said lordes hauing auctoritie as aforesaid, and of no more portiõ or parcel there, any thing herin specified, that may be takẽ or construed to ỳ contrary notwithstanding. Ann. 34. H. 8. ca. 4.

2 ¶ Be it enacted ỳ if any marchãt or other person vsing or exercising the trade of marchãdise by way of bargaining, exchange, rechang, bartry, cheuysance or otherwise in grosse or by retaile, or seking his or her trade of liuig by buying & selling, and being subiect borne of this realme or of any of the Queenes dominions or denizen, sythen the first day of this parliament hath or at any tyme hereafter shal departe the Realme or begin to keepe his or her house or houses, or otherwise to absent him or her selfe, or take Sãctuary, or suffer him or her self willigly to be arrested, for any debt or other thing not growen or due for money delyuered, wares solde, or any other iuste or lawfull cause, or good consideration or purposes, hath or will suffer him or her selfe to bee outlawed, or yelde him or her selfe to prison, or departe from his or her diuellyng house or houses, to the intent or purpose to defraude or hynder any of his or her creditors, being also a subiecte borne, as is afore said, of the iust debt or dutie of such creditor or creditors, shall be reputed, deemed, and taken for a bancke-

Protection

Mate that

Aydors

Imprisonment

Creditors

Excluded

Merchant

Denizen

Sanctuary

Irrest

Outlawed

Defraud

bankrupt.

Chefficelor L. keeper

And be it enacted by the auctoritye aforesaid, that the Lorde Chauncellour of England, or lorde keper of the great seale of Englande for the tyme being, upon every complaint made to him in writing against any such person or persons being bankrupt, as is before defined, shall have full power and auctoritie by commission under the great seale of England, to name, assigne, and appoint such wise & honest discrete persons, as to him shal seeme good, who or the most parte of them, by vertue of this act and of such commission, shall have full power & auctoritie, to take by their discretions, such order & directis vp ỹ body & bodyes of such perso, wherseoeuer he or she may bee had, either in his or her house or houses, sactuary or els where as well by impisonment of his or her body or bodyes, as also with all his or her landes, tenementes, hereditamentes, as well copy of customary hold, as free hold which he or she shall have in his or her own right, before he the became bankrupt, and also with al such landes, tenementes, and hereditamentes, as such person shall have purchased, or obteined for money, or other recompence ioyntly with his wife, children or chylde, to the onely vse of such offendour or offendours, or of or for such vse, interest, right, or title, as such offendour or offendours then shall have in the same, which hee or she may lawfully depart withall, or with any person or persons of trust to any secrete vse of such offendour or offendours, and also with his or their money, goodes, cattels, wares, merchandizes, and debtes, wheresoeuer they may bee found, or known, and cause the said landes, tenementes, fees, annuities, offices, goodes cattels, wares, merchandizes and debts, to bee serched, viewed, & ted and prised to ỹ best value they may, and by deede indented, inrolled

Complaint

Power Cõmission

Power

Sanctuary Impzison

Landes

Joint.

Vse Money Goods Marchandizes Fees Annuities Offices

Prised Deede indented

inrolled in one of ỹ Queens Maiestyes courtes of record, to make sale of the said landes, tenementes and hereditamentes, and of all deedes, writinges, and evidences, touching onely the same, belonging to such offendour or offendours, debtour or debtours and also of all fees, annuities, offices goods and cattels, or otherwise to order the same for true satisfaction and paiement of the said creditours: that is to say, To every of the said creditors a portion, rate and rate like, according to the quantitie of his or their debtes: and that every direction, order bargaine, sale and other thynges done by the said persons so auctorized as is aforesaid, in forme aforesaid, shalbee good and effectuall in the lawe, to all intents, constructions, and purposes, against the said offendour or offendours, debtor or debtors, his or their wife or wifes, heire and heires, child and children, and such person and persons, as by such ioynt purchase with ỹ said offendour or offendours as is aforesaid, have and shall have any estate or interest in the premisses, and against all other person and persons, claiming by from, or under such offendour or offendours, debtor or debtors by any act or actes had, made, or don after any such person shal become bankrupt as is aforesaid, & also against the lords of the manours whereof the said copyhold or customary lands ben holde their heires, successours, & assignes, & every of the.

Sale

Rate like

Heires

Lordes of manours

Provided alwaies and be it enacted by the auctorite aforesaid, that all and every person or persons to whom any such sale of copy hold, or customary lands, or tenements, shalbe made, shall before such time as they or any of them shall enter or take any profit of the same landes, or tenements agree & cõpound with ỹ lords of ỹ manors of whõ ỹ same be holden, for such fines or rents as heretofore hath ben most usual & accustomed to be yelded or

Sale

Compound

Fines

payed therefore: and that vpon euery such agreement or compositiõ, the said lordes for the tyme being, at the next court to be holde at or for the said manors, shall not onely graunt vnto the said vendee or vendees vppon request, the same copy or customary lan des, or tenements by copy of Court Rolle of the same manours, for such estate or interest as to them shalbe so solde, and reserving the auncient rẽts customes, and seruices: but also in the same court admitte them tenauntes of the same copy or customary lands, as other copy holders of the saunt ma nours haue bene wont to bee admitted. and to receiue their fealtie accordingly. Prouided alwayes, & be it enacted by thauctoritie aforesaid that such of the said Commissioners as shal put the said Commission in execution, shall vpon lawfull request to them made by the said bankrupt, not onely make a true declaration to the sãe bankruptes of the imployng and bestowing of their said landes, tenemen tes, offices, fees goods, cattals, and debtes so payd and satisfied to theire said creditours, but also make paymẽt of the ouerplus of the same (if any such shalbe) to the said bankruptes, their executors, administors, or assignes.

Vendee

Rents

Fealtie

Cõmission

Declaratiõ

Ouerplus

And be it further enacted by auctoritie aforesaid, that if after any such act or offence comitted, and cõplaint therof made to the said commissioners so to be appointed, as is aforesaid, or the more part of them, by any partie greued, as is aforesaid, concerning the premisses, knowing, supposing, or suspecting any of the goods, cattals, wa res marchandizes, or debts of such offendour or offendours, debtor or debtors to be in custody, vse, occupying, keping or possession of any person or persones, or any person or persons indebted to any such offendour or offendours, do make relation therof to the said Commissioners so to be appointed, or the more part of them: that then the said Commissioners, or the most part of thẽ, shall by vertue herof and of the said Commission, haue full power and auctoritie to send for, and call before them by such processe, wayes or meanes, as they shal thinke conuenient by their discretions, all and euery such person and persones so knowen, suspected or supposed to haue any such goods, cattels, wares, marchaundises, or debtes, in his or their custody, vse, occupation, keeping or possession, or supposed, or suspected to bee endebted to such offendour or offendours, and vpon their appearance to examine them and euery of them, as wel by their othes, as otherwise, by such wayes and meanes as the sayd cõmissioners, or ỹ more part of thẽ, by, their discretion shal thinke meete and conuenient, for and vpon the specialtie, certeintie true declaration and knowledge of all and singuler such goods, cattels, wares, marchandizes and debtes of any such offendour or offendours, as be supposed or suspected to be in his or their custody, vse, occupation or possession, and all such debtes as by them or any of them, shalbe supposed, or suspected to be owing to any such offendour or offendours. And if any such person or persons vpon such examination, do not disclose and plainly declare, and shewe the whole truth of such things as he or they shal be examined of concerning the premisses, to his knowleg, or deny to sweare: thẽ euery such person or persons so denying to sweare, or beeing examined do not declare the plain & whole truth cõcerning ỹ premisses, vpõ due proofe therof to be made before ỹ said Commissioners or the more parte of them so to be appointed, as is aforesaid by witnesse, examination or otherwise, as to the sãe Cõmissioners or ỹ more part of thẽ shal seme sufficiẽt in ỹ behalfe, shal lose & forfeit double ỹ value of all such goods, cattels, wares, marchandizes & debts, by them or any of thẽ

Power

Pzoces

Examin

Othes

Vse

Deny

Forf.

Offices
Fees
Goods

Arrest
Outlaw

Impzis

Collusio

Commis
oners

them for concealed, & not wholly and plainly declared & shewed: which forfeiture shalbe leuyed by the said Commissioners or the more part of them of the landes, tenementes, hereditamentes, goodes and cattels, of such person so denying to swere, or not disclosing the whole truth as is aforesaid, by such waies and meanes and in such maner and fourme, as is before limitted and appointed for the principall offendour or offendours, debtor or debtors, and the same forfaiture or forfaitures to be distributed or employed to and for the satisfaction and payment of the debtes of the said creditor or creditors in such like maner, rate, and fourme as is above declared concerning the ordering of the landes, & tenementes, offices, fees, goodes and cattels of such offendour or offendors debtor, or debtors, as is aforesaid.

Offices. Fees. Goods.

And be it further enacted, that if at any tyme before or after that any such person or personnes departeth the realme, or shall kepe his or their house or houses, or otherwise absent him or themselues, to take sanctuary, or suffer him or themselues to be arrested, outlawed or yeld his or their bodies to prison, as is aforesaide: any person or persons do fraudulently by couin or collusion clayme, demaund, recouer, possesse, or detayne any debts, duties, goodes cattels, landes or tenements, by writing, trust, or otherwise, which were or shal be due, belonging or appertaining to any such offender or offenders other then such as he or they can and do proue to be due by right and conscience in fourme aforesaide, for money paied, wares deliuered, or other iust consideration or cause reasonable, to the iust value therof, before the said commissioners so to be appointed, or ye more part of them, as is aforesaid, and the same to precede (bona fide) without fraude or couyn: that then euery such person or persons, so craftely demaunding, clayming, hauing, possessing, or detayning any such debt, duties, or other thyng as is aforesaid, shall forfeit & lose double as much as he or they shall so claim, demand detayn, or possesse which said forfaitures shalbe leuied, recouered and employed in maner & fourme as is afore rehearsed.

Hoastuary. Arrested. Outlawed.

Imprison.

Collusion.

Commissioners.

Forf. ij. bonis

Prouided also & be it enacted by auctority aforesaid, ye if it shal fortune the creditors of any such bankrupt, as is aforsaid, to be satisfied & paied of their debts and duties, of or in the proper landes, tenemets, goods cattels, & debts of the said bankrupts, or of or with ye same & some part of the forfaitures of the said double values to be forfayted as is aforesaid, and that there shall remaine an ouerplus of the said forfayture of the said double values: ye then the one moitie of the said ouerplus of the said forfaitures of ye double value so remaining, shalbe by the saide commissioners so executing the said commission, with conuenient tyme after ye levying therof, payd vnto ye Queenes Maiestie, her heires & successours, and thother moitie therof shalbee by the said Commissioners imployed and distributed to & amongest the poore with the hospitals in euery citie, town or county where any such bankrupte shall happen to bee, any thing in this act to ye contrary therof notwithstanding. And be it further enacted by auctoritie aforesaid, ye if any such person or persons which is or shalbee indebted, do of purpose withdraw him or themselues out or from his or their vsuall mansion house or houses: that then vpon complaint therof made to the said Commissioners hauing auctoritie as is aforesaid, ye same Commissioners or ye more part of them, shal by vertue and auctoritie of this present act, haue full power & auctoritie to alowe & ymploy proclamations to be made in the Queens name, vpon fyue sundry market days in such places neare the place where such bankrupte hath most commonly dwelled or made his abode, com-

Ouerplus.

Moitie.

Hospitals.

Commissioners.

Proclamations.

ding him or them by the lawe proclamations in the Quenes name to retourne in all conuenient spede, & to yelde his or their body before the said Commissioners, hauing auctozitie as is afozesaid, or one of them, at such tyme and place as by the said proclamation shalbe appointed: & if the said person do not accozding to such proclamation repaire & yelde his or their body, as is afozesaid, ỳ then the body of all & euery such offendour or offendours shalbe adiudged, taken & deemed to al intents & purposes out of the Quenes protection: and that also euery person & persons ỳ shall willingly & wittingly help to hyde or conuey, or shal willingly and wittingly receiue, detayn, or kepe secretely any person or persons so demaunded by proclamation, as is afozesaid, shall suffer such paines by imprisonment of his or their bodyes, or pay such fine to our soueraign lady the Quenes Maiestie, her heires and successours, as to the said lord Chauncellour or lorde keper of the great seale (beeing auctozised therof) by the Commissioners ỳ to be appointed as is afozesaid, or ỳ more part of the, shal seeme meet & conuenient for their said offence or offences.

Retayne

Out of protection

Retayne

Imprisonment Fine

Chauncellour

Prouided alwaies and be it further enacted, ỳ if the Creditors of any such offender or offenders, debtor or debtors, which so do depart the realme, keepe his or their house or houses or otherwise absent or withdraw him or them selues into places vnknowen, or take Sanctuary, or will suffer him or them selues to be arrested or outlawed, or yelde his or their bodys into prison purposely & for the causes afozesaid be not fully satisfied, or otherwise contented for their debts & duities by the waies & meanes before specified & declared: that then the said creditor or creditors, & euery of them, shal & may haue their remedy for the recouery & leuying of the residue of their sayd debtes or duities whereof they shall not be fully satisfied, payed or otherwise contented in forme afozesaid, against ỳ said offendour or offendours in like maner & forme as they should and might haue had before the making of this acte. And that the sayd creditor or creditors, and euery of them, shalbee onely barred and exlouded by vertue of this act, of & for euery such part and portion of the said debts and duities as shalbe payed satisfied, distributed or deliuered vnto him or them by order of the said persons as is afozesaid, and of no more portion or parcell therof any thing herein specified that may be taken or construed to the contrary notwithstanding. Prouided alwaies & be it also enacted by auctozitie afozesaid, ỳ if any person or persons, which is or shalbee punished & declared to be a bankrupt, by vertue of this act, shall at any tyme after purchase any landes, tenements hereditaments, free or copie, or offices, fees, goods or cattals: or that any landes, tenements, hereditaments, free or copie, offices, fees, goods or cattels, shall descend, reuert, or by any meanes comme to any such person or persons being bankrupts, as is afozesaid, before such time as their debtes due to their creditour shalbe fully satisfied & payed or otherwise agreed for: that then the said landes, tenements, hereditamẽts as wel free as copie, offices, fees, goods and cattels, shall by vertue of this act be by the said Commissioners to bee appointed as is afozesaid, or the more part of them, be bargained, solde, exchanged, deliuered & vsed for & towardes ỳ payment of ỳ said Creditors in such like maner & forme as other the landes, tenementes, hereditamentes, free or copy, offices, fees, goods & cattels of ỳ said bankrupts, which they had when they were declared first to bee bankrupts should or might haue be bargained, sold, disposed or vsed by vertue of this act.

Creditors

Sanctuary Outlawed

Wayued

Purchase

Descend

Prouided alwaies that this act shal not extende to any landes tenements or

Lands assured before

Bona fide vse

or hereditamentes free or copy holde which heretofore hath bene assured by any such bankrupte, or hereafter shalbe assured by any bankrupt before he become bankrupt, so alwais ỹ such assurãce be made bona fide, & not to ỹ vse of the bankrupt him selfe onely or of his heires, and that the partie ato whose vse such assurance hath or shal be made, be not at or before ỹ making of such assurance privie or consenting to ỹ fraudulẽt purpose of any such bãkrupt to deceive his creditors. An. 13. El. ca. 7.

*Bastardie.*

Inherite

TO the lynges writt of bastardie, whether one being born afore matrimony may inherite in lyke maner as he ỹ is borne after matrymony, al the byshoppes answered, that they would not, nor coulde not answere to it, because it was directly against the common order of the church. And all the byshops instaunted the lordes, that they would consent, that al such as were borne afore matrymony, should bee legitimate as well as they that be borne within matrimony, as to the succession of inheritance for so much as the church accepteth such as be legitimate. And all the earles and barõs with one voice answered that they would not change the lawes of ỹ realme, which hetherto have ben vsed and approued Merton cap. 9. Anno. 20. H. 3.

Mulier Certificat

Iudges

2 ¶ If the said Alianour the wife of Jães be certified mulier in any court before this time, that no maner certificat heretofore made for the said Alianor wife of Jães, shal in any wise be put to prejudice in damage nor cõclud any person or persons but him or his heires that was party to the plee. And that from henceforth all iudges of or in the courtes, where any plee is or shalbee depending taken or moued in which plees so depending taken or moued bastardi is or shalbe alleged against any person party to the saide plee, & the issue upon an issue ioined, which by the law ought to be certified by the ordinary, that the iudges or one iudge of or in ỹ courtes, where the said plee is or shal be depending taken or moued, before the time that any writ of certificate passe out of the same court to the ordinarie, to certifie vppon the issue so ioyned or to be ioyned, shal make a remẽbrãce vnder ỹ seale or his seale, at ỹ suite of the demaundant or tenaunt plaintife, or defendant in the plee, in which the bastardy is or shalbe alleged, reciting the issue that is ioyned in the saide plee of bastardy, & certifying to the chauncelor of ỹ king of England for ỹ time being, to the intent that therupon proclamation be made in the said Chãcery by fiue monethes once, in euery moneth, that al persons pretending any interest to obiect against the party, which pretendeth him selfe to be mulier, that they sue to the ordinarie to whom the writ of Certificat is or shalbe directed, to make their allegations & obiections against the party, which pretendeth hym to be mulier, as the law of holy church requireth. And ỹ said chauncelor hauing notyce of the said remembrance & issue ioyned, & required by ỹ said demandant or tenant plaintife or defendant hauing the said remembrance, to make ỹ said proclamatiõ as afore is said, ỹ same Chancelor for ỹ time being shal do make proclamation in ỹ forme aforesaid, And ỹ proclamation so made shal certifie in ỹ court, where the said plee, in wheych ỹ bastardi is aleged an other time shal be dependig. And ỹ ỹ iudges of or in ỹ court, wher ỹ saide plee is or shalbe depending take or moued, before any proclation so to be made in ỹ chãcery, make one time such proclamation openly in ỹ saide court. And also an other time whã ỹ proclamatiõ shalbe certified by ỹ chãceler of England and made in ỹ forme aboue rehersed. And then the said iudge shall awarde the sayde writte of

Writs

Seale

Chauncelor

Proclamation

Mulier Certificat

Demaundãt

F. iiii. Cer-

Ordinaris

Certificat to the ordinaris, to certifie vpon the the time so ioyned or to bee ioyned. And if any writt Certificat be made or graunted before that all the proclamations in the fourme aforsaid be made & certified, that then the said writt Certificat and the certificate of the ordinaris thereupon made or to be made, shalbe void in law and of none effect, and if any writt before this time be directed to any ordinary to certifie, if the said Alyanour wyfe of James be bastard or not, & at this time not certified, if it be certified hereafter by vertue of the said writt, ỳ the same certificat of the said Ordinarie so made be voide and of one effect. An. 9. H. 6. ca. 11.

Lloyd

¶ *Bath and Welles*

AN. 34. H. 8, ca. 15. an act is made concerning graunts and writings to be made by the byshop of Bathe & Wells, to be confirmed by the deane & chapter of Welles.

¶ *Battell & graund Assise.*

Of the Champion

TOwching the othes of champions it is this prouided because it hath ben happened, but that the champion of the demaundant is forsworne, in that he sweareth, that he or his father saw the seasen of his Lord or his ancester, and that his father commaunded him to deraigne the right, that from hence forth the champion of the demaundãt shall not be compelled so to swere, nethles his oth shalbe kept in al other points. VI. 1, ca. 40. An. 3. E. 1.

¶ *Beappleader.*

Iustices Counties Courts Hundreds Court barons Fines

IT is prouided also, that from hence forth, neither in the circute of Iusticers, nor in counties, courtes, hundredes, and court barons, any fines shall be taken of any man for fayre pleadinge, nor so that any occasion shalbe. And it is to bee knowen that by this acte certayne lynes or losys assessed sins the tyme that our soueraine lorde the kyng first passed into Britaine are not taken away. Marlebridge, c. 11. An. 52. H. 3.

2 ¶ That nothing bee taken for fayre pleading, which hath ben prohibit heretofore in the tyme of kyng Henry father to our soueraigne lord that nowe is, VI. 1. cap. 8. Anno. 3. E. 1.

Shirifes Extorcion

3 ¶ Where as some of the Realm hath greuously complained, that they bee greued by shiriffes, naming themselues the kinges appropriatours, which take money by extorcion for beawpleder: The king will that the statute of Marlebridge shalbee obserued and kept in this poynt. Anno. 1. E. 3. statut 2.

¶ *Berwike.*

Merchants Scotland Ireland Wales Merchãdis

ALL marchauntes, which shall carie or bringe any marchaundise out of Scotlande or the yles of the same into this Realme of Englande or in Ireland or Wales, first shall bring the same merchaundise to the sayd Towne of Berwike: And that non of the kynges liege people, nor none other person vnder the kynges obeisaunce, shall buy any marchandise brought out of Scotland, and carye the same or cause to bee caryed into this Realme of England, or any other place vnder the kings obeisance, but that the same merchaundise bee bought sold, and customed at his said Towne of Berwyke, except to the citie of Karleyle, and the portes or creekes pertenyng to the west marches. And that no maner merchant denyzen nor straunger vnder the kynges obeysance, shal cary or conuey to sell any maner merchaundise beeyng within Englande, Irelande, or Wales, into Scotlande, or

Customed Karlile

west marches Denizens

the

Isles

or the yles of the same, which bee not under the kinges obeysance. And that none under the kinges lyegeance and obeysance, sell any maner marchaundile of England, Ireland or Wales, to any of the inhabitaunts of Scotlād or yles of the same, in any place within England, Ireland, or Wales, saving only to ẏ sayd towne of Berwike and Carlele aforesaid. And that no merchaundile shalbee shipped in any creek or other place betwixt Tinmouth and the said towne of Berwyke, but onely in the port or hauen of the sayd towne of Berwike. And that no maner person or persons, saving the burgesses and freemen of the sayd towne of Berwike, shall cause any salmon to be sold, which shalbee taken in the water of Tweede. And if any person or persons offend or do with any maner marchaundile aforesaid contrary to any of the said ordinaunces, the sāe person or persons shall forfayt all the sayd marchaundise. And ẏ it shall bee lawfull to any of the kinges liege subiectes to seaze al such marchaundile so forfaite, or else to pursue in hys owne name an accion of debt against the same person or persons, which so shall forfayt containing the summe of the value of the said goodes. And in ẏ sāe accion to haue like proces iugement and execution, as is vsed in other accions of debt by the course of the kinges lawes. And that in none of the suites and accions any protection or essoyne of the kinges seruice bee allowed, nor any defendaunt admitted to doe hys law. And our soueraigne Lord ẏ king to haue as well the one halfe of all such merchandile forfait and seised, as the one halfe of all such summes of money which shall be recouered by accion in the fourme aforesayd, to pursue for the value of any such goodes so forfait, And the person or persons, which shall seyse and pursue in the fourme aforesayd, to haue the other halfe of ẏ same. And by the sayd authoritie it is ordeined and enacted, that the marchaunts and freemen of the sayd towne may of the grace of our soueraigne lord the king, haue to ferme all waters royall & fishing places within ẏ sayd towne of Berwike & seignory of ẏ same, paying for ẏ same as much as any other person will do. And that the same marchaunts and freemen and euery of them may from henceforthe haue occupy and enioy to them there heires & successours for euer, all liberties franchises & customes, which at any time before pertained to the said towne. And that they may shypp all maner goods and marchandises there, and carry thē to what place or places, port or ports, that they wyll, and there discharge, & the same recharge with corne or any other vitaple or marchandises, & bring the same to the sayd towne of Berwyke for vitayling therof. Prouided alwayes that this act, nor none other acte made or to bee made in the sayd parliament doe not extend nor be preiudicial to william Bishopp of Durhā, nor to his successours, in or for any maner thing pertayning or in any wise belonging to him. An. 22. E. 4. cap. 8

Creke Tinmouth

Burgesses

Salmon Twede

Forfit.

Proces

Protection Essoin

Polite

Ferme Fishing

Liberties Shipping

Corne

Bishop of Durham

## ¶ *Bishops and Bishopprickes.*

BEcause before this time in the time of king Edward father to the king that now is, he by euill councellours caused to be seased into his handes the temporalties of diuers bishops, with all their goods & cattalles therin found, without any cause and the same holde in hys handes by a long season, & continually therof tolde the profytes, to the great damage of the same bishops wastes & distructions of al their cattelles, maners, parkes, and woods. The kinge wyll and graunteth that frō henceforth it shal not be don. An. 1. E. 3. Cap. 2. ſte. 2.

Temporalties. Goods

2 ¶ We will and graunt for vs & for our heyres, that from henceforthe we nor our heyres shall not take, nor doe

Temporalties

do to be taken from hands the temporalities of archbishops, bishops, and other prelates, or other of their estates by reason of their bee, without a trew & full cause according to the lawes of the lands, and iudgement thereupon geuen. Anno. 14. Edwardi 3. pro clero cap. 3. statut. 3.

Crime

3 ¶ That no archbishop nor bishopp shalbe impeached before our Justices because of crymes, unles we speially do cõmaunde them, til another remedy bee therof ordayned. Anno. 18. Edwardi. 3. pro clero. Cap. 2. statute. 3.

Temporalties

4 ¶ Wher as the temporalties of archbishoppes and bishopps haue ben oftentymes taken into the kynges handes, for contempte done to hym upon writtes of Quare non admisit, and for diuers other causes, wherof the said prelates haue prayed the kinge, that no such taking shall from henceforth be made, sithe the bee piers of the lande: The king will and grauteth in the same parliament, that all the Justices, which from henceforth shall gaue iudgement against any prelate of the land in such case or like, that they in such case maye freely receyue and from henceforth shall receiue for the contempt so iudged, a reasonable fyne of the partie so condempned, according to the quantytie of the trespas and after the qualitie of the contempt incontynantly at the time of ỹ iudgement, if the party offre the same or otherwise after the iudgement, at what tyme the partie will offer hym selfe: And if it nede, the Chauncelour and the Treasourer, shall bee called to the receipte of the said fynes. Anno. 25. Edwardi 3. pro clero ca. 6. statut. 1.

Quare non admisit

Justices

Fine

Contempt

Chauncelor & Treasorer

5 ¶ Albeit that sithen the beginning of this present Parliament, good and honorable ordynaunces and statutes haue ben made and established for diuine seruice, presentations consecrations and inuesting of archbishoppes and Bishoppes of this realme, and in all other the Rites, Ceremonies, with all ceremonyes apertayning vnto the same, as by sundry Statutes thereof mencion more at large is specified: yet neuertheles no prouision hitherto hath bene made for suffragans, which haue bene accustomed to bee hadde within this Realme for the more speedy administration of Sacramentes and other good holsome and deuoute thinges, and lawdable ceremonies, to the encrease of Gods honour, and for the comodytie of good and deuoute people. Be it therfore enacted by auctholitie of this present Parliament that the townes of Thetford, Ippeswych, Colchester, Douer, Glocester, Southampton, Taunton, Shaftesbury, Bolton, Malmesbury, Bedford, Leycester, Glocester, Shrewsbury, Bukingham, Penreth, Bridgewater, Notyngham, Grantham, Hull, Huntington, Cambridge, and the Townes of Pereth, and Berwicke, Saynt Germayns in Cornewall, and the Ile of wight, shalbee taken and accepted for Sees of Bishoppes suffragans to bee made in this realme, and in Wales, and the Bishoppes of such Sees shalbee called Suffragans of this Realme. And that euery Archebishoppe and Bishoppe of this Realme, and of Wales and els where within the kinges Dominions, being disposed to haue any suffragan, shall and may at their liberties name and elect, that is to say, euery of them for their peculier diocees, two honest and discrete Spirituall persons, being learned and of good conuersation, and those two persons so by the to bee named, shall present to the kinges highnes by billes by their writing vnder their Seales making humble request to hys Maiestie, to giue to one such of the said two persons, as shall please his Maiestie, such rytle, name, style, and dignitie of Bishoppe of such

Tetford. Ipswich.

Berwicke.

Ile of wight

Sees Suffragent

Consecra

Presente

such of the said Sees above specified, as the kinges highnes shall thinke moste conuenient for the same. And that the kinges Highnes vpon euery such presentation, shall haue full power and authoritie to graue to one of those two persons so from time to time to be presented, the stile, title, name of a Bishoppe, of such of the Sees aforesayd, as to his highnes shall be thought most conuenient and expedient: so it be within the same Prouince, wherof the Bishoppe that doth name him is. And that euery such person to whom the kinges highnes shall graue any such stile and title of any of the Sees aforenamed, shall be called Bishoppe suffragan of the same See wherunto he shalbe nominated. And after such title, stile and name so geuen as is aforesaid, the kinges maiestie shall present euery such person by his letters patents vnder his great Seale to the Archbishop of Canterbury of the Towne wherof he hath his title he within the Prouince of Canterbury. And likewise to the Archbishop of Yorke, if the Towne wherof he hath his title be within the Prouince of Yorke, signifying and declaring by the same letters patents the name of the person presented, and the stile and title of dignitie of Bishoppike, whereunto he shalbe nominated, requiring the same Archbishop to whom such letters patents shalbe directed to consecrate the same person so nominated and preferred to the same name, title, stile and dignitie of Bishoppe, that he shalbe nominated and presented vnto, & to giue him all such consecrations, benedictions, and ceremonies as to the degree and office of a Bishops suffragan shalbe requisite. And be it also enacted by authoritie aforesaid, that all and euery such person and persons, as shalbe nominated, elected, presented & consecrated, as is aforerehersed, shalbe take, accepted & reputed in all degrees & places according to the title, name & dignitie & he shalbe so elected vnto, & haue the capacitie, power & authoritie, honor, preheminence & reputation, in as large & ample manner, in & concerning the execution of such commission, as any of the said archbishops & Bishops is in their Dioces shalbe geuen to the said suffragans, as to suffragans of this realme heretofore hathbene vsed and accustomed. And be it further enacted by authoritie aforesaid, that euery archbishop of this Realme to whom any the kinges letters patents in the cases afore reherced, shalbe directed hauing no lawfull impediment, shall performe & accomplish the effects & contents of this act within the time of three moneths next after such letters patents shall come to their handes, any vsage customes, foreine lawes priuileges, prescriptions or other thing or things heretofore vsed had or done to the contrary hereof notwithstanding. Prouided alwayes, that no such suffragan which shalbe made and consecrate by vertue and authoritie of this act, shall take or perceiue any maner of profits of the places and Sees, whereof they shalbe named not ble, haue or exercise any iurisdiction or episcopall power or authoritie within their said Sees, nor within any places or place of this realme or else where within the kinges dominions but only such profites iurisdictions power and authoritie, as shalbe licenced and limitted to them by take and execute by any Archbishoppe or Bishoppe of this realme within their diocesse, to whom they shalbe suffragans by their commission, vnder their seales. And that euery Archebishoppe and Bishoppe of this realme, for their owne peculier dioces, may and shall giue such commission or commissions to euery such Bishoppe suffragan as shalbe so consecrated by authoritie of this acte as hath bene accustomed for suffragans heretofore to haue, or els such commis-

on

as by them shalbe thought expedient reasonable and conuenient. And that no such suffragan that bee any iurisdiction ordinary or episcopal power other wise nor longer tyme then shall be limited by such commission to him to be giuen as is aforesaid, upon paine to incurre into the peynes, losses, forfaitures, and penalties mentioned in the statute of premunire made in the fyftene yeare of kyng Richard the seconde. Prouided alwaies that ye Bysshoppe that shal nominate the suffragan to the kynges highnes, or the suffragan hym selfe that shalbee nominate, shall pronide two Bysshoppes or suffragans to consecrate hym wyth the Archebishop, and shall beare their reasonable costes. Prouided also that the residence of hym that shalbee suffragan ouer the diocese, wher hee shal haue commission, shall serue hym for his residence as sufficientlie, as if hee were resident vppon any other his benefice, any acte heretofore made to the contrary notwithstanding. Wee it further enacted, that all such suffragans, as shall hereafter exercise the offices aforesayd, by the commission of the Bishoppe for the better maintenance of his dignitie, may haue two benefices with cure, any former act made to the contrary notwythstanding. Anno 26. Henrici 8. cap. 14. This act was repeled by 1. & 2. P. and M. and reuiued by Elizabeth Cap. 1.

Foyl.

Commission

Repealed

6 ¶ Anno 31. H. 8. cap. 9. an acte was made, authorising the kinge to make bishops and translations of bishops by his letters patents. But it is repealed by 1. & 2. P. & M. cap. 8. as appeareth in Rome.

7 ¶ An. 33. H. 8. cap. 31 an act was made, disseuering the Bishoprik of Chester and Man, fro the iurisdiction of Canterbury to the iurisdiction of Yorke.

Chester Man.

8 ¶ Anno 37. H. 8. cap. 16. an act was made concerninge exchange be-

Exchonge

tweene the king & the Archebyshoppe of Canterbury and Yorke, and the Bishop of London for certein landes.

9 ¶ An. 1. E. 6. cap. 2. was an act that the Bishops should bee made by the kinges letters patents and not by ye election of the deane and chapter, & that they should make their processe & writings in the kinges name, & not in their owne names, and that their seales should be the kinges armes. But after, this act is repelled in An. 1. Mar. 1. parliamento cap. 2. Sess. 2.

Patents.

Process

10 ¶ An. 5. Eliz. 6. it was enacted that such forme of making & consecrating of bishops and preestes, as by fyue prelats and fyue other to be appointed by the king should be deuised and set forth vnder the great seale, should be vsed, & none other. And after a booke was printed of such maner of consecrating and making of preestes. But after this act was repelled by 1. Mar. 1. parliamento ca. 2.

Seales

Repealed

11 ¶ An. 1. & 2. P. & M. ca. 8. all bishopricks be confirmed as appeareth in Rome. 4.

12 ¶ Be it nowe declared & enacted by the authority of this preest parliament, that the sayd act and statute made in the first yere of the raigne of our said soueraigne lady the Queene, whereby the said booke of common prayer, & the administration of Sacraments, with other rites and ceremonies, is authorised and allowed to be vsed shall stand & remayne good and perfect to all respectes and purposes: And that such order and forme for the consecrating of Archebishops and bishopes, and for the making of preestes, Deacons and ministers, as was set forthe in the time of the said late kinge Edward the vi. and added to the two booke of Common prayer, and authorised by Parliament, in the fyfth and sixth yere of the said late kinge, shall stande, and bee in full force and effect, and shall from henceforth be vsed and obserued in all

Service Sacramts

places

places within this realme, and other the Quenes Maiesties dominions & Countreis. And that all acts & thyngs heretofore had, made, or done by any person or persons, in or about any consecration, confirmation, or enuesting of any person or persons elected to the office or dignitie of any Archebishopp or Bishop within this realme, or within any other the Quenes Maiesties dominions or countryes, by vertue of the Quenes Maiesties letters patets or Commission, sithēce the begining of her maiesties raigne, be and shalbe by auctoritie of this preſt parliamēt declared, iudged and deemed, at and from euery of the seuerall times of ỳ doing therof, good & perfect to all respectes and purposes: Any matter or thing that can or may bee obiected to the contrary therof in anye wise notwithstanding. And that all persons ỳ haue ben or shal be made, ordered, or consecrate Archbishops, Bishoppes, Priestes, Ministers of Gods Holy word and Sacraments, or Deacons after the form and order prescribed in the said order and forme how Archebishops, Bishops, priestes, Deacons and ministers, should bee consecrated made, and ordered, bein very deede, & also by auctoritie herof declared and enacted to be, and shall bee Archebishops, Bishopes, Priestes, ministers, and Deacons, and rightly made, ordered, and consecrated: Any statute, law, canon, or any other thyng to the contrary not withstanding.

Prouided alwais, and neuerthelesse bee it enacted by the auctoritie aforesaid, that no person or persons, shall at any tyme hereafter, be impeched or molested, in bodye, landes, liuings or goods, by occasion or meane of any certificat by any Archebishop, or Bishop heretofore made, or before the last day of this present Session of Parliament to be made, by vertue of any act made in ỳ first session of thys present Parliament, touching or concerning ỳ refusal of the othe, declared & set forth by act of parliament, in the first yere of ỳ raigne of our souereign Lady Queene Elizabeth: any thing in this act or statute heretofore made to the contrary notwithstanding. Othe

And that all tenders of the said othe made by any Archebishop or Bishop aforesaid, or before the last day of this present Session to be made, by auctho ritie of any act establyshed in the first Session of this present parliament, & all refusalles of the same othe so tendred, or before the last day of this present Session to bee tendred, by any Archebishop, or bishop, by auctoritie of any act, established in the first session of this present Parliament shall be void & of none effect or validitie in ỳ law. An. 8. Elizabeth cap. 1.

¶ *Bouchers,*

A Butcher that selleth swyns flesh mezelde, or flesh dead of the morin, or ỳ buyeth flesh of Jues, & selleth the same vnto christians, after he shal be conuict therof, for the first tyme he shalbe greuously amerced, the seconde tyme, he shal suffer iudgment of the pyllory, and the third tyme he shalbee imprisoned and make fyne. And the fourth time he shall abiure the towne. And in this maner shall it be don of al that offend in lyke case. Statut of Bakers & Buers cap. 7. Jues Pillory Imprison Abiure

2 ¶ No butcher nor hys seruaunt shall sica no maner beast wǒin the said house called the scaldinge house or wǒin the wall of London vppon paine to forfait for euery Oxe xii. d. and euery Cowe, and for euery other beast 8. d. thone halfe therof to the king our soueraigne lord & the other halfe to euery of the kings lieges that will sue for the same by accīō of debt. And no protection nor essoine bee allowed to any of the defendants against whom any such accion shalbe conceiued. And ỳ in ỳ same accion of debt, such proces bee made as in other accions of debt sued Fort. Writte Protection

in

in the common lawe. And ouer this it is &c. that the same ordinaunce act & lawe extend & be obserued & kept in euery City, Borough & Towne walled within this Realme of England & in the Towne of Cambrige, the Towns of Barwicke & Carlile onlye except & forprised. An. 4, H. 7. ca. 3.

Cambridge
Barwicke
Carlile

3 ¶ An. 24. H. 8. ca. 3. and act was made for Beefe, Mutton, Porke and Veale, to be solde by weight & the prices appointed there. And after An. 25 of H. 8. ca. 1. other clauses were enacted for selling of Beefe, Mutton, Porke and Veale, by weight, & that graziers & other sellers of quicke cattel should sel their cattell to such as should sell theyr flesshe by retaile by weight) at reasonable prices, or at prices, to bee tared by certen persons appointed in the act of 25. H. 8. cap. 1. And that ỳ king by proclamation might appoint other prices of the flesh to bee solde by retaile, and licence folke to sell flesshe wout weight & after An. 27. H. 8, ca. 9. it was enacted that til 24. April an. 1540, flesshe might bee solde as it was before the making of the said statute of 24. H. 8. cap. 3. & 25, H. 8. ca. 1, and after An. 33. H. 8. Ca. 11. the said actes made An. 24. H. 8. cap. 3. and 25. H. 8. Cap. 1, bee repelled, and that from thencefoorthe it is lawfull to sell vitailes in like maner and forme as they might haue done before the makinge of any of the sayd Statutes.

weighs

Proclamation

Repealed

¶ *Bookes & Images.*

THe said proulso, made ỳ first yere of the said kyng Richard the third (3. ca. 9. concerning bookes which is in Aliens) from the feast of the nativitie of our Lord God next comming shalbe void and of nõe effect. And further be it &c. that no person or persons restãt or inhabitãt within this realme after the said feast of Christmas next comming, shall buye to sell agayne any printed bookes brought from any partes out of the kings obeisance, redye bounden in bordes lether or perchment, vpon peyne to lose and forfeit for euery booke bounde out of the said kinges obeisance, & brought into this realme, & bought by any person or persons within the same to sell agayne, contrary to this act, fyr shillings eight pence. And be it further &c. that no person or persons inhabitant or resiant within this realme, after the said feast of Christmas, shall buy within this realm, of any stranger borne out of the kings obedience other then of denizens, any maner of printed books, brought from any the parties beyond the sea, except onely by engrosse & not by retaile, vppon paine of forfeiture of vi. s. viii. d. for euery book so bought by retaile contrary to the fourme & effect of this estatut, ỳ said forfeiture, to be alwaies leuyed of ỳ buyers of any such bookes contrary to this act. The one halfe of all the saide forfeitures to bee to the vse of our soueraigne Lorde the King, & the other moitie to bee to the party that will sease or sue for the same in any of the kings courtes, bee it by bill, plaint or information, wher in the defendant shall not bee admitted to wage his law nor protectiõ, ne essoin shalbe vnto him allowed. Prouided alway & bee it &c. that if any of the said Printers or sellers of printed bookes, inhabited within this realme, at any time hereafter happen in such wise to enhaunce & encrease the prices of any such printed books in sale of binding at to highe & vnreasonable prices in such wise as complaint be made therof vnto the kinges highnes, or vnto the Lorde Chauncellour, Lord Treasorer, or any of the chefe Justyces of the one benche or of the other, that then the same lord chauncelour, lorde treasourer, and two chiefe Justices, or two of any of them, shall haue power and authoritie to enquier therof as well by the othes of xii. honest and lyf-

Printed bookes

Forf.

Denizens

Engrosse
Forf.

Moitie

Printers

L. chaficelor
L. treasorer
Chief Just.

Examinatiō discrete persōs, as other wise by duer examination by their discretiōs. And after the same ehaūsing & encreasing of ỳ said prices of ỳ said bookes & binding shalbe toūd so by ỳ said xii. men or other wise by examination of ỳ said lord chaunceller, lord treasourer & Justices or ii. of thē, ỳ thē the same lord chaunceller, lord treasourer and Justices, or two of them at the least from time to time, shall haue power and auctho̅itie to reforme & redresse such enhaūcing of ỳ prices of printed bookes from time to time by their discretions, and to lymit prices as well of the bokes as for the binding of them, and ouer that the offender or offenders ther of being conuicted by the examin ation of the same lord chaunceller, lord treasorer, & two iustices, or two of them: or other wise shall lose and forfeit for euery booke by them sold, wherof the price shalbe enhaunced, for the booke, or binding ther of iii. s. iiii. d. the one halfe ther of shal be to the kynges highnes, and thother halfe vnto the parties greued that will complain vppon the same, in maner & forme before rehersed. Anno. 25. H. 8. cap. 15.

Prices

Binding

Forf.

Moitie

2 ¶ An. 34. H. 8. cap. 1. was an act against reading of the Bible in Englishe, and other englishe bokes of doctrine, and against playes, songes, and rymes, and against preaching & teaching of doctrine, but that statut was repelled by 1. E. 6. ca. 12.

Repealed

3 ¶ An. 3. E. 6. ca. 10. it was enacted that all bookes of the seruice of the church in latin, & Images of Saintes ỳ were or had bene in any such church or chappell, should be abolished and destroyd, and the bookes burned, But this acte was after in Anno. 1. M. 1. parl. cap. 2. repelled.

¶ *Bowes and Bowstaues.*

Merchant Straungers

EVery merchant straunger, and euery or any of their factours, attorneys, or seruants, which at any time after ỳ feast of sainct Michel the archangell next commyng, shall bryng send or conuey into this land any merchaundise in carracke galey, or shypp of the citie or countrey of Uenyse, or of any other citie, towne or countrey frō whence any such bowstaues haue bene before this time brought sent or conueyed into this land, at euery time of their brynging sending or conueying of any such merchādises into thys realme, shal bring send or conuey into this realme vnto the said merchādyses in the same carracke galey or shypp, wherin any such merchandises shalbe hereafter brought sent or conueied, for euery tonne weyght of such merchandise, which hereafter shalbe contained in euery carracke galey or shyp. iiii. bowstaues, vppon peyne of forfaiture to the kyng for euery defaut of bryngyng of euery such bowstaffe .vi. s. viii. d. And also ỳ said bowstaues to be brought sent or conueied by the sayd merchauntes, their factours, attorneis, or seruāts into this realme, shal be serched and surueied by the maior, shyriffs, bayliffs, or chief gouernours of such Cities or townes within thys realme, wher any such carracke, galey or shyppe shall hereafter come to safe porte. And the said maires, sheriffes bayliffes or chiefe gouernours to assigne. ii. men most expert, to serch the said staues. And the sayd two men to be sworne by the said maiors, sheriffs bailiffes, or chefe gouernours, to then tent that they shall truely and indifferently marke the staues that be not good and sufficient, after the manner as such staues in tymes past were wont to be marked, to thintent that al the kynges lyege people maye haue knowledge of them without fraude. Anno. 12. Edwardi. quarti. capitulo. 2.

Forf.

Serch

Maior

Shiriffes

Bailiffes

Sworne

2 ¶ No bowyer nor other person bying to sel or put to sale, or which here after shal vse sel or put to sale, any lōg bowe or bowes of ewe, shall sell

Bowyer

any

Price 19.s.iiij.d.

any of the same bowes to any of the kynges liege people aboue the price of iii. shyllyngs iiii.d. a bowe. And longe bowes of ewe vnder the value of the same price, as the seller and the buyer therof maye reasonablye agre and accorde, vpon payne to forfayt for euery long bow of ew other wise sold aboue the said price of iii.s.iiii.d. vi.s. The one halfe therof to our soueraigne lord the king, and the other halfe to any of his liege people that will therfore pursue and proue the sayd forfayture by action or actions of debt, wherin lyke processe iudgement and execution shal be had as is commonly vsed in actions of debt sued at the common law. And that no defendaunt in any such action or actions shalbee admitted to wage his lawe. Anno. 22. Edwardi. 4. cap. 4.

Forf.

Moitie

Proces

Merchant

3 ¶ No merchant of Venyce nor other, which vseth to repayre into this Realme with merchandises of those parties, shall bringe nor conuey into this Realme any merchaundikes, vnles the same merchaũtes doe bring with euery butt of malueisie, & with euery but of Tyre, ten bowstaues good able stuffe, vpon paine of forfaiture of xiii.s.iiii.pence for euery But of the sayd wynes so brought and conueyed & not of the said nũber of bowstaues with the same But. The one halfe of the same forfaiture to bee to our soueraign lord the king, and the other halfe to the partie which will therfore sue. And that no such bowstaues be sold ingarbeled, & but onely to such person or persons which is or shal be borne vnder the kings obeysance. This acte to begin and to take effect at the feast of saint Michell next comming. An. 1, R. 3. cap. 11.

Wynes

Forf.

Moitie

4 ¶ That if any person or persons after the feast of the Purification of our Lady nert comming, sell any lõg bowes ouer the price of iii. shyllinges and iiii. d. then the seller or sellers of such bowes shal forfait for euery bowe so solde ouer the sayd price, forty shillings to the king, he that will sue for ỳ may sue haue an accion of debt there fore against such seller, or make information in the kinges Eschequer therof, the kinge to haue execution of the moytie therof, and he that sueth the other moitie, and that in such accion of debt the defendaunt haue no essoine ne protection for him allowed and bee not admitted to wage his lawe: An. 3 H. 7. cap. 13. Quere if this statut bee repelled by 33. H. 8. cap. 9.

Forf.

Moitie

Eschequer

5 ¶ That no custome be payed after the making of this act for any sufficient bolstaffe or bowstaues conteyning the length of fiue foote and a halfe or aboue, that shalbee brought into this your realme by any merchant straunger or other betweene this & the nert parliament. But that all maner merchauntes for brynging into this your realme of any sufficient bowstaues of the length of fiue fote & a halfe or aboue, be discharged of al custõs for ỳ sae bowstaues during the sayd time An. 19. H. 7. cap. 2.

Customs

Length

Discharge

6 ¶ An. 6. H. 8. cap. 12. Englishe men were by this act discharged of ỳ act of. 1. R. 3. ca. 11. of bringing in of bowstaues with maluesayes, tyll the nert parliament.

7 ¶ Be it enacted &c. that the sayd Estatuts of king Edward ỳ fowerth and kyng Henry the seuenth, concerning the prices of bowes, and all the braunches conteyned in the said statut of king Henry the eight, so farre forth as the same extendeth to the price of bowes therin expressed onely from the first day of this present parliamẽt and so for euer bee thereby clearely repealed and made void and frustrate to all entents, constructions, and purposes, and also al and euery clause and sentence of the said statut of king H. ỳ eyght before recyted, tending to ỳ making of ỳ bowes of Elme, Wytche hasel Albe, & other wood, besides Ewe before reherced, or any penalty therin

Repeal

Elme bowes

contayned

conteyned, for any the said last reher sed premisses, frō henceforth for euer shal not be extended, cōstrued, or taken to extend to anie bowyer nowe dwelling or inhabitig, or which here after shall happen to dwell or inhabite within the cities of London and Westminster, or the suburbs of anie of them, or in the borough of Southwarke in the cōtie of Surrey: The sayd statutes or anie thyng in them, or any of them cōteined in any wise to the contrary notwithstanding.

London Westminster Southwark

And be it further enacted by ỹ authoritie aforesayd, that all and euery the said Bowyers within the said cities and suburbs of London & Westminster, and borough of Southwark shal frō hēceforth from time to tyme and at all times hereafter, prouide & haue in his or their custody, the number of fifty good and able bowes of Elme, Witchhasel, or Ash, at ỹ least well and substancyallie made and wrought, vppon payne that euerie of the sayd bowyers, which by the space of .xx. dayes, shall not haue in his custody such number of the sayd bowes of Witchhasell, Elme, or Ashe, ready made, and meete to be sold & vsed as aforesayd, shal hereafter for euery bowe lacking of the number aforesayd, forfayt. x.s. the one moytie of which forfaiture, shalbe to our soueraign Lady the Queenes maiesty, & the other moitie therof shalbe to him or them, vsing the art of an Armourer, Fletcher, or maker of Bowestrings, that will sue for the same by accō of debt, bill plaint, or otherwise in any court of record, in which accō and suit, no protection, or wager of lawe, shall in any wise be admytted or allowed for the defendaunt.

Forf. Moity

Bowstrings

Prouyded allwaies and be it enacted by the authoritie aforesayd, that it anie Bowier, after the first day of May next comming, do sel any bowmeete for mennes shooting, beyng outlandish Ewe, and of the best sort, ouer and aboue the price of fiue shyllinges eyght pence, or do sell any bowes meete for mennes shooting beyng of the second sort, ouer & aboue the pryce of three shyllynges lower pence, or shall sell anie bowes meete for men, as is aforesayd, beyng of the course sort called liuerie Bowes, for and aboue the pryce of two shillings a peece, or that shall after the sayd fyrst daie of May, sell anie Bowes being English Ewe ouer and aboue the price of two shillinges the peece: that then the seller or sellers of such Bowes, shal forfait for euerie Bowe so sold ouer and aboue the pryce aforesayed fortie shyllynges, the one moitie therof to the Queenes maiestie, her heires and successoures, and the other moytie to the partie vsyng the arte of an Armourer, Fletcher, or maker of Bowestringes, that will sue for ỹ same in any court of record, by accion of debt, byll, playnt, or otherwise, wherin no wager of lawe, essoign, or protection shall be admitted, or allowed. Any thing in this act or in any other act, conteyned to the contrarie in any wyse notwithstanding. This act to continue vntill the last day of the first session of the nert parliament. An. 8. Eliz. cap. 10. Thys statut was continued. 13. El. ca. 22. vntill the end of the nert parliament.

Price

Liuery Bowes

Forf.

Moitie

Armorer Fletcher Bowstring maker

¶ Be it enacted ỹ al the statutes made in 12. E. 4. ca. 2. before 1. concerning bringing in of certaine nūbers of Bowstaues, according to ỹ weyght or valu of other wares to be brought into this realme shall from hēceforth be duely put in execution. And be it enacted & declared by this present statute, that all marchaunt straungers dwing to bring wares into this realm

Merchants

C. i. from

from the East parts aswel frō Irrrij. hanse townes, be comprised & meant vnder the name of, & boūd as ỳ marchants mencioned, and bound by the said statut to bring in bowstaues, vpon like paines and forfaitures as by the sayd statutes are appoynted. And wher ỳ greatest cause of not putting the sayd statut in execution hath ben that the forfaitures thereby lymitted are by the said statut onely geuen to ỳ Queenes maiesty, her heires or successours without anie reward to the persō that shall sue for the same, be it enacted ỳ from henceforth al the forfaitures appointed by the said statutes shal be imployed in forme following, ỳ is to say, the one half thereof to the Queenes maiestie, her heires & successors, the other half to such person as shal sue for the same in any court of record, wherin no essoin, protectiō nor wager of law for the defendant shalbee admitted or allowed. And it may please ỳ Queenes most excellēt maiestie ỳ it bee on her highnes part straightly charged and commaunded that al the statutes now remaining in force for repressing of vnlawfull games and for the maintenance and vse of archerie shalbe duely put in execution for euer, vnder the paines in the said statutes contained. Anno. 13. El. cap. 14.

Moitie.

Archerie

### ¶ *Brasse, Latten, Copper and Bell mettall*

Anno. 21. Henrici octaui cap. 10. An act was made against carrying of Brasse, Latten, & such mettal, to endure vnto the nert parliament. And after Anno 28. Henrici octaui cap. 8. it was continued. And after 31. H. 8. cap. 7. it was continued to endure to the end of the nert parliament, and then it expired.

Expired

2 ¶ No person nor persōs frō henceforth shal carry or cōvey by water or otherwise, any brasse, copper, latten, bell mettal, panne mettal, gūne mettall, nor shroose mettall, whether it be clean or mixt (Tinne & Lead only excepted) into any part beyond the sea, or into anie outward realme, or dominion whatsoeuer it be, vpō paine to forfait the double value of ỳ same mettal so carryed or conueyed, ỳ one halfe thereof to bee to the kyng our Soueraign lord, and the other to the partie that wyll sue for the same by wryt, byll, playnt, or information, in the which no essoine or protectiō shal be allowed. And further bee it &c. for the true meaning of this statute that the arriual, discharge and deliuery of the sayd mettalles in any parties beyond the sea, or in any other forreine realm or dominion, shalbe tryed and determined wīn thys realme, in such countie or place where the said mettall, or mettals, were shipped or first carried, with lyke proces and determination as all other informations or actiōs bee tried and abiudged wīn this Realme, or as the same fact had ben done within this realme and dominion. And be it further &c. that no person or persons at anie time hereafter, shal shippe or carrie any of the sayd mettalles aforesaid to carrie or discharge the same in any part of this realme, vnlesse such personne or persones before the shipping thereof do declare and manyfest vnto the customer of such port or creeke wher the same mettall shall bee shipped the true weight of al such mettal as shal bee shipped, and also shal make a sufficient obligation in the lawe, in the which he shal be bounden to the sayd customer to the Kinges vse, in such summe as shal amount to the double value of the said mettal so declared & manifested, with condition ỳ the same

Forf.

Moitie

Proces

Shipping

Pirats

Customer

Obligation

shal be

shalbee dyscharged at some port or creeke within this realme & none other place upō peyn to forfeyt ỳ same, in maner & forme abouerrherſed. And ỳ euery such person or persōs ỳ shall shippe such mettalls, and bee & shalbe bounden as is aforesaid, shal within eight monethes next after the shipping therof bring a true certificat frō the customer to the port, creeke, or place where he or they shall happen to discharge the same mettall, testifyng that the same mettall so shipped, and the true weyght therof is there discharged, which certificat the customer of such place, where the said mettall shalbe discharged, shall vpon the discharge therof make & deliuer to ỳ partie so discharging, or to his factor wōut any delay: And bee it further enacted ỳ if anie customer or hys deputie by couin or by any other vndue meane do make any false or vntrue certificat cōcerning ỳ said discharging of such metal cōtrary to ỳ true meaning of this act, that then such customer, so falsely or vntruely certifying as is aforesaid, shal lose his office, & also the value of the goods so conteated out of ỳ said certificat. Prouyded alway, ỳ if the sayd mettall by tẽpest of weather be drowned or by enemies or pirates robbed and spoyled, and ỳ sufficiently proued without fraud or couin before the customer and cōtroller, or their sufficient deputies, in the port where ỳ party or parties so shipped the mettals aforesaid, or anie of them, by the sayd partie or partyes or their executors, that thē he or they so bringing such sufficient proofe, shall haue his obligation to hym deliuered or els hee & his executors therof to be requited and clerely discharged, anie thing in this act to the contrary conteined, notwithstanding &c. Anno. 33. H. 8. cap. 7.

Fort. Certificat Office forf. Pirats

3 ¶ No person or psons shal cary or conuey or ship, to ỳ intent to cary or conuey any brasse, copper, latten, bell metal, panne metal, gunne metal, or shrooffe metal, whether it be cleere or mixed (Tin & lead onely excepted) into any part beyond the sea, or into anie outward Realme or dominyon whatsoeuer it be, vpon payn to forfait the double value therof, and x.li. for euerie thousand weight of the same metal so caried & conueied or shipped to the entent to bee caryed, or conueied, the tryal whereof shalbee in lyke manner and fourme, as in the sayd former act (s. An. 33. H. 8. cap. 7.) is expressed. And bee it further enacted ỳ no person or persones after the sayd feast shall shippe or carie anie of the sayd mettalles prohibited by this statute to cary or discharge the same in any part of thys realm, vnlesse such person or persones before the shyppyng thereof, do declare and manifest to ỳ customer of such port or creeke wher ỳ same mettall shall be shipped ỳ true weight of all such mettall as shal bee shipped & shal also before ỳ shyppyng thereof, make a sufficient obligation in the law, in which he shalbe bound to the said customer to the kinges vse in such summe as shal amount to the double value & x.li. for euery thousād weight so declared & manifested with condition as in the said statute (s. 33. H. 8. ca. 7.) is appointed & enacted, & shal make certificat of the dyscharge therof in like maner as in ỳ said statut is further ordeined and enacted. And bee it further enacted ỳ if anie customer, cōtroller, or his or their deputy or deputies, by couin or by anie other vndue mean wil sufferr any psō after that ỳ metal is shipped or caried cōtrary to the meaning of thys act to make obligation or obligatiōs, without dates for ỳ diliharge & certificat

Shippe Lead Forf. Triall Shipping Customer Obligation Cōptroller

of their mettall, as is afore sayd, that then such customer so suffering or receyuing such obligatiõs shall lose his office, & the value of ỳ mettal so shipped or caried. And be it further enacted ỳ if any master, owner, purser, or botes waine of any ship, do willingly permit or suffer any of the mettalles aboue said to be shipped contrary to ỳ tenour of thys act, or els perceiuyng any such mettal to be shipped, do not disclose ỳ same within three daies after knowledge had, to ỳ custom or controller of the same port, to hys or their deputie or deputies, where the same is shipped, that then euery such owner, master, purser, or botes waine so willingly putting ỳ same mettall to be shipped or concealyng the same whẽ he perceiueth it to be shipped, shal forfait ỳ double value of ỳ same mettall so shypped or caried. And if anie customer or sercher do willingly suffer any of the mettals afore said to be shipped contrarie to the meanyng of thys acte, or els hauyng knowledge ỳ it is secretly shipped or caried, do not seale ỳ same to the kynges vse, then euery customer or sercher so offending shal lose his office & ỳ value of ỳ mettal so shipped or caried. And be it further enacted ỳ no person or persons shal after the said feast, lade, ship, or cary into any part beyõd the sea, any of the mettals afore said, but only out of such port or creeke wher the customer or his deputie is resident and dwelling, vppon paine of forfaiture of the sayd mettall, and x.li. for euery thousand weight so shipped or caryed, the moitie of all which forfaitures shal be to our soueraigne lord the king & the other moitie to him or them that wil sue for the same by bil, plaint, information, accion of debt, or otherwise in any of the kings courts, in which no essoine or protections, or wager of law shalbe admitted or allowed. And bee it further enacted ỳ the said estatute made in the said. 33. yeare of the raign of ỳ said late king Henry the eight. s. 33. H. 8. cap. 7. and euerie article and proviso, being not altered by this estatut, shalbe good & effectual. An. 2. E. 6. ca. 37.

Office forf.

Disclose

Concealing

Forf.

Office forf.

Forf.

Moitie

## ¶ *Breakers of leagues and truce*

FOr almuch as before this time diuers people, comprised win truce, made aswell by our soueraygne lord the king, which now is, as by his noble father, and also diuerz other people hauyng safeconduites aswell of our soueraigne lord the king ỳ nowe is, as of his noble father haue beene some slaine, robbed, and spoyled, by ỳ kings liege people and subiects, aswell vpon the mayn sea as within ỳ portes and coastes of the sea of England, Ireland, and of Wales, wherby the said truce & safeconduits haue ben broken and offended, to ỳ great dishonour and sclaunder of the king and against his dignity. And the said mansleers, robbers, spoilers, and offenders of the said truce & the kinges safeconduites, as is afore declared, haue ben by diuers of the kingz liege people & subiectes within the coastes of dyuers counties receyued, abbetted, procured, concealed, hyered, susteyned, and mayntayned. Our soueraigne lord the king, by the aduise of and assent afore said, and at the prayer of the said commens, hath ordeined and declared, that such mãslaughter, robbery, spoylyng, breakyng of truce and safeconduites, and voluntary receyt, abbettement, procurement, concealyng, hyring, susteyning, & mainteyning of such persones, to bee done in time to come by any of the kinges liege people and subiects within the realme

Safecon-duits

Robbed

Portes

Ireland

Wales

Robbery

Abbettors

realme of England, Ireland, and Wales, or vpō the mayn sea, shalbe adiudged & determined for high treason done against the kingz crowne & his dignitie. And in euery port of the sea be made and assignes from hence forth by the king, by his letters patents, one lawfull man called a conseruatour of the truce and the kings safeconduites, which shal haue .rl. li. of land by yere at the least. And that the sayd conseruatour haue power & aucthoritie by the said letters patēts, and also by commission of the Admirall of England to enquire of al such treasons and offences to bee done agaynst the truce and the kinges safeconduites vppon the main sea, out of the body of the countyes, and out of the fraunchises of the .v. portes of the kyng, as the admirals of the kinges of Englād before this tyme reasonably after the olde custome and lawe vppon the main sea, haue done or vsed. And also that ỳ said cōseruatour haue lyke and the same power to punish all them, which bee or shalbe indicted or accused before him as wel at the kings suit as at ỳ parties, of anie thing to bee done against the truce & the kinges safeconduites vppon the mayn sea, out of the body of the countries and libertyes of the Realme of England, and out of the sayd fraunchise of the v. portes, by such proces, examination, prooues, determination, iudgement, and execution, as admirals of the kings of England before this tyme reasonably according to the old custome and lawe vpō the main sea, vsed, or haue done or vsed. Except that the determination of the death of a man in this behalfe, & the execution of the same, shalbe alwayes reserued to the sayd admirall, or to hys generall lieutenaunt out of the fraunchises of the said .v. portes. And that the said conseruatour haue full power and aucthority to enquire, aswell within the liberties and fraunchises as without, by men enhabiting within the body of the countie and libertie where the said port is, of all such treasons and offēces to be done against the truce, and the kings safeconduites, within the body of the coūtie and libertie wher the said port is, and to make agaynst those persones before hym so endicted, such proces as here followeth, that is to say, by Capias and Exigend, which shal aswell go into the countyes of whych such men so endicted bee supposed to bee, as into the counties where such endictments be taken, which Capias and Exigend aforesayd, in both counties, shalbe returned at one day, and that the first Capias in both coūties haue day of returne by a moneth at the least. And in case that the Capias and Exigēd bee awarded in this behalfe, ỳ the names and surnames of such persones so endicted, and the towne and the countie and misterie whereof they be, shalbe specified and declared in ỳ indictments & processes of ỳ same. And ỳ the said cōseruatour haue ful power to heare at euery māz suit, which wil complayn before him self or his lieutenant, of anie offence done to the partie agaynst the sayd truce and safeconduites. And ỳ two men learned in the lawe bee named and associat in euerie commission of our soueraigne lord the kyng, to bee made to such conseruatour, and that the said conseruatour, and ỳ said mē learned in the lawe, in the cōmission to him associat and assigned, haue ful power and aucthoritie to make deliuerance, according to the law and vsage of the land, of such men so endicted before the sayd conseruatour of things so to be done within ỳ body of

Sea
Treason
Letters patents Cōseruatour
xl li. land
Commissiō Admirall
v. portes
Punishe
Indict
Safecondit
Proces Examination
Execution Admirall Lieutenant
Enquire
Treasons
Capias Exigent
Addition
2. Lawyers
Associat
Castle delinerie

Determin the countie or lybertie where ỳ sayd
port is, agaynst ỳ sayde truce and the
kings safeconduites, & to determyne
such suites cõmẽced at any mãz suit,
which wil complain before ỳ said cõ-
seruatour, of any offence to him done
against the said truce & safeconduitz,
& therof to make due redresse & reme
dy. And ỳ the said two men to ỳ sayd
conseruatour so associat, be assistyng
& attending to the said conseruatour,
to make the deliuerances & determi-
nation in the maner & fourme afore-
said, when they be by the said conser-
uatour reasonably required. And ỳ
the said conseruatour, & the said two
Sworne men of laiwe, be sworne, ỳ they nor
No reward none of them shal take fee, gift, hier,
wages, reward, or brocage, of anie
other then of the king in any wyse in
this behalf, to the let of due execution
and punishment of such traytor and
Resident offenders aforesayd. And ỳ the sayd
conseruatour shalbe resiant in ỳ port
& places where he shalbee conserua-
tour assigned as is aforesaid. And eue
rie conseruatour shal take yerely for
xl li. Sworne the said office, xl. li. of the king at the
least, & that they be sworne, ỳ if anie
person, of what estate or conditiõ so
euer he be, procure, recite, or abet, to
do any thing contrarie to thys ordy-
naunce & othe aforesaid, ỳ euerie of
Relation them shall make due relation to our
Chauncelor souereigne lord ỳ king, or to ỳ Chã-
celler of Englãd for the time beyng,
as speedily as he wel may, wythout
Imprison concealement in any point, vpõ pain
Fine of imprisonment, & to make fine and
raũsome at the kings pleasure. And
Seale ỳ the said conseruatour haue a seal of
our souereigne lord the kyng ordey-
ned for the said office. And ỳ ỳ mai-
Shipmaster Sworne ter of the ship, barge, or balyngar, or
other vessels in the said port be sworn
& the owner also (if he be present) be-
fore the said conseruatour, before ỳ
he passe out of the said port, ỳ he shal
not attempt to do any thing agaynst
the said truce & ỳ kings safeconduits.
And also ỳ the said conseruatour shal
do to be enrolled of record before him Enrolle
as wel the names of such owners and
maisters, as the names of their shyp,
barge, balingar, or other vessel toge-
ther wt the nũber of the mariners in
the same being. And if they take anie
thing of the kingz enemies, or of any
other, they shal do to be brought such
things taken into the port, & thereof
make full information to the said cõ- Inform
seruatour, before ỳ they therof make
discharge or sale. Except ỳ by force of
wynd, tempest, or of enemies, or some
other reasonable cause such shyppe,
barge, balingar or other vessell shall
enter into an other port for ỳ saluati-
on of the same vessell, or other cause
reasonable, and ỳ thẽ they shal make
full information to the said conserua
tour, or to the cõseruatour of ỳ port,
in which the said vessels shal arine or
entre, of the said taking, & of ỳ quan-
titie of the same taking, a letter testi- Price
monial vnder the said seale of ỳ afore Testiment
said cõseruatour, by the which the cõ
seruatour of the said port, wherof ỳ
vessell or vesselles shall go out, may
haue notice of the quantitie and also
of the value of the goods & cattels so Value
taken. And if any owner or master of
any shyp or other vessel go out of any
port of the realme of England, or dis
charge his shyp or vessell agaynst the
fourme of this ordinaunce, that such
shyp or vessell together with ỳ thing
taken in the same duely made, be for- Forf.
fait to the king, & the body of the ow-
ner or master of such shyp or vessell
comitted to prison, there to remayne
vntil he hath made fine & raunsom to Imprison Fine
the kyng. Prouyded alwayes that no
owners of shippes goyng out of anie
port shall make no fine nor raũsome
nor

noꝛ haue impꝛiſonmẽt of body, if the ſame owners be not in the ſame ſhip at the time of the offence done againſt this oꝛdinaunce. And the ſaid admyral ſhal haue the foꝛfaitures in al caſes out of the ſaid fraunchiſe of the.v. poꝛts afoꝛeſaid, as he hath had & hath ben accuſtomed of right to the office of the admiral of England, beſoꝛe the making of this oꝛdinaunce. And that al ſuch conſeruatours to be made wꝑin the ſaid fiue poꝛtes, haue the ſame aucthoꝛitie & power by the kingꝛ letters patents & cõmiſſion of the warden of the ſame poꝛts foꝛ the time being, to enquire of ſuch offences to be done vpõ the main ſea within ẏ frãchiſes of the v. poꝛts out of the bodie of the counties, & to puniſhe all them ſo ẽdicted oꝛ accuſed, which ſhalbe beſoꝛe ẏ ſaid cõſeruatour of ẏ ſame offences by like pꝛoces, examination, pꝛoues, determination, iudgement, & execution, as the ſaid admiraꝛs reaſonably accoꝛdyng to the old cuſtome & law vpon the ſea vſed, haue done & vſed out of the ſaid fraunchiſe of ẏ v. poꝛtes, except ẏ the determination of the death of a man in this behalf, and ẏ execution of the ſame, bee wꝑin the ſame fraũchiſe of ẏ v. poꝛtes reſerued to the ſaid wardein, oꝛ to his generall lieutenant there. And ẏ ẏ ſame wardein haue al the foꝛfaitures there, in al ſuch caſes as he hath had & haue bẽ accuſtomed of right to the office of ẏ warden of the fiue poꝛtes afoꝛeſayd beſoꝛe this time. And that the ſaid cõſeruatours and euery of them, haue powꝛer to make full execution of this oꝛdynãce in ẏ fourme afoꝛeſaid. And this oꝛdinaunce ſhall hold place and foꝛce, foꝛ things to be done oꝛ attempted againſt this ſame oꝛdynaunce, after the pꝛoclamation of this oꝛdynaunce and declaration made. Anno 2. H. 5. cap. 6. And after An. 14. H. 6. cap. 8. Thys ſtatute was put in ſuſpence foꝛ 7. yeares. And further An. 20. H. 6. capit. 11. this ſtatute was put in ſuſpence tyll the nexte Parlyament.

Admirall foꝛf. v. Poꝛts

Letters patents

Puniſhe

warden foꝛf.

Pꝛoclamation.

2 ¶ Of all attempts made by hys enemies vppon any of hys faythfull liege people, againſt the tenoꝛ of any truce, taken beſoꝛe this time, wherin is no expꝛeſſe mention made, that al Marques and repꝛiſals ſhall ceaſe, ẏ ſame our ſoueraign loꝛd ẏ king wyl graunt marque to al them that feeleth them ſelfe in this caſe greued in due fourme. And our ſaid ſoueraigne loꝛd the king will do likewiſe to all his liege people that feele them greeued, againſt the tenour of any truce, which betwirt hym and anie of hys enemies, ſhalbe newly taken hereafter. And to ẏ greater comfoꝛt of hys ſayd faythfull liege people, to the intent ẏ they may the moꝛe redily, and without long delay, haue remedy in this caſe, The ſame our ſouerayngne loꝛd the king, will, that if hee oꝛ they that feels them greeued, agaynſt the tenour and fourme of ſuch truce wꝑin the realme of England, out of ẏ ſayd marches of Scotland, oꝛ vpõ the ſea, oꝛ in the parties beyond the ſea, ſhall complain to the keeper of the pꝛyuie ſeale, which foꝛ the time ſhalbe, who after ſuch complaynt heard and perceiued therof ſhal make to the partie cõplainant (if hee the ſame require) letters of requeſt, vnder the pꝛiuye ſeale, in a due fourme, and if after ſuch requeſt made to the partie required, do not make wꝑin a conuenient time due reſtitution and ſatiſfaccion to the party greued, then the Chauncellour of England foꝛ ẏ time being, ſhal do to be made to ſuch party greued if he it demaũd letters of marque vnder ẏ great ſeal, in a due foꝛm. And as foꝛ remedy to be oꝛdeined foꝛ the

Marque

Marches Scotland

Letters of requeſt

Chaũceloꝛ

Letters of marque

the kings liege people and subiects, that feele them greeued in the realme of Scotland, or in England, or the marches ioyning to Scotlãd, against the fourme of such truce, as afore is sayd, our soueraygne lord the kyng shall geeue power by commission to the Wardeins, aswell of the Eastmarches, as of the westmarches, towards Scotland, and to euery of thẽ to heare the complaints of al thẽ hys liege people and subiects, which be or shalbe greeued, and to do thereupon to be made requeſt by letters, to bee deliuered to him, which hath done or shall do such greeuãces, or to ẏ Wardeins of the marches, or cõseruatour of the truce, of the partyes of Scotland, if hee may the same well do, or otherwise to make proclamation in open places, vpon the Marches, that he or they, which haue done such greuances against the truce, shall make due restitution or satisfaction to the partie greeued. And if they do not wt in a conuenient time, that at the instaunce of euerie of the kinges liege people and subiects, which therof feeleth, or shall feele hym selfe greeued in such case, letters of Parque be geuen in due fourme, vnder the seales of ẏ said wardens, or vnder his seale to whõ the complaint shalbe made in this case, wout any difficultie. An. 4. H. 5. cap. 7.

Scotland

Cõmission wardens Eastmarch westmarch

Proclamation.

Restitution

Letters of Marque

3 ¶ An. 29. H. 6. ca. 2. ẏ stat of An. 2. H. 5. cap. 6. is confirmed, & it is in the said statut of 29. H. 6. further enacted that the Chauncellour & one of the chiefest Justices should execut the statute of 2. H. 5. capit. 6. of breaking of truce vnder a certaine fourme there expressed in the said statut of An. 29. H. 6. to endure for 6. yeres.

4 ¶ All statutes and ordinaunces made before ẏ. xiij. day of March, in ẏ first yeare of his raign by auctoritie of any parliament not repealed, against the offenders and breakers of amities, truce, leagues and safeconduites aforesaid, bee & shalbe in their full force and effect. And that euerie of the same statutes and ordynaũces be put in due execution in all things before the iudge or iudges, person or persones, ordeigned by the same statute and ordinaunces or any of them according to the tenures and effectes of euery of them. Any graunt or confirmation by act of parliament or otherwise, vse or custome made, had, or vsed to the contrary notwithstanding. Prouyded alwayes ẏ this acte extend not to anie act or ordinaunce made for the punishment of any such offenders in the second yere of king Henry the fift, late in deede and not of right king of England. Anno. 14. E. 4. cap. 4.

Executiõ of statutes

Inhabiti

## ¶ *Bridges.*

THe Justyces of peace in euerie shire of this realme, fraũchise, city, or borough, or fower of them at the least, whereof one to bee of the Quorum, shal haue power and auctoritie to enquire & determine in ẏ kingꝭ general sessions of the peace, of all maner of annoyances of bridges broken in the high wayes, to ẏ damage of ẏ kigs liege people, & to make such proces and peines vppon euerie presentment afore them, for the reformation of ẏ same agaynst such as owen to be charged for the making or amẽding of such bridgez, as the kingꝭ iustices of hys benche vse commonly to do or as it shal seeme by their discretion to be necessary & cõuenient for ẏ speedy amendment of such brydges. And wher in many pts of this realm it cannot bee knowen and prooued what hundred, rydding, wapentake, city,

Justic. of p.

Determin

Nusance

Proces

Just. of

citie, Borough, Towne, or parishe, nor what person certain, or body politike ought of right to make suche bridges decayed, by reason whereof such decaied bridges for lack of knowledge of such as owen to make them, for the most parte lyen long without any amendements, to the great anoiaunce of ỳ kings subiects. For ỳ remedy thereof be it enacted ỳ in euery such case the said bridges, if they bee without citie or towne corporat, shal be made by the inhabitants of ỳ shire or riding, within ỳ which the saide bridges decayed shall happen to bee. Inhabitãts

And if it be within any citie or towne corporat then by the inhabitaunts of euery such Citie or Towne corporat wherein such bridges shall happẽ to bee. And if parte of any such bridges so decaied happen to be in one shere riding, citie or towne corporat, and ỳ other parte therof in another shire ryding, citte or towne corporat, or if parte bee within the limittes of any citie, or towne corporat, and part wt̃out, or parte within one riding, and parte within an other, that then in euery such case the inhabitants of the shires, ridings, cities, or townes corporat, shalbe charged and chargeable to amẽd, make & repaire such parte & porcion of such bridges so decaied, as shal lye and be within the limittes of the shere, ryding citie or towne corporat wherein they bee inhabited at the time of the same decayes. And be it further enacted, that in euery such case where it cannot bee knowen & proued, what persons, landes tenements, and bodies politike owen to make and repaire such bridges, that for speedy reformation & amendinge of such bridges, the Iustice of peace wt̃in the shires or ridings wherin such decaied bridges bene out of the cities and townes corporate, and if it bee wt̃in cities or towns corporat, then ỳ Justices of peace within euery such citie or town corporat, or iiii. of ỳ said iustices at the least, whereof one to be of ỳ Quorũ, shal haue power, & auctoritie within the limits of their seueral commissions & auctorities to cal before them constables of euery ye towne and parishe being within the shire, ryding, citie or town corporat as wel wt̃i liberties as wt̃out wherin such bridges or any peel therof shall happen to be, or eis two of the moste honest inhabitãts within euery such towne or partly within the sãe shire riding, citie or towne corporat, by ỳ discretiõ of the said iustices of peace or iiii. of them at the least, whereof one to bee of the Quorũ. And at, and vppon the apparances of such constables or inhabitants, the sayd Justices of peace, or iiii. of them whereof one to be of the Quorum, wt̃ the assent of the said Constables or inhabitantes, shall haue power and auctoritie to tare & set euery inhabitãt in any such citie towne or parishe within the lymites of their commissions & auctorities to such reasonable aid & summe of money as they shal thinck by their discretions conuenient and sufficient for the repairing, reedifiing & amendement of such bridges, & after such taratiõ made, the saide iustices shall cause the names and sommons of euery particuler person so by the tare to bee written in a roll indented. Iustices of p.

Constables

1. Inhabitants

Tare

Repairing

And shal also haue power and auctoritie to make ii. collectours of euery such bridged, for collection of al such summes of money by them sette & tared which collectours receiuing the one parte of the said rolle indented vnder ỳ seales of the said Justices, shal haue power and auctoritie to collect and receiue al the particuler summes of money therein contained, and to distraine euery

Collectours

Distrayne

Iust. of p.

euery such inhabitant as shalbe tared and refuse paiment thereof, in his lands goods and catteis, and to sell such distresse, and of the sale thereof, reteine and perceiue al the moneye tared, and the residue (if the distresse be better) to deliuer the owner thereof. And that the same iustices or iiii. of thē wīn the limittes of their commissions and auctorities, shall also haue power & auctoritie, to name & appoint ii. surueiours, which shall see euery such decaied bridge repaired & amended from time to time, as often as nede shal require, to whose hāds the said collectours shall pay the said summes of money tared, and by them receiued, & that ỳ collectours and surueiors and euery of them, and theire executors and administratours, and the executours and administratours of them and euery of them frō tyme to time shal make a true declaration and accompt to the iustices of peace, of ỳ shere riding, city or town corporat, wherein they shal be appointed collectours or surueiors, or to fower of the same iustices wherof one to be of the Quorū, of the receits, paymēts and expences of the said summes of money. And if they or any of thē refuse that to doe, that then the same Iustiez of peace, or iiii. of them from time to tyme by their discretiōs, shall haue power and auctoritie to make proces against the sayd Collectours and surueiors & euery of them, their executors & administrators and the executors & administratours of euery of them, by attachements vnder their seales returnable at the general session of peace. And if they appeare, thē to compell them to accompt as is aforesaid, or els if they or any of them refuse that to doe, then to committ such of them as shal refuse to warde, there to remain wout baile or mayn

Surueiors

Executors Administrators

Refuse Iustic of p.

Proc.

Attachments Sessions of p.

Refuse

Imprison

prise till the said declaration and accompt be truely made. And wher any bridge or bridges lying in one shire or ryding, and such persons inhabytants, bodyes politike, lands or tenements, which owen to bee charged to the making and amending of such bridges, lyen and abyden in another shire or riding, or wher such Bridges bene within any citie or town corporat, and the persons inhabitants bodies politike, lands or tenementes, ỳ owen to make or repaire anye suche bridges lien & ben out of the said cities or townes Corporat. Be it enacted, ỳ in euery such case, ỳ iustices of peace of the shire, citie or town corporat wīn the which such decaied bridges or any parte thereof, shal happen to bee, shal haue power to ẽquere heare & determine al such annoyaunces, being within the limitts of their cōmissions or auctorities. And if ỳ ānoysance be presēted, then to make proceste into euery shere within this Realme, agaynst such as owē to make or amēd any such bridges so presented before them, to be decayed to the ānoysance and let of the passage of the kings subiects, & to do further in euery behalf in euery such case, as they might doo by auctoritie of this act, in case ỳ the persons or bodies politike, landes or tenements which owē to be charged to the amending or making of such Bridges or any part therof, within ỹ same shere, ryding Citie or Towne corporat, where any such ānoisance shall happen to bee. And that all sherifes & bailifes of liberties and fraunchises shall truely serue and execute such proceste, as shall come to theire handes frō the said iustices of peace afore whom any presentment shalbe had for any such annoisāce according to the tenour and effect of the sayd proceste to them directed, without fa

Iust. of p.

Determin Nusance

Proces

Shirifes Bailifes

nour

nour, affection, or corrupcion vppon
paine to make such fine as shalbe set
Fine vppon them or any of them, by ỳ dis-
cretion of the said Justices. Prouided
alwaye that this acte nor any thinge
b. Poꝛts therein contained bee not prꝛiudiciall
to ỳ liberties of ỳ b. poꝛts or mẽbers
of the same, and for reformation of a
noisances of bꝛidges wiñ ỳ said poꝛts
Wardens & members. Be it ꝛc. ỳ the wardeine
Maioꝛ Maire & Bailifes elected, and iurates
Bailifes of the same poꝛts, & euery of thẽ haue
Iurats power & aucthoꝛitie to enquire heare
Determin and determyne al manner of commõ
Nusances noisances of bꝛidges within ỳ same
poꝛtes and members, & to make such
Pꝛoces pꝛocesse, paines, tarations, & al other
Justic. of p. things within the same poꝛts & mem-
bers, as the iustices of peace may doe
in other shires or places out of ỳ same
poꝛtes by vertue and aucthoꝛitie of
this pꝛesent act in euery behalf. And
be it ꝛc. ỳ the iustices of peace, or iiii.
Costes of them shal haue ful power & auc-
Surueiors thoꝛitie to allow such reasõable costs
Collectors and charges to the said surueiours &
collectours, as by their discretiõ shal
bee thought conuenient, for as much
ỳ albeit Bꝛidges decaied were amen-
ded & repaired accoꝛding to the tenoꝛ
of this acte, yet neuertheiesse if speedy
Wales remedye foꝛ the amendement of the
walles next adioininge to euery of ỳ
endes of such Bꝛidges should not be
had and made, the kinges subiects
should take litle or none auaile or cõ-
moditie in many partes of this realm
by the making of the Bꝛidges. In cõ
High wales sideration where of bee it ꝛc. ỳ suche
parte and poꝛcion of the highe wales
in euery part of this Realme, as wel
within fraunchise as without, as lye
nert adioininge to any ends of anye
bꝛidges wiñ this Realm, distãt from
300. foote any of the said endes, by the space of
CCC. foote, bee made, repaired, and
amẽded as oftẽ as nede shal require.

And ỳ the Justices of the peace in e- Just. of p.
uery shire of this Realm franchise, ci-
tie or boꝛough, or some of thẽ at the
least wherof one to be of the Quoꝛũ,
within the limitts of their commiõs
and aucthoꝛities, shall haue power
and aucthoꝛitie to enquire, heare & de-
termine in the kings general sessiõs
of peace, al manner of noisances of & Nusance
in such high wales, so being & lying
next adioining to any endes of bꝛid-
ges within this realme, distant from
anye of the endes of suche Bꝛidges.
CCC. foote and to do in euery thige
& things concerning the making, re-
pairing and amending of such highe
wales and euery of thẽ, in as large &
ample maner as they mought & may
do, to & for ỳ makinge, repairing & a-
mending of bꝛidges, by vertue & auc-
thoꝛitie of thys pꝛesent act, An. 22. H.
8. ca. 5.

2 ¶ For the good repaire and per- Rochester
petuall mayntenaunce of Rochester
Bꝛidge in Kent, and for the good oꝛ
der of the Rentes and reuenues al
well of the landes geuen for ỳ mai n-
tenance of the said Bꝛidge, as of the
landes of auncient time contributo-
rie to the repaire of the same bꝛidge,
bee it oꝛdeyned and enacted by the
aucthoꝛitye of this pꝛesent Parlia-
ment that on the moꝛrowe after the
general quarter sessions of the peace
holden in the sayd counsile of Kent,
next after the feaste of Easter next
comminge, the Wardens and com- Wardens
minaltie of the landes contributorie
to the said Rochester bꝛidge, or as ma
ny of thẽ as conueniently may, shal
assemble them selues at the Castell
of Rochester, neare to the saide Ro-
chester bꝛidge, and there by the moste
number of theyr voyces then pꝛe-
sent to make an election of two per
sons of ỳ same cominaltie to bee the

Wardens

Wardens of ỳ said Rochester bridge such as then shalbe most commonly resident and housekeeping within ỳ sayd Countie of Kent, and then not knowen to be of any such debilitie or sickenesse, but that they may execute the same office, & of twelue persones of the said cominaltie to be assistaun tes to the said two Wardēs, for one whole yeare after ỳ first day of Pen tecost then next ensuing, and so from thencefoꝛth foꝛ euer, at the sayd day and place yerely election to be made of two Wardēs foꝛ ỳ said bꝛidge, & of twelue assistāts. And ỳ two War dens so chosen (foꝛ that yere wherin they are to serue as Wardens) shall do their diligent endeuour, foꝛ the be nefit of the said Bꝛidge, at oꝛ after ỳ said pꝛefixed daye foꝛ election of the said two Wardens, and twelue assist auntes, al other officers needful con cerning the said Bꝛidge, and theire stipendes and wages also from time to time shalbe appointed by the discre tion of the said two elected Wardēs. And ỳ euery yeare on the Thursday in ỳ Whitson weeke, ỳ two foꝛmer Wardens of ỳ said bꝛidge foꝛ ỳ yere endyng at the feast of Pentecost thē last past, their executours oꝛ adminis tratours, shal in pꝛesence of the new and last chosen Wardens, oꝛ of one of them, and befoꝛe such foure of the said assistants, as shalbe chosen & as signed foꝛ Auditours by ỳ said War dens and Cominaltie at the said pꝛe fixed day foꝛ election of Wardēs thē last paste, oꝛ the moꝛe parte of them yeeld vp a true accompt in wꝛiting, in the house called the Crowne Inne in Rochester, nere to the said Bꝛidg and parcell of the possessions of the saide Bꝛidge, oꝛ at some other plate conuenient, at the same pꝛefixed day of election to bee limitted, of al their receipts, payments, and doyngs, con cerning the said Bꝛidge, and the ar rerages vpon them found, ouer and aboue such allowaunces as by such accomptaunts shalbe demaunded vp pon his othe, shall pay in such foꝛme as shalbee to them limitted by ỳ sayd newe Wardens, & Auditours, oꝛ ỳ moꝛe part of thē. And further, ỳ nōe of the said assistaunts oꝛ Auditours chosen and assigned in fourme afoꝛ said, shal vppon reasonable notice & request, refuse to come and accomp lishe that which by the intent & mea ning of this act is limitted foꝛ him to doo, vpon like payne and foꝛfaiture to all intents and purposes, as vpon the Warden elected and refusing to beecome bounde, as is befoꝛe lim mitted.

And foꝛ the good oꝛder of the said lands belonging to the said Bꝛidge, be it oꝛdeined and enacted by autho ritie of this pꝛesent Parliament, that no lease hereafter to be made by the said Wardens and cominaltie, shal be made of any the landes and tene ments assured foꝛ the maintenaunce of the said Bꝛidge, but both the War dens chosen as afoꝛesaid, and ỳ sayd twelue assistauntes, oꝛ the moꝛe part of the same assistaunts, shal first con sent, and also subscribe to the same lease, after it is engrossed, & beforꝛe it shalbe ensealed, and the consent & subscribing of the two Wardēs, and of such number of assistauntz, shalbe in lawe the consent of the whole Wardens and comminaltye afoꝛe saide. And euery such lease to bee entred & registred in a register book, to bee kept by the Wardens foꝛ the time being in a chest, with the com mon seale and euidēces of the lands of the sayde Bꝛidge, in some place conuenient. And after such leasse assented vnto, engrossed, & subscribed as afoꝛesayde, then it to bee sealed by

Assistants
Election
Officers
Stipends
Executoꝛs Administratoꝛs
Auditoꝛs
Accompt Crowne Inne
Arrerages
Oth
Refuse
Foꝛf.
Lease
Consent
Register

by the comon seale of the said Wardens and cõminaltie, & delyuered for a sufficient lease in lawe. Common seale

Leases

Prouided alwaies, that no lease of any of the said lands belonging to ỳ bridge, shal hereafter be made but of such forme & effect as tenant in taile is warranted lawfully to make by ỳ statut made in the xxvii. yeare of the raigne of kinge Henry the eight, sauinge for houses not hauinge aboue three acres of land belonging to thẽ whereof leasses may be made by the assentes afore mencioned for term of fiftie yeares or vnder.

Leases

Prouided also that the leasses of ỳ premisses shall not be made for any fynes or incomes, but for rents reasonably to be aduaunced for the profit of the said Bridge. And that by ỳ tenor of euery such lease, at ỳ ende of euery seuenth yeare a true terror of al the lands and rents so demised, shalbee brought and deliuered to the Wardens for that time being, and ỳ the saide Wardens shal haue auctho ritie by inquisition of Iuries from time to time to survey and finde out the particulers & contentes, not onely of the landes proper belonginge to the said bridge, but also of the said other landes contributorie to the said Bridge.

Incomes

Terror

Wardens

Survey

Prouided furthermore, that suche as bee the present fermours of anye of the sayde landes proper belonging to the Bridge, shal haue the preferment in taking newe leasses, so as they wyll giue for the profit of ỳ sayde Bridge as much as any other *Bona fide* wyl.

Fermours

Bona fide

And moreouer, that if any present Fermour, not likinge to geue as an other wyl, shal not take a newe lesse but another shal fortune to haue the same newe leasse: that then ỳ old fermour shal for his bettesinge or buildings, haue such recõpence, as shalbe thought reasonable by agrement betwene the said Wardens & assistantz and the said Fermour: & in default of agreement betwen thẽ then such recõpence as shalbe thought mete by ỳ lord Chaũcellor, or ỳ lord Treasurer of England for ỳ time being.

Recompẽce

Chauncelor Treasorer

Prouided also that this act, or any thing therin conteined extend not to alter any thing, but that in actions & suites, touching the landes or rents, or other interesses and duetiz concerning the said Bridge, ỳ Wardens alone, without the assistantes, or any of the Comminaltie, bs and shalbee able to sue and be sued accordinge to the meaninge of the statute in ỳ behalfe made, in the 1r. yere of ỳ raigne of king Henry ỳ fyfth.

Actions

Prouided alwaies, & be it enacted by ỳ authoritie aforsayd, ỳ none of the owners or tenants of any ỳ lãds or tenements of auncient tyme cõtributorie to the repayre or maintenãce of the said Bridge, hereafter be taxed assessed or otherwise compelled to pay any contributiõ money, or other duetie, towards the repaire or maintenance of the said Bridge, but in default, and at such time and times only, as the rents or other profittes of the landes, proper and belonginge to the said Bridge, from time to time due and payable to the Wardens & Comminaltie of the said Bridg, shal not be sufficient to accomplishe the repayre and maintennace of the sayde Bridge: any thinge to the contrarye notwithstandinge. Anno. 18. Elizabeth cap. 17.

Taxes

Rents

3 ¶ Albeit one act of parliamẽt was made in the two and twentieth yere of the raigne of our late soueraigne lord of famous mẽorie king Henry ỳ eight, entituled, An act concerninge repairing and amending of bridges

in

in highe wales, in which act amongst other thinges it is enacted, ỳ if part of any decayed Bridge, happen to be in one Shire riding, Citie, or towne corporat, and the other part therof in another shere, riding, citie, or Towne corporat, or if part be within ante limits of any Citie or towne corporat & part without, or part within one Riding, and part within another, that then in euery such case the inhabitãts of ỳ shires, Rydings, cities or towns corporat, shalbee charged & chargeable to amend make, & repaire such parte and portion of such Bridges so decayed, as shall lye and be within ỳ limits of the shire, Rydinge or towne corporat, wherein they be inhabited at the time of the said decayes as by the said act (amongst other things) more plainly dothe & maye appeare. Yet for that at the tyme of ỳ making of the said statut, ỳ forsaid parishes of Tiddenham and Towne of Chepstowe, were not as then united and annexed to the said Counties of Glocester and Monmouth, but sithence in the xxvii. yeare of the sayd late king Henry the eight, by force of one act entituled, an act for lawes & iustice to bee ministred in Wales, in lyke forme as it is in the Realme, & nowe by reason of certaine wordes conteyned in the sayd last acte, as also by reason of great pouertie of the inhabitaunte of the forsaid towns of Chepstowe, diuers questyons and doubtes haue arysen howe and by what meanes the forsayed Bridge shalbee repayred amended or newe made.

Tiddenham
Chepstow

For declaration and explanation whereof, & for remedie in ỳ premisses be it enacted &c. that the shire or countie of Glocester, & ỳ shire or countye of Monmouth, shall stãd for euermore chargeable for the maintenance, re-

parring, amending, & newe making of ỳ forsaid Bridge, when & as ofte as neede shal require, vidz. euery of the forsaid part and moitie as lyeth to ỳ middle of the streame of the forsayd water of Wye, on ỳ sids of ỳ forsaid lordshippes of Chepstowe and Tydenham aforesaid, and that for the assessement, rating, collection, geather inge, and imployinge of the moneys therupon to be spent, such forme and order shalbee obserued as is appointed by the forsayde acte made in the xxii. yere of the said kinge Henry the eight.

Wye

And for the more speedy performaunce of the premisses, bee it enacted by the authority aforesaid, that if the Iustyces of peace of the aforesaid shires of Glocester or Monmouth or any of them, do make any default in not appointing, executing, & obseruing the order appoynted by ỳ sayd act for the assessment, collection & imploiment of ỳ moneys so to be collected according to the meaning of the sayd acte, by the space of three monethes next after this present session of parliament, that then they and euery of them being resident, and inhabiting in the said shires, shal forfait for such default, the summe of x.li. a peece, to bee recouered before the Quenes Maiesties Counsell in the Marches of Wales by information, to bee imploied to & for the vse & reparatiõ of the forsaid Bridge, Anno. 18. Eliza. cap. 18.

Iustic. of p

Default

Forf.

4 Euery person and persones, resiant, dwelling or inhabiting within the compasse, circuite, or precynct of fiue myles of your highnesse vniuersitie and Cytie of Oxforde, or fraunchyses of the same haunting in hys or their handes or occupation, to the vse of hym selfe or ante other, the quantytie of one yarde

Oxford

yarde land

land

land or vpward, in tillage, pasture, or other grounde: or hauinge, keeping, vsing, or occupying a draught Cart, Plough or Wayne, at his & their owne proper costs and charges shal find & send, or cause to be founde and sent, for and to the mending, repairing, and vpbuilding of the decaid Bridges, wayes, and passages, scituate, lying and being vvithin one mile of the said Citie of Oxford, for euery yard land, one Wayne or Draught Cart, furnished after the custome of the Countrey, with oxen, horse, or other cattel withal other necessaries meete and conuenient to cary thigs for such maner of purpose, with able men to lode & vnlode ỳ sãe Draught Cart, or Wayne. And euerie other housholder, cottager, or labourer, dwelling or inhabiting within ỳ fore said compasse, precince, or circuite (being no hyred seruant) shal by hys or their selues, or other sufficient labourer hauing with thẽ sufficient tools at their like proper costes & charges, find & send in, & to the mending, repairig & vpbuilding of ỳ decaied bridges, wayes, causies, and passages, one sufficient wayne or labourer, to woork and labour in and vppon the aforesaid decayed premisses. And that euery person or persons ỳ by ỳ meaning of this act is chargeable wt cart, cariage, woorke, or labour, shall by ỳ comaundement or comaundements of certaine superuisors hereafter to be appointed and nominated by the Vicechauncellour, and Maior, with other Justices of the Vniuersitie and citie of Oxford for the time being, by the space of fiue whole daies, shal do theire cariages, kepe their woorke, fetch their cariages, and doe their labour at such place and places, and in such woorkes, as to thẽ or any of thẽ shalbee nominated and appointed. And vppon peine that euery person or persons making default aboue sayd, for euery dayes default, or any part therof shal lose and forfait v. s. to be leuyed & imploied onely to the mending of the sayd Bridges and causies.

And that it shal be lawfull to & for the aforesaid superuisors for ỳ time beinge, for the more speedie amendment of the aforesaid decaies, in such place and places, as by ỳ discretion of the Vicechauncellour, Maior, or superuisors, shalbe thought necessarie, to digge, or cause to be digged, within the seuerall grounds of any person or persons, for gravel, sand, rubbish stone, or sinder, and other things, according to the statute made in the second and third yere of kinge Philipe and Quene Marie for high wayes. And that the aforesayde fiue dayes cariages, woorkes, or labours, according to the true meaning, intent and purport of thys present acte shalbee done, finished, and perfourmed, by al manner of personne or personnes by this act chargeable, betwene the feast of saint John Baptist next after thys present Sessyon of parliament and the feaste of al Saintes next after that, and vppon twelue dayes warning geuen, or sent in writting from the Vicechauncellor and Maior of the Citye of Oxford for the tyme beinge, or from either of them, to the Constable or other officer of any Borough Parishe, heade officer, or gouernour of euerie other place whatsoeuer, that by this act ought to serue.

And for the performaunce of this act, bee it enacted, that if any person or persons shal make any default as is aforesayd, hauinge not made anie maner of reasonable cõposition or agreement for ỳ same fault ỳ then it shalbe

Cart
Plough
Wayne

Foxf. v.s.

Highwaies

Cart

Housholder

One labourer

Supuisors
Vice chancellor
Maior.

vi. daies

Supuisors

Seuerall grounds

xii. daies warning

Constable

Default

and it

Distrein

shalbee lawful for the Viceheauncellour, and the Maior of the citie of Oxford for the time being, or other their officers appointed, to distreigne within any the Boroughes, townes, parishes or other places, where such person or persones dwelleth, that maketh default, or refuseth. And the same distresse to leade, driue, and carte away and the same to withhold, till they & euery of them haue, or shal paye the forfaitures limitted and appointed in this present act, as also the charges of keepinge of suche distresse so taken.

Endure .iij. yeares

Prouided alwaies and be it enacted that this act shal endure for the space of seuen yeares next ensuing the end of this present Parliament, frō thence to the end of ye Parliament thē next folowing, and no longer. An. 18. El. cap. 20.

¶ *Britons.*

Anno. 3. Henrici. 5. capt. 3. it was enacted that al Britons should auoide the Realme vppon payne of death.

¶ *Broderers.*

Anno 4. H. 7. cap. 22. an act was made to endure to the next parliament concerning Broderers for Mentre, Florence, and Jane goode to keepe a weyght, and to bee as good within as the outward shewe is.

¶ *Burninge of cartes, and woode, and cuttinge of dammes, heades of pondes & conduites and pipes, tongues & eares & barking of trees.*

If any person or persons, maliciously wilfully, and vnlawfully cut or cause to bee cutte out of the head or heads damme or dammes of anie ponds pooles, motes, slewes, or other seuerall waters, or the head or heads, pipe, or pipes of any cōduit or conduites of any other ptson or persons, or maliciously, willingly & vnlawfully, after the said first daye of May, burne or cause to bee burned, any wayne or waynes, carte or cartes laden or to be laden with coales or any other goods or marchandises of any other person or persons, or maliciously, willingly, and vnlawfully after the said first daye of May doo burne or cause to bee burned, anie heap or heapes of wood of any other person or persons, prepared, cut and felled, or to be prepared cut or felled for the making of coale, billetes, or tallewood, or maliciously, vnlawfully, and willingly, after the said first day of May, cut or cause to bee cute out of ye tong or tongues of any same beast or beastz, of any other person or persones, the said beast then being in life, or maliciously, willingly, or vnlawfully after the saide first daye of May, cut, or cause to bee cut of, the eare or eares of any of the kings subiectes, otherwise then by auctoritie of the lawe chaunce medly, fodeine affray, or aduenture, or after ye sayd day, maliciously, willigly, or vnlawfully, barke any apple trees, peare trees, or other fruite trees of any other persone or persones, that their euery such offendour and offendors shal not onely lose and forfaite vnto the party greeued treble dammages for such offence or offentes, the same to bee recouered by action of trespas to bee taken at the common law, but also shal lose and forfaite to the kings maiestie and his heires for euery such offence. li. sterlinges in ye name of a fine, Anno. 37. H. 8. ca. 6.

Dammes
Pipes Conduits
Burne Wayne Cart Coales
Woods
Billets Tallwood
Tongues
Eares
Chaunce medley
Barke apple trees
Forf. 3. damags
Forf.

That

Steward Treasorer

THat the steward of ỳ kings house and treasorour of the warorope shall send to all the ports of England where wynes bee to bee taken to the kings vse, the certain number, which the butler shall take in euery parte so that nothing be taken ouer this nũber. And that the maire and bailiffes of the said portes, certifie the said steward and treasorer of the number of all the tonnes so taken by the butler or his lieutenaunt, vnder the seale of the said maire and bailiffes by endentures made betwixt them and the takers of the sayd wines. And in case that it be founde, that the butler or his lieutenaunt take more, or take reward of any, or delay any by any colour of his office as by arrest, he shal make gree to the party of the double, and shalbe put out of his office & shal haue imprisonment, and also be raunsomed at the kinges will. And the king shal assigne his iustices, when it shal please him, to enquyre vpon these thinges. And the butler shall answere as well for his deputies, as for him selfe where they be not sufficient. An. 25. E. 3. ca. 21. stat. 5.

Maior Bailifes

Imprisl.

Justices

2 ¶ The butler, nor non of his lieutenants, shal buy embrace nor take by coulour of their office nor in other maner to their proper vse nor of others, more wynes for ỳ house and expences of the king, then they haue in recommãdement, vpon peine of imprysonment of their bodies, and to bs raunsomed at at the kinges wyll, and as much as they shal take by force of the said warrant, shalbe takẽ within x. dayes, and (that done) the marchants of the said wynes may, and it shalbe lawfull to them of the remenaunt of the sayd wines to make their profite, notwithstanding any arrest made vpon such wynes by the butler or any of hys lieutenaunts aforesayd. Anno. 43. E. 3, cap. 3.

Imprison

Merchants

Arrest

HE that wyll bring butter & cheese to any other partyes then to the said staple, shal sue to ỳ Chauncelor of Englande for the time being, to haue licence in this partie. And that ỳ same chancelor haue power to make to him such licences vnder ỳ kings great seale if it like him so to do by his discretion An. 3. H. 6. cap. 4.

Staple Chauncelor

2 ¶ That ỳ kings liege people may bring & carry out of his realme, where it shal please thẽ, of the kings amity, cheese & butter without any licence to be pursued in any wise, paying for the cust̃ōs & subsidies therof due ĩ tĩme to time, any statut made to ỳ contrary not wtstãding. Prouided ỳ ỳ king may restrayn ỳ sãe when it shal please him An. 18. H. 6 ca. 3.

Licence

Customes & Subsidies

3 ¶ No person nor persons, after the feast of the Annunciation of oure Lady next comming, shal buy to sell againe any butter or cheese, vnlesse he or they sel ỳ sãe againe by retayle, in open shoppe, faire or market, and not in grosse, vpon paine of forfeiture of ỳ double value of the sãe butter & cheese so sold, cõtrary to ỳ tenour of this pñt act, ỳ one moity of al which forfeitures to be to our soueraigne lorde the kyng his heires & successours, & ỳ other moitie to him or thẽ ỳ will sue &c. wherin &c. Prouided alwaies & be it &c. that ỳ said worde of retayle mẽcioned in this act, shalbe expoũded declared & taken only where a weighe of cheese, or a barel of butter, or of lesse quantitie & not aboue shalbe solde at on time to any person or persons in open shop, faire, or market, & that to be dõ wout fraud or couin. Prouided alway, ỳ this act or any thing therein contcined shall not extend to any Inholder or vitailer for such butter or cheese as shalbe spẽt or vttered by retaile, in any of their houses, any thing cotained in this act to the contrary not wtstanding. This act to endure to ỳ next parliamẽt An. 3. E. 6. ca. 21. This statut is continued. An. 7. E. 6. ca. 11. Ann. 1, M. 1.

Forf.

Moitie

Retaile

Inholders Vitailers

parl.ca.13.An.1.M.2.part.ca.12.& an.1.&2.M.& M.ca.16.& An.2.& 3. M.& M.ca.21.An.4.& 5.M.& M.ca.9 & 1.Eliz.ca.19.it is cõtinued to ỳ last day of ỳ next parliament, which begã 5.El.& was ended in 8. El.& thẽ this statut was discontinued, & 13.El.ca. 25.reuiued & continued vnto thend of ỳ nert parliament, and in the sessiõ of parliament ended 30.Jun. 14.Eliz. ca.11.continued to endure to ỳ end of the nert parliament.

Discontinued
Reuiued

## ¶ Cabels, Halters, & Ropes.

Continued

AN.21.H.8.ca.12, an act was made for true making of cables, halters & ropes in Bupoze & vim v. myles thereof, to endure to ỳ nert parliement. And after it was continued An.28.H.8.cap.8.An.31. Henrici octaui ca.7.An.33.Hẽ.8.ca,17.An. 37,H.8.ca.23.An.5.E.6.ca.17.an 7.E.6.ca.1.& An.1.M.1,parl.ca.13 to endure to thend of ỳ nert parliamẽt & then it expired.

Expired

## ¶ Caleys.

Shipps

ALl maner of shipps accustomed to come to ỳ said port (S. of Calles) out of the cõtrie of England (sauer botes at onely except) shal bring with thẽ al their lastage of good stones conuenient for the stuffing of the said bealweyns, in making their reasonable deliueraunce from time to time at their commyng thither to ỳ treasorer which for ỳ tie shalbe ther, or to other mynisters thereto by him ordeyned vpon ỳ peyn of.ii.d.for the weight of euery tonne, and as much as the sayd shipps be of portage. And that al maner of shipps entring at the said place of paradise there to reide, shal paye at euery their entre there.viii.d.sterling and thereupon, it shalbe lawful to the if they will there tary for viii.days vẽ as many nyghtes then nert ensuing, wout paying thereof more for their said entre, And also in case ỳ the aforesaid shipps or botes, tary ouer the viii. dayes & nightes aforesaid, then they shall paye for euery day and nyght a peny, and for the day alone a halfpeny, and for the nyght alone a halpeny. And moreouer it is ordeyned, that no maner of persone shal presũe to tye any maner of shippe nor bote by cable, corde, nor other wise to the tymbre nor stones of the said beahis nor paradise, nor also of the newe keye other wise called the whaple at the syde of ỳ said port of the towne of Caleys, vpon peyne of xl.pence to be leuyed of the shipe or bote, which so shall be founde tyed. And also ỳ the treasourer, which there for the tyme shal be, shall haue full power for him & for his deputies, to leuye and receiue the money of the peynes aforesaid incurred & rising, & thereof to make payment accordinge as shall be nedeful in his said office, by the vertue & controllement of the kinges controllour there. Anno.21.R. 2.ca.18. And after An.1.H.4,ca,3, this act was repeled, And after An. 10.H.6.ca,5, it was enacted that ỳ act of,21,R,2,capit.18.should be effectuall & kepte & put in execution for euer, according to the tenour thereof.

Fallen
Treasor
Repealed

2 ¶ An.1.H.5.ca.9.all letts patẽs grated of the reuenues of Caleis were reuoked and these reuenues resumed into the kings hands.

Stones
Weekens
Treasorer
Peine ỳ.li.
Paradise
Foxl.
Letters patents

3 ¶ No marchaunte continually inhabiting within the said towne of Caleys shalbe suffred to ley beyond the the sea any maner of wolles, wolfelles, lether, leade nor tinne, nor other marchãdise perteyning to ỳ staple, vpon peyn of forfeiture of the same as of as it may be proued. an.8.H.6.ca.20

Merchant
Wools
Woolfells
Lether
Lead
Tynne
Treasorer
Victuallers

4 ¶ The treasorer and victuallers ofᵗ Caleys shall accompt euery second yere for the yere precedent, vpon pein of C.li. whereof he that will sue shall haue the moitie, An.31.H.6.at the parlement holden at Reading. This statute is not in the printed booke of the statuts, but in the kings treasory.

Killing
Foxl.
Moitie

5 ¶ Who that hath any freehold in

Freehold
Retaile

in the town of Calles, out of ẏ which any yerely charg is going for the sure keping of the said towne for watch or other wise that hereafter cesses in doing of the said charge by the space of a yere & a day, ẏ then the said freeholde be seised into the kings hands, hee to haue it to him and his heirs, & during the time it bee in the handes of the kinges highnes, the treasorer of Cales take the profits therof to the kings vse and beare the charges yerely going out of the said freehold towards the said keping of the said town as before that time it was accustomed to beare if the said freehold wil beare the sayd charge. And in likewise be charged ẏ kings cõmittees or his patentees for the keping of the said towne as afore is said. And for defaut of the doyng of the same by the space of a yere and a day ne paied, ẏ sãe tenemẽts estõs to be sealed as aforesaid, and so fro time as oft as the said charge is not contẽt by the said time, & during the time the said tenements be in the handz of the kings highnes. And if ẏ said treasorer of Calles paye not ẏ said charg wiñ a yere and a day, ẏ then the said treasorer forfait the double value of ẏ sãe to the kinges highnes if the reuenues be able to fynd the said watch. An. 11 H.7. ca. 16.

Treasorer

Forf.

6 ¶ An. 27. H. 8. ca. 24. a long act was made concerning diuers good orders and lawes for Calles & the marches therof.

¶ *Calues, Kyne, Oxen, Sheepe Steres, and heyghfers.*

Killing

Retaile

A Fno. 21. H. 8. ca. 2. one act was made against killing of calues for ii. yeres. And after. An. 24. H. 8. ca. 7. An act was made against killing of calues for ii. yeres.

And after An. 25. H. 8. ca. 1. it was enacted that from the 12. of March. anno. 1533. to the first day of January next, calues might be solde by retaile by weight according to the statute of 24. H. 8. ca. 31. of selling of flesh by weight according to a proclaim. to be made by the king: & that ẏ act made An. 24. H. 8. ca. 7. against killing of calues shall begin from the first day of January next, & to endure for two yeres. And after an. 27. H. 8. cap. 9. It is enacted ẏ from 12. of Aprill an 1536. durig two yeres calues might be kilde and solde by retaile notwithstanding the statut of 24. H. 8. ca. 7. & that the sãe statut of 24. H. 8. ca. 7. against killing of calues shal begin 1. Januarii. 1539. to endure for ii. yers then next folowing. And after an. 33. H. 8. ca. 11. it is enacted ẏ from thence forth it is lawful to sell vitailes in like maner and forme as they might bee fore the statutes of an. 24. H. 8. cap. 3. & anno. 25. H. 8. ca. 1. made for selling of fleth by weight,

Weight

Proclamation

Vitailes

2 ¶ No maner of person or persons being bouchers or other, inhabiting wiñ this realme, Wales or marches of the same, shall from ẏ feast of the natiuitie of saint John Baptist next cõming kil or cause to be killed any maner of weinlings, bullocke, steere, or heighfer being vnder the age of twoe yeres to the intent to make sale ther of to any person or persons, whole or by retaile, vpon paine of vi. s. viii. d. for euery of the said weinelings, bullocks steres or heighfers, being vnder ẏ age of two yeres, killed & put to sale contrary to this act, to bee paid & forfaited by euery such boucher and bouchers, & other, which shal kil or cause to be killed & put to sale contrary to this act, any such weinling, bullocke stere or heighfer vnder the age afore said, from & after ẏ said feast of the natiuitie of saint John the Baptist next ensuing as is afore said. The one half of euery such forfaiture to be to the vse of our said soueraigne Lorde the king, & ẏ other half to the party ẏ wil sue, wherin no wager of law &c. Prouided alwaies ẏ euery lord marcher haue ẏ forfaitures, profits, & auãtages

Weight

Bouchers Wales

Kill Weinlings Bullocks Steere

Forf.

Forf.

Myttie

Lord Marcher

onely of euery such offendour or offendours, against the purueying of this act, within their seigniories, liberties, and franchises royall. Bee it &c.

Justic. of p. that the Justices of peace of euery of the shires of this realme, within ỳ limits of their commissions, shall haue

Cõmissiõs full power and auctoritie by force & vertue of this act at euery of their generall sessions hereafter to be holden and kept, to enquire, heare, & determin the premisses, as well by information & presentment, as by bill, or plaint, where in no wager of law &c. This act to endure to the nert parlemẽt, An. 24. H. 8. ca. 9. This act is continued An. 28 H. 8. ca. 8. An. 31. H. 8. ca. 7. An. 33. H. 8. cap. 17. An. 37. H. 8. ca. 9. An. 5 E. 6. ca. 17. An. 7. E. 6. ca. 11. An. 1 M. 1. parl. ca. 13. An. 1. M. 2. parl. ca. 12. An. 1. & 2. P. & M. cap. 16. et An. 2. & 3. P. & M. ca. 23. 4. & 5. P. & M. ca. 9. et 1. Eliza. ca. 19. it is cõtinued to the last day of the nert parliament which began, An. 5. Eliza. and ended 8. Eliza. and then was this discontinued, & 13. El. ca. 25. reuiued & continued vntill the end of the next parliament.

3 ¶ No person nor persons, at any time from and after the feast of the annunciation of our Lady nert comming shal buy or common & conclud to buy any maner of Oxen, Steeres, rontes, kyne, heighfers or calues, but onely in the open faire or market, where the same shall happen to be brought & put to sale, & shal not sel ỳ same again on line, at & in the market or faire, where he bought the same, during the time of the said faire or market, vpon paine of forfaiture of ỳ double value of such cattel, bought or sould, contrary to the tenour of this present act. Prouided alway & be it &c. ỳ it shalbe lawfull for all and euery persone and persons to buy any oxen, steeres, rontes, kyne, heighfers and calues, or any of them, out of any open Faire or Market for hys or their prouision for their

Buy

Faire Markets

Fork. & Value

household, teeme, or dairye, at his or their will or pleasure, to bee employed & spent only in keeping & maintenãce of his or their house, or for their teeme or dairie and not other wise. And bee it &c. that no person being a butcher, and vsing ỳ craft or mistery of butchery, shall at any time after the said feast, buy any fatt oxen, steeres, ronts, kien, heighfers, calus or shepe, & sell or cause to be sold the same againe on line, vpon peine of forfeiture of euery such oxe, steere, ront, cowe, heighfer, calues, or shepe, bargained or sold contrary to ỳ forme of this present act. Prouided alway that all and euery person & persons beeing a butcher & vsing the art and misterie of butchery, shall & may at his & their wyll & pleasure buy any fat oxen, steeres, rõts, kiẽ heighfers, calues & shepe, or any of them, out of any open faire or market: So ỳ such butcher sel not nor cause to be sold the same again one line, as is aforesaid, any thing contayned in this act to the contrary notwithstanding. The one moity of all which forfeitures shalbee to our soueraigne lord the king, his heires and successours, & thother moitie to him or them ỳ will sue &c. this act to endure to thend of ỳ nert parlemẽt An. 3. E. 6. ca. 19. The act is cõtinued An. 7. E. 6. ca. 11. Ann. 1. M. 1. parl. c. 13. An. 1. M. 2. parl. 12. An. 1. & 2. P. et M. ca. 16. et An. 2. & 3. P. & M. ca. 21. & 4. & 5. P. & M. ca. 9. et. 1. Eliz. cap. 19. to the last day of ỳ nert parlement which began 5. El. & ended 8. El. & then was this discontinued, & 13. El. c. 25. reuiued, and continued vntill the end of the next parlement.

Prouiſion Teeme Dayrie

Butcher

Fatt oxen Sheepe

Fork.

Faire Market

Moitie

4 ¶ Euery person which vpon ỳ feast of the purification of our lady next ensuing, shal keepe or feede aboue ỳ number of fiue seaze there shepe for ỳ most parte of the yere vpon his or her seuerall pastures, lands, feedings, or ferms apt or mete for such kiẽ and wherin no other person hath at the making of this present act common for any cat-

Keepe Feede Where the

Moitie

cattel for any time of the yere, shall by auctoritie of this acte yerly so long as he shal keepe or feede the said number of fiue score shepe, for euery thre score shepe so kept or feede kepe one milche cow, & shal breede & reare vp yerely for euery fiue score shepe so kepte as is aforesid one calfe, vppon peine of forfeiture for euerie moneth that any such person shall not for euery three score shepe as is aforesaid, kepe or feede one milch cow xx. s. for euery cow so not kept. And for lack of rearing and breeding of one calfe for euery fiue score shepe, to forfait likewise xx. s. for euery calfe so not reared & fed, and that euery person which after the foresaid feast of ỹ purification of our Lady, vpon his or her seuerall pastures as afore is said shal keepe or feede aboue the number of xx. oxen vonts, Scrubbs, steres heyfers, or kyen, shall by thauctoritie of this act, for euery ten beastes of ỹ said sorts so kept or fed, keepe and nourish one milch cow, and breede reare, and wayne yerely, and kepe for one whole yere one calfe for euery two milch kine so charged to be kept vpon the seuerall paines and forfeitures afore rehersed except, the said calfe or calues shall chance to dy with the said yeres, without couin or fraud thereto added, thone halfe of which sayd forfaitures shalbee to the vse of our said soueraign Lord & Lady the kyng and Queenes maiesties, and the other halfe to the vse of ỹ partie that within one yere after the offence committed will sue for the sāe in any of the kings & Queens maiesties courtes of record, or before the iustices of peace in the same shire, wher any such cause of forfaiture shal be had at the generall Sessions (who by auctority of this act shal haue power to heere & determine the said offences) by byll informacion presentment acciō of debt or detinue, in which actiō or suit, no essoign protection wager of lawe or licence to ỹ contrary shalbee allowed. Prouided alwaies ỹ this act nor any clause therof shalbe extended to bynd any person to kepe milch kine nor yet to breed or reare calues, as afore is expressed for such sheepe or other beastes as the same person shal keepe & feede, to thintent only to bee spent in his or their house or houses, wout fraude or couine. This act to endure onely to thend of vii. yeares next folowing ỹ feast of ỹ Purification of our Lady aforesaid, and from thēce to ỹ end of the parliament then next folowing. Anno. 2. & 3. P. & M. cap. 3. This act was continued. An. 4. & 5. P. & M. ca. 9. & 1. Eliz. ca. 19. to thend of the next parlement which began 5. Eliz. & ended. 8. Eliz. & thē this was discontinued, & 13. El. ca. 25. reuiued & made perpetual.

One milch Cow

One calfe Fozt.

Fozt.

One milch Cow

One calfe

Hottie

Just. of p.

Determin

Perpetuall

¶ *Cambridg & Cambridgshire.*

An. no. 34. H. 8. ca. 24. an act was made for the assurance of certeyn landes to John Hynde then serieant at ỹ law & his heires, paying yerely x. li. to the charges & wages of ỹ knightes of ỹ parliamēt of Cambridge shire for euer.

John Hynd Serieant.

2 ¶ Anno. 33. H. 8. cap. 15. an act was made for ỹ paung of ỹ streets in Cambridge.

Pauing.

¶ *Caunterbury.*

An. 34. H. 8. ca. 18. an act is made concerning certain priuileges of Caunterbury.

¶ *Capitains & Souldiers.*

All people, which from henceforth shall bee retained or assigned to serue the king, their couenāts shal bee put in writing & sent to the eschequer, ther to remain of record so ỹ at what time that any person so retayned, his heires or executoures occupiers of the goods or land tenants cōe to accompt

Couenents. Eschequer. heires Executors

therof at ỳ eschequer, they shal be ther to receiued, & haue due allowaunce in their accompt according to the continue of their conenante, if percase any repeale or contermaundement be made of such retinue of any person after that his conenantes be put in writing and sent to the said eschequer, so that by the sight of the same repeale, & of the conenantes before there sent, ỳ barons of the said eschequer, shall do right to the partie according as the laive and reason demaundeth. And if any thing bee due vnto them by the same accompte, that therof by certification of the same eschequer, the treasourer & the Chãberlains shall make payment or allygnement to them wt out tarying or suing other warrante or commaundement of the greate or prime seale in this behalfe. An. 5. R. 2, ca. 10.

Repeale Counter-maund

Barons

Accompt Treasorer

2 ¶ Ann, 1. H. 6. ca. 5, it was enacted what parts capitains should haue of prisoners & prises taken in the warres of. H. 5.

3 ¶ That no capitains which from thence forth shall haue the conduct of such retinues, & shall receiue ỳ kings wages for the same, shal abate of his souldiours, nor any of them, any part of their wages, except ỳ it be for their clothing, that is to say, if they shalbee waged for halfe a yere. x. s. a gowne of a gentilman, and vi. s. viii. d. for a yoman, vppon paine of xx. li. for euery speare & x. li. for a bow, to ỳ king vpõ whome he did abate vpon the tenour of the same. An. 18, H. 6. ca. 18.

wages Abate

Fork. Speare Bow

4 ¶ That euery man so moustring and receiuing the kings wages which departeth from his capytaine within his terme in any maner aforesaid, except that notorious sickines or impediment by the visitation of god (which may reasonably be knowe) suffer him not to go, and which he shall certifye imediatly to his capitain, & shal repay his money, so that he may proud him for an other souldiour in his place, he shalbe punished as a felon. And that ỳ Justices of peace shal haue power to enquire therof, & to heare & determin the same. And like wise hath ordeyned by ỳ same auctorite that no souldiour nẽ of armes, or archer, so moustred of record & going wt his capitain beyond the sea, shall retourne into Englande wtin the terme for which his capitain hath retained him, nor lane his capitain there in ỳ kings seruice, & in auẽture of ỳ warre, except ỳ he hath reasonable cause therfor shewed by his captaine, & by him to the chiefe in the countrey, hauing roial power, and therupon shal haue licence of the sayd captayne writtenelled vnder his seale, & the cause of his licence. And who ỳ so doth muster of record and come without letters testimonials of the captain (as is said) within his term on this side the sea, ỳ the mayres bailiffes, and other the kings ministers, of what port or place they shall arryue, shall haue auctority to put them in arest, and them ther to kepe til it be of them enquired. And if it may be found by enquirie, before Justices of the peace & proued ỳ they haue so moustred of record, and departed from their capitaines aforesaid, wt out licence as afore is said, that then they shalbe punished as felons, Anno 18. H. 6. ca. 19.

Felon Just. of p. Determin

warre,

Licence

Muster

Mayor Bailifes

Arest

Just of p.

Felons

¶ See the preamble of this statut for ỳ better vnderstanding therof.

5 ¶ An. 7, H. 7. ca. 1. & an. 3. H. 8 cap. 5. two seuerall statutes, almost woord for woord like (excepting Caleis in. 3. H. 8. ca. 5.) were made against Capytains & souldiours concerning their number, wages, and departing without licence, and the tryall thereof, and the departing was made felony without the benefite of clergy, and Justices of peace shoulde determine it. And after ann. 2. E. 6. capit. 2. another statute was made of like effect, and further that souldiours should not sell or gage his horse & harneis: and diuerse other things concer-

Number wages

without licences

ning

ning captaines and souldiours ben in these three Statutes. But I put those three statutes here at large because I thinke they were made to bee of effect but onely for those kinges times in which they were made. For if the statut of 7. H.7.ca.1. were to bee of effecte in an other kings time, then was it in vaine to make the statute of 3. H.8.ca.5. or the statut of 2. E.6.c.2, for they shall be of like effect, saving ỹ matter of souldioures should not sell nor give their horses and harnes, is more in.2. E.6.c.8. then is in the other tiue former statutes. Wa men quere diligenter whether these iii. statutes or any of them were or be effectuall in other kinges times after.

Quere

¶ *Castels and fortresses, & Castel warde.*

Constable Bailife Corne

NO constable nor his bailiffe, shal take corne or cattail of any man for to vitail his castel, if ỹ man be not of the towne where the castel is, but that he shal forthwith pay for the same, unles it may appere that the will of the sellar was to respite the payment. And if he be of the same towne, the price of ỹ corne & cattail shalbe payd unto him within forty dayes. Magna Charta ca. 19. See the like statut in purueiours, &c.

Price

Constable Distrein Knight.

2. ¶ No constable shal distraine any knight for to giue money for keeping of his castell, if he him selfe will do it in his proper person, or cause it to be done by an other sufficient man, if he may not do it himselfe for a reasonable cause. And if we do cõmand or send him to our warres, he shalbe free frõ castelwarde for the time that he hath bene with vs in fee of our host, for the which he hath done to vs knights service in our warres. Magna Charta ca. 20.

Knights service

3. ¶ Anno 4. Hen. 8. ca. 1. an acte was made for making of Bulwarks and fortresses in Cornewal and other places on the sea side, to endure to the nert parliament.

Bulwarks Cornwall

4. ¶ An. 2. E.6. ca. 16. an acte was made that the king may remoue the kepers of castels & fortresses (though they haue letters patentes thereof) and put thẽ to serue in other places, geuing them like wages and profites as they had before. See the statute at large.

Letters patents

5. ¶ For the better habitation, reparing, and reedifying of the castels, fortresses and fortlets villages, and houses that be decaied within the cõties of Northumberlande, Cumberland, Westmerlande, and the Bishoprike of Durham, And for the better manuring and employing the grounders within the same and for the more encrease of tillage. Be it enacted, &c. ỹ from and after the fyrst day of December nert ensuing, commission under the greate seale of England shalbe directed from time to time, as nede shall require, to such persons as shalbe therunto named and appointed by the king and Queenes maiesties & theires & successors of the Queene by their bill or billes signed with their signe manuel, to be directed to the chãceller of England, for the time being, which commissions shalbe according to the maner, forme, tenor and effect hereafter ensuing. Philip and Mary &c. Knowe ye that we haue assigned you or any number of you, being fyue at the least of the which we will that A.B. and C. shalbe three, to be our cõmissioners, to survey our Counties of Northumberlãd, Cumberlãd, Westmerland, and the Bishoprike of Durham, or as much therof, as to you or fyue of you, whereof A.B. & C. shalbe three, shalbe thought conuenient, and by such waies & meanes as you best can, to enquire what & howe many castels, fortresses, & fortlets, villages, houses, and habitations, have ben decayed within the same, & by whom & by what occasions, and how many of

Northumberland Cũberland. Westmerlãd. Durham.

Tillage

Cõmissions

Bills signed Chauncelor

Fourme.

Commissioners.

thē are meet to bee reedyfied and also how many castels, fortresses, & fortlets, villages, houses, & habytations, were mete to be made of newe within the said counties & Bishoprik, & in what places ẏ same were most mete to be situate, & what parties of ẏ said counties & Bishoprike be most apt for to be enclosed & conuerted to tillage or other necessarie manurāce meete and conuenient for those coūtreis, & ẏ people of the same. And also to enquier what persons bee owners, lords, proprietaries, fermours & possessours of ẏ same, or claime any interest in the sāe, & what estat or estats, tymes, or interests they or any of thē haue of & in ẏ same. And therupon to take such order for ẏ reedifying of such ẏ castels, fortresses and fortlets, villages, houses & habitations heretofore decayed, & for the newe erecting & making of others, & the situation of the same, & for the enclosing and conuerting to tyllage or other necessary manurance, such partes and portions of the sayd counties & Bishoprik, as to you or fyue of you, whereof A. B. & C. shalbe three shalbe thought most mete & cōuenēt, prouided alwaies ẏ by colour or vertue of this commission you do not reedifie, newe make, or inclose, or cause to be reedified, newe made, & enclosed as aboue said in any place or places, in any of the said coūties or Bishoprike, being in distance & lying aboue twentie miles from the knowen partes of the borders of Scotland. And wee do giue vnto you, or to any nūber of you being vi. at the least, whereof A. B. & C. shalbe three, full power & authoritie, to inquire by the othes of the honest and lawfull men of the counties of Northumberland, Cumberland, Westmerland, & the countie palantine of Durham aforesaid, as well within the liberties as without, by whō the truetly may be best knowen, who hath or holdeth any lāds or tenemēts or vseth or pertaineth any common of pasture or other profit apprendre in the said counties or Bishoprikes throughout the whole parties of the same, & all those persons and euery of them, or such of them, to taxe, assesse, charg, distraine, and paine, after the quantitie of their landes, tenements, and rēts by the number of acres & perches after the rate of euery persones profit, rent or tenure, or after the quantitie of their comon of pasture or profit apprendre or other comodities there, by such wayes & meanes, and in such maner and fourme, as to you, or fyue of you whereof A. B. and C. to be three, shal seeme most conuenient to be ordeined and done for the reedifying, making newe, and inclosing as is aforesaid. And also to depute and assigne diligent, faithfull, & true keepers, bailifes, surueyours, collectours, expenditours, and other ministers and officers, such as you our said commissioners ẏ shal appoint them will answere for, the reedifying, newe making, and inclosing, as is aforesaid, and finishing of the premisses and euery of them.

And to heare the accompts of the collectours, & other ministers of and for ẏ receipt and laying out of the monie that shalbe leuied and paide in and about the said reedifying, new making inclosing and finishing of the premisses and of euery parcel thereof, and to distraine for the arrerages of euery such collection, taxe, or assessement, as often as shalbe expediēt, or otherwise to punish the debtours and detenours of the same, by fines, amerciaments, paines, and other like meanes after your good discretions. And also to arrest and take as many carters, Oxen beastes & other instrumēts necessary, and as many workemen and labourers, as for the poting, making & finishing of the premisses, shall be paying for the same competent wages, salary, and stipend. And also to take such and as many trees, woods, vnderwoodes, quicksets, stone, & timber

Tillage

Enquire

Taxe

Keepers
Bailifes
Surueyors
Collectors
Expenditors

Accompts

Distraint

Punish

Arrest
Take carts

Labourers

Trees
Woodes
Vnderwoods
Quicksets
Stone
Timber

Enquier

ber, and other neceſſaryes, as for the ſame workes and reperations ſhalbe ſufficient, at a reaſonable price, by you or five of you, of the which wee wyll that A. B. C. ſhalbe three, to be aſſeſſed or limitted, as well within the lymitts and bounds aforeſaid, as in any other place & places, within the ſaid countie, counties, or cõtie Palantine. And to make & ordein ſtatutes ordinances & prouiſions from time to time, as the cas ſhall require, for the ſafegard, conſeruation, redreſſe, correction & reformation of the premiſſes, & of euery of them after the lawes & cuſtomes of Rumney marſh in the county of Kẽt, or otherwiſe by any waies or means after your owne wiſdoms & diſcretiõs and to heare & determin all & ſinguler the premiſſes, as wel at our ſuit as at ẏ ſuite of any other whatſoeuer, complainig before you or five of you, wher of A. B. C. ſhalbe three, after ẏ lawes & cuſtomes aforeſaid, or otherwiſe, by any other wais or meanes after your diſcretions. And alſo to make and direct writes, precepts, warrants, & other commaundementes by vertue of theſe preſents to al ſhirifs bailiffes and all other miniſters, officers and other perſons, aſwell within the liberties as without, before you or five of you, wherof the ſaid A. B. C. to bee three, at certaine daies, termes and places to be prefixed to be returned & receiued, and further to continue the proceſſe of the ſame. And fynally wee doe geue vnto you or to any number of you being five at the leaſt, wherof A. B. C. ſhalbe three, full power and auctoritie to do all and euery thinge & thinges, which ſhalbe requiſite for the due execution of the premiſſes, by all waies & meanes after your diſcretiõs. And therefore we commaund you ẏ at certain daies and places, when & where you or five of you wherof the ſaid A. B. C. to be three, ſhall thinke expedient, ye ſhall meete together & ſurvey the ſaid counties & Biſhoprike as is aforeſaid, & accõpliſh, fulfil, heare & determin al & ſinguler ẏ premiſſes in due fourme, & to theffect aforeſaid, after your good diſcretions. And al ſuch as ye ſhall find negligent, gainſaying or reſiſting your doings & proceedings in and for the dewe execution of thys our commiſſion, that ye doe compell them by diſtreſſe, fines, or amerciaments, or by other reaſonable punihments, waies or meanes, which to you or five of you, wherof A. B. C. ſhalbe three, ſhall ſeme moſt expedient for the ſpedy remedy & redreſſe therof. And al ſuch thinges as by you ſhalbe made and obeyned in this behalfe aſwel within ẏ liberties as without, that ye doe cauſe the ſame firmely to bee obſerued, doinge therin as to our Juſtices appertaineth after ẏ fourme & effect of this preſent commiſſion, & the act of parliament concerning the premiſſes made and prouided and according to your wiſdomes and diſcretions, ſauing alwaies to vs ſuch fines & amerciaments as to vs therof ſhall belong. And we alſo commaũd aſwel our ſherif or ſherifes of our ſaid Counties of Northumberlãd, Cũberland, Weſtmerlãd, & ẏ Biſhoprik of Durhã & euery of thẽ, as al & euery other bailifs miniſters & officers, within ẏ ſaid counties & cõtie Palantin, that they and euery of thẽ ſhal cauſe to come before you & five of you, of the which A. B. C. ſhalbe three, at ſuch daies & places, as ye ſhall appoint vnto thẽ, ſuch & as many honeſt men of his or their bailiwik or roumes, aſwel within the liberties as without by whom ẏ truth may be beſt knowen, to enquier of ẏ premiſſes or any part ther of commãding alſo al the ſaid ſhirifes, miniſters & officers, aſwel within ẏ liberties, as without, ẏ they & euery of thẽ ſhalbee attendant to ẏ vſi, in & about the due execution of this our commiſſion. In witneſſe wherof we haue cauſed theſe our letters to bee made patents witnes our ſelfe at Weſtm. the

daye

Compell

Ryfe ſtatuts

Rumney marſh

Determin

writts warrants Shirifes Bailifes

Shirifes

Bailifes

Enquire

Survey

day of in the yeres of our raigne. And it is also enacted that euery such person as shall be named commissioner in the sayd commission, after that he shal haue knowledge therof shall effectually put hys diligence & attendance in & about the execution of the said commission. And hee shall take a corporall othe, before ỳ Lord Chauncellour or before such to whom the sayd lord Chauncellour shal direct the kynges writte of dedimus potestatem to take the same, or before the Justices of the peace in the quarter sessions holde in ỳ shere wher such commission shalbee directed. The tenour of which othe hereafter ensueth Ye shall sweare that you to your cunning, witte and power, shall truely & indifferently execute the authorities to you geuen by this commission, without any fauour, affection corruption dread or malice, to be borne to any maner person or persons, and as the case shal require, you shal conset & endeuor your selfe for your part to the beste of your knowledge & power, to the making of such wholsome, iust, equall, & indifferẽt lawes & ordinãces as shalbe made & deuised by the most discrete & indifferent number of your felowes being in commission with you for the making, erection, & preseruation of all & euery such things as are contained & specified in the said commission. And that the same lawes & ordinances to your cunning, wit, and power, cause to be put in due execution without fauour, mede dread, malice or affection, as god you help, & al saints. And euer that, be it enacted, that they commissioners hereafter to bee named in any of the said commissions, according to the purport and effect of the same cõmissions shall haue full power & authoritie, to make, constitute, & ordeine lawes, ordinances, & decrees concerning the premisses, & further to do all & euery thing mencioned in the sayd commission, according to the purport, effect, wordes & true meaning of ỳ saide & ỳ saide lawes decrees, & ordinances so made to reforme, repelle & amend, & make new frõ time to time as ỳ cases necessary shall require. Prouided alway and be it enacted that if any persons beig assessed or tared to any lotte tare or charge for any landes, tenements or hereditaments, within the limittes of any commission hereafter to be directed by vertue of this act, do not pay to the said lot, tare and charge according to the ordinance & assignement of the commissioners hauig power of therecution of the said commission, by reason wherof it shall happen the said commissioners hauing power of the execution of such commissiõ, for lacke of payment of such lotte, tare, & charge to decree and ordeine the same landes, tenements and hereditamẽts from the owner or owners therof, & their heires, & the heires executors and assignes of euery of them, to any person or persons, for terme of yeares, terme of life, in fee simple or fee tayle for paiments of the same lotte, tare, & charge: that then euery such decree & ordinaũce so by them made ingrossed in parchment, & certified vnder their seales into the Court of Chauncerye with the kinges or the Quenes, her heires or successours royall assent had to the same, shall bind all and euery person and persons that at the makig of the same decree had any right & interest in the same their heires and successours for euer. Prouided alwaies & be it enacted that no order or decree to be made by the said commissioners or any of thẽ shall bind or conclude any right or interest of any person or persons, nor the breache of any decree or order, shall be cause of forfeiture of the right or interest of any person or persons except the same decree & ordynãce so made by ỳ said commissioners & five of them, whereof A. B. & C. shal bee three, be engrossed in perchement & certified vnder their seals into the

Cõmissioner

Oth Chauncelor

Dedimus potestatem Justic. of p.

Oth

Make lawes.

Amend

Chancery

Engrossed

Sit not sworne

Court

Nombant: court of chaūcery, & that ẏ royall assēt of the king & Quene her heirs or successours, be first had to the same. Prouided also and be it enacted that euery decree & ordinaunce so had, made, certified, & assented vnto, shall bind all & euery person & persons, that at the making of the same decree had any interest in the landes, tenements, or hereditaments so decreed in vse, possession reuersion or remainder, their heires & feoffees, and euery of them. And not to be in any wyse reformed, vnlesse it be by authoritie of parliament hereafter to be summoned & holdē within this realme. Sauing to all and euery person and persons, bodies politik and corporat, their heires and successors, other then such as shall forfait by this estatut theyr interest in ẏ same lāds tenements, or hereditaments, in possession reuersion or remainder, all such interest and title, as they or any of them shall haue at the tyme of the sāe forfaitures. And also it is prouided by authority aforesaid, that ẏ same lawes, ordinance, and decrees, to bee made and ordeined by the sayd commissioners, or fyue of them by authoritie of the said commission, shal bind as well the lāds tenements & hereditaments of the Queen our soueraign Lady, her heires and successours, as al and euery other person or persons, & their heires for such their interest as they shall fortune to haue or may haue in any landes tenements, or heredytaments, or other casual profit, aduaūtage or commodity whatsoeuer they be, wherunto the said lawes, ordinances & decrees shal in any wise extend, according to the true purport meanig & intent of the same lawes. And it is furthermore by ẏ authoritie aforesaid established & enacted, that if any maner person or persons, of what estate or degree soeuer he or they be, ẏ from henceforth doth take vpon him or thē to sit by vertue of any ẏ said commissions, not being before sworn in form as is aforesaid, & according to the tenour of the othe afore specified: Or if any person so named and sworne, doe sit as is aforesaid, dwellig within the said twenty miles, or not hauing lāds and tenementes, or other hereditamentes, in fee simple, fee taile, or for terme of life, to the clere yearely value of forty poundes aboue all rherges, to his own vse, except hebee learned in the lawes of this Realme, that is to say, admitted in one of the fower principall Innes of court, for an vtter barrester, and not dwelling within ẏ said twenty miles, shall forfait forty poundes for euery time that hee shall attēpt so to do, the one halfe therof to be to our soueraigne Lord and Lady, the king and the Queene her heirs & successours, the other halfe therof to those of him or them that wil sue therfore by accion of debt, bill, plaint, or information in any of the Queenes courts in which accion or suit no wager of law shalbe admitted nor any essoine or protection shalbe allowed, & if any actiō of trespas or other suit shal happen to bee attempted against any person or persons, for takinge of any distresses or any other acte doing, by authoritie of ẏ said commission, or by authoritie of any lawes or ordinaunces, made by vertue of the said cōmission, the defendant or defendaunts in any such action shall & maye make auowry, conisance, or iustification for ẏ taking of the same distresse, or other act doing to whig ẏ premisses, or any of them alledgyng in such auowrye, conisance, or iustification, that the sayd distresse, trespas, or other acte, whereof the plaintiffe complaynceth, was donc by auctoritie of the commission, for the suruеying of the counties of Northumberland, Cumberland, Westmerland, and the Bishoprik of Durham, made and prouided or for such act or cause as the sayd defendant dyd by auctority of the sayd commission, & according to the tenour

Except

Vtter barrester Forf.

Moitie

Sit not sworne

purport

purport and effect of this present act, made the second and thyrde yeares of the raigne of our soueraigne lord and Lady king Philip and Quene Mary without any expressing, or rehersal of any other matter or circumstance conteined in this present act, or any commission, lawes, statutes, or ordinaūces therupon to be made, wherupon the plaintife shalbe admitted to replye that the defendant did take the said distresse, or do any other act or trespasse supposed in his declaration of his owen wrong without any such cause alleged by the said defendant, wherupon the issue in every such accion shalbe joined to be tried by verdict of xii. men & not otherwise, as is accustomed in other personall accions, & vpon ỳ trial of the issue the whole matter to bee giuen on both parties in euidence, according to ỳ very truth of ỳ same, and after such issue tried for the defendant or nonsuit of the plaintife after apparance, ỳ sāe defendant to recouer treble damages by reason of his wrongefull veration in that behalfe wt̄ his costes also in ỳ parte sustayned, & that to bee assessed by ỳ sāe iury, or writ to enquire of damages, as ỳ cause shall requier. And it is also enacted that euery of the said commissioners shall haue & perceiue xiii. shillings, for euery day ỳ they shal take pain in the execution of this commission, and one clarke by them to be assigned, two shillinges for euery day of the rates, tares, lottes & summe of money ỳ shalbe assessed, or lost by anethoritie of the said commission, and to bee leuyed and payd by their discretions. And that the said commissioners, or five of them, shall haue power & authoritie to limit & assigne such reasonable summes of money to the said clerke, for writtinge of bookes and proces concerning the premisses, and to the collectours, expenditours, & such other as shall take pain in the due execution of the said commission, the same to be leuied by distresse or otherwise out of the lands so surueied, as by the discretions of ỳ said commissioners, or five of them, wher of A. B. C. to be three, shalbe thought reasonable, Prouided alwaies ỳ whēsoeuer and as often as such commission, as is afore limitted, shalbe made & directed to any person or persons for ỳ reformation and amendement of or in any of the premisses, specified in the said commission within the fees, liberties or possession of the Duchy of Lācaster, that then such commissioners, as shall execute any such commission, shalbe alwaies named and appointed as is aboue said. And that in euery such case, two commissions shalbee awarded & made according to the tenour of the commission aboue expressed, one therof vnder the great Seale of England, and the other vnder the seale of the same Duchy as before tyme hath ben accustomed, any thing afore rehersed in this present act, to the contrary therof not withstanding. And it is further enacted, that the said commission from time to time, as ỳ case shall requier shalbe had and obtayned without any money, or other charge, to bee payed for the seales or writinge of the same. And it is further enacted that euery commission to be made by authoritie of this act, shal endure and continue for the terme of seuen yeres next after the feast of the commissiō. Neuerthelesse after any commission made and deliuered out of the court of chauncery, the king & Quenes highnes and the heires and successours of the Quene, shall alwaies at their pleasures by writte of supersedeas cut of ỳ said Court of chauncery, at any tyme discharge as well euery such commissiō as euery commissioner ỳ shalbe made or named by authority of this act, after which discharge ỳ said cōmissioners so discharged shal haue no power nor authoritie to proceede in ỳ executiō of their cōmission, nor in any thig by authoritie of this act. Prouided alwaies

Verdict

Triall

3. damages

Enquire damages

xiij.s the day

Clerk xij.s.

Allowāce

Lancaster

ij. cōmissiōs

Great seal

Duchy seal

Endure vij. yeares

Supersedeas Discharge

wayes that when so euer and as often as such cõmission as is afore limitted shall be made and directed to any person or persons, for the reformation & amendement, of or in any of the premisses specified in the said commission within the fees, liberties and possessions of the Bishopric of Durham or within the fees, liberties, and possessions of any other place, wher there is lybertie and iurisdiction of countye Palantin, that in euery such case two commissions shalbe awarded & made according to the tenour of the cõmission above expressed, one therof vnder the great seale of England, and the other vnder the seale of the Countye Palantine in maner and forme as is above prouided for the Duchy of Lancaster, any thing afore rehersed in this present act to the cõtrary notwithstãding. And neuertheles be it enacted that if the officers of the same Duchy or of the said Bishoprick, or countye Palantine, do not deliuer the commission by them or one of thẽ to be made within fiue days after the request shal be made for the same, that thẽ ẏ commission vnder the great Seale onely shall procede in the saide countie Palantine without any other commission. And it is prouided and also enacted, ẏ the royall assent lymitted to bee had vnto the lawes & ordinances to be made by the said cõmissioners, as is aboue said, shalbee certyfied into the sayd courte of Chauncery vnder the prime seale, and that there shall not any summe of money be payde for the same prime seale. Prouided alwayes, that the chauncellours and such other as shall haue the custody of ẏ Seales of the said Bysshoprick of Durham or within the fees, lybertyes, and possessions of any other place wher there is libertie and iurisdiction of the cõtie Palantine, vppon reasonable request, and vppon the syght of the commission vnder the great seal of Englande, shall without delaye make out

6. Commissions

Great seale

Cõtey pal. Seale

Officers

Prime seal

any other commission vnder ẏ Seale of the said county Palantine, accordyng to the tenour of the commission to them shewed, vnder the greate Seale, and to those Commissioners named in the same Commission and to none other, nor in other manner. And bee it further enacted and established by the authoritie aforesayd, that al charges and summes of mony hereafter to bee rated & tared by vertue of such commission vppon any of the lands, tenements, or hereditaments, of our Soueraigne Ladye the Queene, her heyres or successours, for any manner of thing or thinges concerning the artycles of this Commission, shalbee gathered and leuyed by dystresse, or other wise, in lyke maner and fourme as shall or may bee done in the landes, tenementes, and hereditaments, of any other persone or persons, and that all Billes of acquittaunce, signed with the hand or hands of such Collector or Receiuour, as shall haue the collection therof by the appointment of the said Commissioners, or fiue of them, shall bee as well a sufficient discharge, to the tenauntes, fermours, and occupyours, of the same groundes so to bee charged for the saide summe wherewyth their groundes shalbee so charged, as also a sufficient warrante to all and euery the Receiuours, Auditours, and other whatsoeuer officer or officers of our sayd soueraigne Lorde and Lady the kynge and the Queene her heyres and successours, for the allowance to suche Tenaunte, Fermour, or occupyer of the same. Prouyded also and be it enacted, that the said commissioners shall not lett nor sett any parte or parcel of the premisses nor shall not meddle with the rating, rentinge or valuing of any parte or parcell of the premisses, but the same shall remayne and bee at the disposition of ẏ lord and owners of the same, as they were before the making of this act.

Tarry

Distres

Acquittãce

Warrant Officers

except

except it bee for the causes of forfaiture above specified, any thing heretofore mencioned to the contrary not withstanding. Prouided alwaies and be it enacted by the authoritie aforesaid, that al issues and forfaitures fins and amerciamentes, which shal ryse, happen, and growe, by any occasion what so euer, by vertue or colour of this act or any commission to be made by authoritie of the same, as wel within the liberties and county Palantine as without, whether they shall seeme to be due to ỳ kinge & Quens maiesties her heyres & successours, or to any other person or persons, or bodies politike or corporat, shalbe leuied imploied & conuerted, in & about the charges & expences concerning the execution of this act, in such sorte, maner & fourme as by ỳ said commissioners, or sire of thē, wherof three to be of ỳ Quorum, shalbee ordered, adiudged or decreed. Any thing in this act or in any cōmission aforesaid to ỳ contrary notwŧstāding. Prouided alwaies ỳ this estatut shall only continue for .x. yeres next after ỳ end of ỳ sessiō of this parliamēt, And further to ỳ end of ỳ nert parliament thē nert following, An. 2. & 3. P. & M. ca. 1.

Issues Amercemēt

## ¶ Certificat.

WHere before this tyme diuerse persons haue ben endicted, arrayned and attainted, & some of thē Clerkes conuict, & some of thē Clerkes attainted, & some of thē outlawed for murther, burglary, robbery, & other felonies before iustices of peace, iustices of Gaole delanery, & Iustices of Oyer & Determiner, within diuers Cities, counties fraunchises & liberties within this realme, ỳ records of which attainder, outlawrie, & conuictions often & many tims by negligence of ỳ clerk of ỳ Crown, clerks of ỳ peace clerkes of Assise, and such other as haue had ỳ order, rule, keeping, & conueiance of the sāe records, haue ben vnbesied, & not ready to bee obiected against such persons to haue bene newely arraygned before our soueraigne lorde the king in his benche, or before other the kings Iustyces for lyke and such other offences by them committed or don: And for that it hath not ben knowen certainely, whether to resort for the sāe records, because they were not certified into any place certain, by reson wherof sometime such persons & lyke offendours, which haue ben newly arrained as is before said, haue had the benefite of his or their Clergye, where they ought not, ne should haue had the same, if the said records hadde bene then prēsēt in the sāe place, wher such person or persons so newely arraigned, or else certefyed into some other place certaine, where the same records mought haue ben seene, sēt for or written for to haue ben obiected against such person or persons so newly arraigned: Wherby as wel the king our soueraign lord, as also al other persons haue many times losse their eschetes and other aduauntages, & forfaitures, that they shoulde haue hadde by meane of the said attainders, to the great losses, both of our said Lord the kinge and other persons, and also the same offēdours haue had their clergy wher they ought not so to haue had to the great boldnes & encouragyng of like offēdours. In consideration wher of be it &c. that the clerke of the crown clerke of the peace, & clerkes of assise for the time being where any such attainder, outlawry, or conuiction shall so be had, shal from the feast of Pentecost nert comming, not onely certifie a transcript briefely and in fewe woordes, conteyning the tenure & effect of euery such endit temēt, outlawrie, conuiction, and clerke attainted, before thē so to be had made or pronoūced, that is to say, the name, surname and addition of euery such person and persons as shalbe so indicted, & therupon outlawed, conuicted, or clerke attainted

Clerke of the Crown
Clerk of ỳ
Clerk of ca
Transcript

tainted and the certeintie of the sayd felony or other offence wherupon he or they shall be so outlawed, connicted or clerke attainted, and the day and place of his outlawrye, connicion and attainder, and the daye and place, where and when the said felony or other offence wherupon the said persone or persons shalbe so indicted outlawed, connicted, or clerke attainted, shalbe made and don, before the kyng our soueraigne Lord in hys benche at Westminster in the county of Midd, there to remaine of record for euer among other the kings records there, within fourty dayes next after any such attainder, connicion or outlawrie shall be had, made, or pronounced if the terme bee then: and if not, then within twenty dayes next after the beginning of the terme next folowing the said fourty dayes: but also shall deliuer a transcript of euery such enditement wherupon the said person and persons shall fortune hereafter so to bee connicted, or clerkes attainted, to the ordinary, to whom the body of the said person or persons shalbe committed, at that time the said person or persons shalbee so committed. The said ordinary payinge to euery such Clerke as shall writte the said transcript, for euery coppy of such endyctment twelue pence, for his paynes, vppon payne, that euery clarke of the Crowne, clarke of peace, and clarke of assise for ỹ time being before whom such indictment, attainder, outlawry or connicion shalbee so hadde, made, pronounced or remayne for the non certyficing of euerye such Record and not delyuerying of the coppe of such endyctementes to the sayd ordynaries accordyng to his estatut, to lose and forfayte fourty shyllinges, the one moitie therof to bee to the kyng our Soueraigne Lord, and the other moytie to hym that wyll sue for the same by accion of debt bylll informacion or other wyle in any of the kings Courtes of record, wherin no wager of lawe, essoygne or protecc̃yon shalbee allowed. And the clerke of the Crowne in the kynges Benche, shal receiue the sayd certificates and transcriptes at such tyme as they shalbee rendred and preferred vnto them by the sayd clarkes of the Crowne, clerkes of the peace, and clerkes of Assise or by theyr deputy or deputies, without taking any thyng for the same, vpon payn of forfayture of the summe of xl. s. for euery such certificate by hym refused. Prouided alwaies and bee it &c. that if there bee any more persons contayned and named in any such indictment, other then such person so attainted, connicted or Outlawed, that then such Clerke of the Crowne, clerke of assise, clerk of the peace, with whom the record of such attainder, outlawry, or connicion shal remaine within the time before in this act lymitted certifie the transcripte of such indictment outlawrye or connicion only cõcerning such person or persõs so indicted & attainted outlawed or connicted, into ỹ kyngs bench at westmynst. as is before said, which transcript so certified shall be had and taken as good effectuall, and available in the lawe, to al intentes, constructions, and purposes against such person and persons against whom it shall be so objected, alleged, or pleaded as if the very record therof, wherupon hee or they were so indicted were ther present. And bee it &c. that the sayd Clerke of the Crowne in the kinges Benche for the tyme being, shall at al such tymes as the Justices of gaole delyuery, Justices of peace, in euery countie within thys Realme of Englande doe writte vnto him for the names of suche persones, which bee so attaynted by outlawrye, or Clarkes attainted or connicte and certyfyed vnto the sayd Benche, of our sayd Soueraygne Lorde the kynge, shall incontynently, wythout delaye

Clerk of ỹ Crowne

Fozf.

kings bēch

Clerk of the Crowne Just. of g. Justic. of p.

Ordinary

Paine

Fozf.

Moitie

cer-

Certifie

certifie the ſaid names and ſurnames of ỹ ſaid perſons with the cauſes why & wherfore they were commit or attainted, vnto the Iuſtices of gaol deliuery or Iuſtices of peace vppon the payn & penalties forſayt for euery name of ſuch perſons, which ſhalbe ſo writtē for, & not certified by the ſayd Clerke of the crowne in the kinges benche to the ſaide Iuſtices vl. s. Prouided alwaies, and bee it further enacted that this act nor any thing therin conteyned, ſhall not extend to the clerke of ỹ crowne, clerkes of the peace, clerkes of gaole deliuery, neither to any of the

Prenotaries Wales Chester County palant:

prenotaries wythin the Counties of Wales and Chester, or wythin the Counties Palantine, of Lancaſter & Durham, or any of them, to make any tranſcript of any ſuch attainder, conuictiō or outlawry of any perſō or perſons conuicted, attainted, or outlawed, before the kinges Iuſtices of his counties of Wales nor Chester, or Countie of Lancaſter, Durham or any of them, but that the ſhe records ſhall and may remain and bee in the cuſtody & keeping of the ſaid clerkes & prenotaries, in ſuch maner and wyſe as they ar at thys day, this act or any thing therin contayned to the contrary notwith ſtanding. Anno. 34. H. 8. Cap. 14.

## ¶ Ceſſauit.

Freeman Villouers

IF a man let his lande to ſee ferme or to ſyndc villeins, in mean or in Clothe, amounting to the fourth part of the very value, and he which holdeth the lande ſo charged, letteth it lye freſh, ſo that the partie can fynde no diſtreſſe there by the ſpace of two or three yeares to compel the ſeruice to render, or to doe as is contayned in the writting or leaſſe: It is eſtabliſhed, that after the two yeares paſſed, the leſſeur ſhall haue an action to demaund the lande in demeane

Action

Chaſtcery

by a writte out of the Chaunccry, vn-

der, againſt whom the lande is demaunded, come before iudgement, and pay the arrerages and the damages, and find ſuertie (ſuch as the court ſhall thinke ſufficient) to paye from thenceforth, as is contayned in the writting of his leaſſe, he ſhal kepe the land. And if he tarie vntill it be recouered by iudgemēt, hee ſhal be barred for euer after. Gloceſter cap. 4. An. 6. E. 1.

Suertie

Barre

2 ¶ Where as in a ſtatute made at Gloceſter it is contained that if any leaſſe hys lande to another to paye the value of the fourth part of the land or more, the leſſour or his heir after that the paimēt hath ceaſſed by two yers, ſhall haue an accion to demaund the land ſo leaſſed in demeane. In like maner it is agreed that if any withholde from his lord his due and accuſtomed ſeruice by the ſpace of two yeres, the lord ſhall haue an accion to demaund the land in demeane by ſuch a writte Precipe A. qd' iuſte. &c. reddat B. tale tenementum quod A. de eo tenuit per tale ſeruitiū, & quod ad predictū B. reuerti debet eo quod predictus A. in faciendo predictum ſeruicium per biennium ceſſauit vt dicit'.

Seruice

Accion

Writt

And not onely in this caſe, but alſo in the caſe wherof mention is made in the ſaid ſtatut of Gloceſter, writes of entre ſhal bee made for the heire of the demaundaunt againſt the heyre of the tenaunt, & againſt them to whom ſuch land ſhalbe alienes. W. 2. ca. 21. An. 13. E. 1.

Writ of entrie

Heire

## ¶ Challenge.

OF inquells to be taken before any of the Iuſtices, wherin our ſouereine Lord the king is party, how ſo euer it bee: It is agreed and ordeined by the king and al his counſell, ỹ from henceforth not withſtanding it bee alledged by them that ſue for the kinge, that the iurours of thoſe inquelles or ſome of them be not indifferent for ỹ kinge, yet ſuch inquells ſhall not remaine

Inquells

Iurrors

Challenge

maine vntaken for that cause, that is to say, if any of thē ẏ sue for ẏ kyng wyll challenge anie of those iurors they shall assigne for their challenge a cause certaine, and the truith of ẏ same challenge shalbe inquired whether it bee true or not, after the discretion of the Justices. W.2. cap.22. Anno.13.E.1.

London

2 ¶ The challenge cōmonly called Riens deins le gard (s. within London) be no challēge, but vtterly voyd & of none effect. Saving to euery person al maner of other challēge whatsoeuer they been according to ẏ law, An.7.H.7.cap.4.

Peremptory

3 ¶ Peremptory challenge shal not from hēcefoorth bee admitted, or allowed in anie cases in hygh treason, nor misprision of treason, Anno. 33. H.8.cap.23. And see more of Peremptorie challenge Abturation, 5. and Clergie.20.

Treason
Misprision

Repealed

4 ¶ In Anno.1.E.6.cap.12. diuers treasons and diuers felonies bee repealed as appeareth in treasō and in felony. And in that act among other things it is enacted that all clauses, articles, and sentences mencioned or specyfied in any act or actes of parliament, statute or statutes made in the time of the raigne of the said late king Henry the eight, touching or in any wise concerning anie manner of challenge, for the countie, hundred, or Peremptory challenge, or anie of them, or touchyng or in anie wyse concernyng anie manner of tryall of forreine plees pleaded by murderers, felons or other offendours shall, as concernyng the sayd challenge and tryalles remayne in their force and strength not repealed, anie thing in this act mencioned, sounding or seemyng to the contrarie in anie wyse notwithstandyng. Anno. 1. Edwardi sexti. cap.12.

Forrein plees

NO officer of the kinges by them selues, nor by other shal maynetaine pleas, suites or matters, hanging in the kings court, for lands, tenements, or other things, for to haue part or profyt thereof by couenaunt made, and he that doth shal be punished at the kinges pleasure. W.1.ca. 25. Anno.3.E.1.

Chauncelor
Treasorer
Justices

2 ¶ The Chauncellour, Treasorer, Justices, nor none of the kings counsell, no clerk of the Chauncery, nor of the Eschequer, nor of any Justice, or of other officer, nor none of ẏ kings house, neither clerk nor lay, shall receyue any church, nor aduowson of a church, land nor tenement by gift in fee, nor to ferme, ne for purchase, nor otherwise, so long as the thyng is in plea before vs, or before any of our officers, nor shal take no reward therof. And he that doth contrary to thys act, either him self, or by an other, or make any bargaine, shalbe punished at ẏ kings pleasure, as well hee that purchaseth, as he that doth sel. W.2. cap.49. An.13.E.1.

Church
Aduowson

Punish

3 ¶ And for because ẏ king hath herefore ordeined by estatut, that none of his ministers shal take no plea for maintenance, by which estatut other officers were not bounden before thys time. The kyng will ẏ no officer nor any other (for to obteine part of the thing in plea) shal take any matter ẏ is in suit. Nor none vpō any such conenant shal geeue vp his right to an other, and if any do, and be attainted therof, the taker shal forfait vnto the king so much of his lands & goods as doth amount to the value of the part that he hath purchased for such maintenance. And for this attendre, who soeuer will sue for the king before the Justices afore whom the plea hāgeth shalbe admitted thereto, & the iudgement shalbe geuen by them. But it

Maintenās

Officer

Attaint
Forf.

Judgemēt

may not bee vnderstanden hereby, that any person shalbee prohibite to haue counsell of pleaders or of learned men in the lawe for hys fee, or of his next frendes. Articuli super cartas cap. 11. An. 28. E. 1.

4 ¶ Where it is conteined in our statute, ỹ none of our court should take anie plea to champertie by craft nor by engyn. And that no pleaders apprentices, attourneis, stewarde or of great men, baillifes, nor any other of the Realme should take for maynteinaunce, anie manner of suite or plea agaynst other, wherby al the realme is vnmeasurably greeued, and both rich and poore troubled in diuers maners. It is prouided by a common accord, that al such as from hencefoorth shalbee attaynted of such emprises, suites, or bargaynes, and such as consent to such manner of dealyng, shal haue imprisonment of three yeares, and shall make fyne at the kynges pleasure, Geuen at Berwicke vpon Twede the. 11. yeare of the raigne of kyng Edwarde. Anno. 33. E. 1. Note the same statute is after entituled, *Stat de conspiratoribus edit.* Anno. 33. E. 1. with this end, done a Berwicke sus Twede du reigne le roy E. 20. & then foloweth, our soueraigne Lord the king, at the information of Gylbert Rowberie clerke of his counsell, hath commaunded, that whosoeuer will complayne him selfe of conspyratours, of false quarels, vpholders, inuentours and maintenours of false matters and partakers thereof, and brokers of debates, that Gylbert of Thorneton shal cause them to be attached by his writ, that they before our soueraign lord ỹ king, do answer vnto ỹ placitus by this writ following. Rex vic' salutem. Precipim' tibi, quod si A. de G. fecerit te securum de clamore suo prosequendo, tunc pone per vadiũ & saluos plegios G. de C. quod sit coram nobis in octauis sancti Iohãnes Baptiste, vbicumque tunc fuerimus in Anglia, ad respondendũ predicto A. de placito conspirationis & trãsgressionis secundum ordinationẽ nostram nuper inde prouisam, sicut idem A. rationabiliter monstrare poterit, quod ei respondere debeat. Et habeas ibi nomina plegiorum & hoc breue. Teste &c. Anno. 33. E. 1.

5 ¶ Champertours bee they ỹ moue pleas and suites, or cause them to bee moued other by their owne procurement or by others, and sue them at their proper costs for to haue part of the lande in variaunce or part of the gaynes. An. 33. E. 1.

Attaint

Imprison

Conspiratours

## ¶ *Chapleines.*

I F any secular man of the Realme pay any more thẽ .v. markes to any priest yearelie, in money or in other thynges to the valour, or if he pay to such priests retayned to abyde at hys table: aboue twoe markes for hys gowne and his other necessaries (his table accompted to fortie shillinges) and thereof bee attaynted, hee shall pay to the kyng fullie as much as he payed to the sayd prynest. Anñ. 36. E. 3. cap. 8.

wages

Attaint Fort.

2 ¶ No yearely chappleyne within ỹ realm shal take from hencefoorth more for his whole wages by yeare, that is to say, for his board, apparell, and other necessaries, but .v. marks nor the parishe priestes, which bee or shalbe retayned to serue cures, shall take from hencefoorth for their whole wages by yeare, that is to say, for the thinges aforesayd, but right marks, vnlesse it bee by lycence of the ordynarie, so that the whole summe passe not .ix. markes. Anno. 2. H. 5. Stat. 2. capitulo. 2.

wages

Parochpriests

Licence

The

Chaūcelor Justices

THe Chauncellour and the Justyces of his bench shal follow him, so that he may haue at al times nere vnto him some that bee learned in the lawes, which he able duely to order all such matters as shal come vn to the court at al times, when neede shal require. Articuli super cart. Ann. 28. E. 1. cap. 5.

2 ¶ If any man that feeleth himself greeued contrary to any of ỳ articlez above writen, or other conteined in diuers statutes, come into ỳ chauncery, or any for him, and therof make his complaint, he shal forthwith ther haue remedy by force of the sayd articles & statuts wont els where pursuing to haue remedy. An. 36. E. 3. ca. 9. See the statute.

¶ *Chester & Chestershire.*

ANno. 21. R. 2. cap. 9. it was enacted that the county of Chester should be a principalitie and be to ỳ prynce. And diuers landes assigned therunto, and the liberties confirmed. But this parliament was repealed by 1. H. 4. cap. 3.

Repealed

2 ¶ If any person of the countie of Chester resiaunt or dwelling within the same countie, of what estate or condition he be, do commit any murder or felony in anie place out of the sayd county, proceſſe shalbe made agaynſt hym by the common lawe, til the Erigend, in the counties where such murder or felony was dõe. And if he flee from thence into the countie of Chester, and be outlawed and put in erigend for such murder or felony the same outlawrie or erigend shalbe certified to the officers and mynysters of the same county of Chester, and the same felon taken by the same officers or ministers, and his landes and tenementes, goods and cattals, being within the same coũty of Chester, seyſed as forfayt into the handes of the prince, or of him that shalbee Lord of the same countie of Chester, for the time, and the kyng shal haue the yeare and day and the waſt. And the other landes and tenementes, goods and cattalz of such felon being out of the sayd coũtie of Chester, shal remayne wholly to the kyng and to the other lordes hauing therof fraūchiſe, as forfait. And if any person of the same countie of Chester, resiaunt or dwelling in the same, make batery or other treſpas in anie place out of the said countie of Chester, proces shalbe made agaynſt him by the common lawe till the erigend in the coũties where such batery or treſpas is done. And if he flee from thence into the said county of Chester, & be outlawed for such baterie or treſpas, the outlawrie shalbee certifyed to the officers and ministers of the said countie of Chester. And hys goodes and cattals being within the same countie of Chester, shall bee seyſed into ỳ handz of ỳ prynce, or of him whych shalbee Lord of the sayd countie of Chester for the time. And his other goods and cattals beyng out of the sayd countie of Chester, shal remain wholly to the king and to other lordz aforesayd as forfayt in manner as afore is sayd. Anno. 1. Henrici quarti capitulo. 18.

Murder Felony Proces
Erigent
Flee Outlawed
Landz Goodz
Forf.
yeare day & waſt
Battery Treſpas Proces
Flee
Goodz

3 ¶ The Lorde Chauncellour of England, or the Lord keeper of the great seale for the tyme beyng, from time to time and at al times shal haue full power and auctoritie by his discretion, to nompnate and appoynt Justices of peace, Justyces of Quorum, and Justices of gaole deliverie of ỳ sayd counties of Chester, Flint, Angleſey, Caernaruan, Meroneth, Cardigã, Cayermarthé, Pen-

Chaūcelor L. Keeper
Justic. of p. Just. of quo. Just. of g.

Cõmission Great seal

Oier & ter.

Just. of p.

Swoꝛne

Estrets Issues Fines

Eschequer of Chester

broke, & Glamoꝛgan, by commission vnder the kinges great seale which shall haue full powe & authoꝛity to enquire heare and determine all maner thing & things inquirable, pꝛeseꝛtable, oꝛ beteꝛminable, beꝛoze Justices of peace, Justices of Quoꝛum, & Justices of gaoles delyuery in other shires of this realme of England, by foꝛce oꝛ vertue of any statute oꝛ statutes, made and to be made oꝛ by the course of the common lawes of thys realme. And that the said Justices of peace, Justices of Quoꝛum, and Justices of gaole deliuery, so to bee named and appointed by the sayd Loꝛd Chauncellour, oꝛ Loꝛd keeper of the great seale & euerie of thẽ shall haue like power & authoꝛitie wi ẏ said cõty of Chester, Flint, Angleſey, Kayernaruã, Yerconeth, Cardigã, Kayermarthen, Pẽbꝛoke & Glamoꝛgã, to do ble & execut euery thing & things, as other Justicez of peace, Quoꝛum & gaole deliuery, haue wiñ any other of the shires of this realme of England. And also shalbe swoꝛn astricted and obliged to the keeping of their sessions of the peace, & due to the execution of all & singuler statutes and oꝛdynances made & to be made in lyke maner & fourme, & vnder like paines and penalties, as Justices of peace, Quoꝛum, & gaole deliuery, in other shires of this realm of England ben and shalbe boũden and obliged, anie act, statute, pꝛeseꝛiption, vsage, custome, liberty oꝛ pꝛiuiledge had made accustomed oꝛ vsed to the contrarie notwithstanding. And it is ꝛc. that the estretes of the issues, fines and amertiaments, tared, sett, lost, oꝛ soꝛfaited by oꝛ beꝛfoꝛe such Justices of peace, Quoꝛum, and gaole delinery in the sayd counties of Chester and Flynt, shalbee returned and certyfied into the Eschequer of Chester, beꝛoze the kynges Chamberleyne there. And that the extreates of the issues, fines, and amerciamentes, tared, sett, lost, oꝛ soꝛfayted by oꝛ beꝛoze the Justices of peace, Quoꝛum and gaole deliuerie, in the sayd counties of Angleſey, Kayerneruan, and Yereoneth; and euery of them, shalbee returned and certified in the kinges Eschequer at Kayerneruan, to and beꝛoze ẏ kinges Chamberlaine of Noꝛthwales. And that the extreates of the issues, fynes and amerciamentes, tared, sett, lost, oꝛ soꝛfayted by oꝛ beꝛoze the Justices of peace, Quoꝛum and gaole deliuerie in the sayd counties of Kaermerthen and Cardigan, and euerie of them shalbe returned and certified in the kynges Eschequer at Caerunerthen to and beꝛoze the kings Chamberleyne of Southwales. And that the extreates of the issues, fines and amerciamentes, tared, sett, lost, oꝛ soꝛfayted by oꝛ beꝛoze the Justicez of peace, Quoꝛum and gaole deliuerie in the countie of Pembꝛoke, shalbee returned and certified into the kings Eschequer at Pembꝛoke. And that the extreates of the issues, fines and amerciamentes, tared, sett, lost oꝛ soꝛ fayted by oꝛ beꝛfoꝛe the Justices of peace, Quoꝛum, and gaole deliuerie in the sayd countie of Glamoꝛgan, shalbee returned and certyfyed into the kinges Eschequer at Kayerdiffe. And that the sayd extreates of the sayd issues, fines and amerciaments, certyfyed and retourned into euerie of the foꝛesayd Eschequers shall bee indented in such lyke manner and fourme as is vsed in the kynges Eschequer at Westmynster. And that ẏ said Justyces of peace & Quoꝛum, oꝛ Gaole deliuerie in euerie of the sayd shires, shall direct such lyke pꝛocesse by extreates endented with the extreates certyfied in ẏ sayd Eschequer

Chaderton

Shirikes Accompts

Eschequer at Pẽbꝛok

Eschequer at Kardi

Just. of p.

Coꝛoner Constable Officers

Eschequers to ỳ sheriffes of euery of the said cõtiez, for the leuying & gathering of the said issuez, finez and amerciaments, in such like manner & fourme as is vsed by the Justyces of peace, Quorum & gaole deliuery in euery other of the shires wỉn this realme of Englande. And ỳ euery of ỳ sheriffs of euerie of ỳ said shires shal make their accompts in euery of the said eschequers, of and for the issues, finez & amerciamentes vpon the extreates to them directed in maner & fourme, as is vsed in the kinges Eschequer of westminster. And it is &c. ỳ the said Justices of peace, & clerkez of the peace within the said county of Chester, Flynt, Anglesey, Kayernaruan, Merioneth, Cardigan, Kayermerthẽ, Pembroke & Glamorgan & euery of thẽ shalbe paied & allowed of the said issues, finez & amerciamẽts such like fees, profitz & cõmoditiez as other Justices of peace & clerks of the peace in other shires of this Realme haue and ought to haue. And it is &c. ỳ the sherife or his deputyes, and all other his ministers, in al & euerie of the said shires, & all Corroners, hygh Constables, pety constables, & other officers wỉn euerie of the said shires shalbe obliged & bounden to be alwel attendãt vnto ỳ said Iustices of peace Quorum & gaole deliuery, in all and euery thing & thynges concernynge their authorities, as in executing & returning of all preceptes & proceße to them directed by anie of ỳ said Iustices in like maner and fourme and vnder like paines & penalties, as all & euery sherifes, corroners, and other officers be & shalbe bounden & obliged by any statute or common lawe in other shires of this realm of England: any act, statute, prescription, vsage, custome, liberty or priuiledge, had accustomed or vsed to ỳ contrary notwithstanding. An. 27. H. 8. cap. 5.

Shirifes Accompts

Corroners Constables Officers

4. ¶ By reason of which act (s. An. 27. H. 8. ca. 5.) it is now vsed, to kepe sessiõs in the said county Palantine of Chester as is vsed in other shires of England. Also it is vsed in ỳ sayd countie Palentine of Chester, ỳ the Justyces of the same for ỳ tyme being hath yearely tyme out of mynde vsed to kepe ỳ shires or county daies in manner & fourme following (that is to say) one yere. 8. shires or county daies, & another yere ir. shirez or cõty daies, to the which the gentlemen free holders & suterz of the said countie, are bounden of auncient custome & dutie to appeare, & geue their attẽdance to serue the king, which shires or countie dayes come verie often times in the yere. And now by reasõ of the said new statute of Justices of peace (s. An. 27. H. 8. cap. 5) had in the sayd county, the said gentlemen free holders, and suiters of the said cõty being bounden of their sayd olde custome and lawe to geeue their attendance & apparance to the said shires or county daiez, are now boundẽ also to geue their apparance & attendaunce at 4. quarter sessions & other priuie sessions in the said county. By meanes whereof the said apparance & attendance commeth so often & so thick together ỳ at many times they cannot depart from the one court, and attend their busines scarcely one day, or sometime lesse, but they must againe ride to serue the other court, which is to painful, chargeable, intolerable and importune, for any man to sustaine and abide. In consideration whereof be it enacted &c. ỳ from henceforth the lawe and administration of Justice, and all other thinges in the sayd county in tyme past vsed to bee had at the sayd shire daiez, shal be holde, had, made, done & executed

Comtis daies

Fre holderz

Quarter sessions

by the Justice of the sayd countie for the tyme being, at two times in the yeare onely, that is to wit, at the sessions nert after the feast of saint Michael the archangell, and at the sellyonz nert after Easter yerely for euer, during so many daies at euery of the said times as neede shall require, in like manner and fourme as is nowe vsed and executed in the county Palentine of Lancaster. And that no actions, suite, or proceste now or hereafter to be depending in the said cõties, shalbe thereby discõtinued, hurt or impayred, nor anie aduauntage therein to bee taken by errour, dyscontinuance of procez, ne otherwise, but that the same to proceede after ỳ same new order. And that from hence forth the sayd olde order, rule, and custome in holding of the sayd coũtie or shire daies, shal vtterly cease and determine for euer: Any act, statute, prescripcion, graunt, vsage, custome, priuiledge, law, libertie, constitutiõ, or cõfirmatiõ heretofore had, made, accustomed or vsed to the contrary in any wise notwithstanding. Anno. 32. H. 8. cap. 43.

Sessions

Accions

No errour

Shirife

5 ¶ The sheryffe of the sayd countie (s. Palentine of Chester) for ỳ tyme beeing after the feast of Easter nert commyng shalbe bound to kepe his shire court in the shire hall of ỳ sayd county euery moneth for euer, for determination of playntes and accions and vnder fortie shillinges, and for proclamations & calling of erigends and other necessary causes as is vsed in other shires of this realme of England. And that two head cozonerz for th' body of the said shire shalbee elected and chosen by vertue of ỳ kinges writte *De coronatore eligendo* awarded out of ỳ Eschequer of Chester which cozoners shalbee bound to sitte with the sayd sheriffe at the sayd courts to geue iudgements vppon vtlarie, & to do all other things as appertayneth. And be it ec. ỳ the sayd two sessiõs in fourme aforesaid to be holden wtin ỳ said countie, shal & may be holden at such time & times as by ỳ said Justice or his deputie shalbee appoynted, as well before the sayd feast of Easter & Michaelmas as any other time, according as is most commonly vsed in other shires of this realm, so alwaies open proclamation be therfore made by the space of xv. dayes at the least, before the first day of the keeping of the same Sessyons. Anno. 33. H. 8. cap. 13.

Shire court

Proclamations

Cozoners

Judgemẽts

6 ¶ The same county Palantine of Chester shall haue two knightes for the said county Palantine, and likewise two cittizens to be burgesses for ỳ city of Chester, to be elect & chosen by proceste, to bee awarded by the Chauncellour of England, vnto the Chamberleyne of Chester hys lyeutenaunt or deputie for the tyme being. And so like proceste to bee made by the sayd Chamberlaine hys lieutenaunt or deputie to the sheryfe of ỳ sayd coũty of Chester. And the same electiõ to be made vnder like maner and fourme, to all intents, constructions and purposes, as is vsed within the county Palantyne of Lancaster, or anie other countie and Citie within thys Realme of Englande, which sayd knightes and burgesses, and euery of them so elected and chosen shalbe returned by the sayd sheryfe into the Chauncery of Englãd, in due forme and vppon like peyn as it is ordeyned, that the sheriffe or sheriffes of any other coũty within thys realme should make their retourne in case like. All which sayd knights & burgesses, & euery of them so elected & returned, shalbe knights & burgesses of the court of Parliament & haue

Palantine knights

Burgesses of parliam

Chaũcelr

Shirife

Chauncery

Returne

full

full voice and authoritie to al intents & purposes as any other the knightes & burgesses of ỳ said court and parliament, haue, vse and enioy. And in like wyse shall and may take all and euerie such like liberties, auauntages, dignities, priuiledges, wages, fees, and commodities concernyng thys sayd court of Parlyament, to all intentes, constructions and purposes as any other the knightes and burgesses of the sayd court shall may or ought to haue, take or enioy. And also where it is, and hath ben vsed within the sayd countie Palentine, ỳ vpon the suggestion of anie person that is or hath been indebted to anie other person or persones, comyng to the Eschequer within the sayd countie Palantine, and there taking a corporall othe, that he or they shall pay his or their creditours at such time as he or they shalbe able there to, the officers of the said Eschequer haue vsed without warrant to graunt out of ỳ same Eschequer a writ in nature of a protection, whereby the said credytours haue been and bee greatly delayed, and in manner defrauded of their sayd debtes, to the great impoueryshment and vndoing of the sayd credytours. For reformation whereof it may please your sayd highnesse, that it be enacted by authoritie afore said, that no such writ of course, without a speciall warraunt from your sayd highnesse, your heires or successours, conteyning any such protection bee from the first day of October which shalbe in the yeare of our lord God 1549. graunted. But that al and euerie such writs of course after the sayd day to be graunted to bee voyde and of none effect. Anie custome, vse or priuiledge to the contrarie hereof notwythstandyng. Anno. 34. H. 8. capitulo. 13.

Wages

Persons indebted, sworne to pay their debts

Protection

Lloyd

7 ¶ Anno. 33. Henrici octaui capit. 21. An act is made diuenerig the bishoprick of Chester and the bysshoprick of Man, from the iurisdiccion of Cauntorburye, to the iurysdyccyon of Yorke.

Man Canterbury Yorke

8 ¶ Anno. 2. Edwardi sexti capitul tricesimo primo, an act is made for ỳ recognisaunces before the Mayor of Chester.

Recognisas

9 ¶ Anno tertio Edwardi. 6. capit. vicesimo quinto, An act is made concerning Chester for Wereȝ in the ryuer of Dee.

Weres

## ¶ *Churchyarde.*

FOr as muche as wee haue vnderstoode verie often that contencyon hath rysen betweene persones of churches and their parochioners touchyng trees that grow in the churchyard, both of them affirmyng that they belong to them selues, we haue thought good to declare the doubt of such contentions by written lawe, rather then by lawe of statute. For where as the churchyard is a ground specyally dedicated vnto the church, and what soeuer is planted vppon the ground, belongeth to the ground, it followeth necessarily, that ỳ trees them selues ought to bee numbred amongst the churchgoods, the dysposing whereof is not geuen to laymenne, but as the holye scripture wytnesseth the care of dysposyng them vndystussed of God ought to be cõmytted vnto prestes onely, but those trees often tymes are planted to keepe a waye the force of the wynd for hurtyng of the churches, we will that the personnes of churches doe not presume to sell those trees vndiscreetlie, but when the Chauncell of the Church doth want necessary reparatyons, nor shall conuert them

Trees

Church goods

Chauncell

Reparatiõs

to any other vse by anie meanes vnlesse the body of the church do lykewyse want reparations, and the persõs do of charitie think good to geue of those trees to the parochiners wãting them, which we do not cõmaũd to bee done, but when it is done we do commend it. *Nerectores prosternant arbores in cemiterio.*

## ¶ Cirographer.

The Cyrographer nor his fermor, deputie or lieutenant for the time beyng, shall from henceforth take no more then fower shillynges for anie fine leuyed in the court. And if the sayd fermour, lieutenaunt, or deputie take any more then fower shyllynges for a fine as beefore is sayd, he shall lose his office and bee foreindged in the court, and haue one yeres imprisonment, and pay to the party greened his treble dammages and the party greened shall haue his suit beefore the Justices of the sayd bench. An. 2. H. 4. cap. 8.

iiij. s. fine

Fermour

Forf.

Imprison iij. damages

## ¶ Citation.

Be it prohibited from hencefoorth to hospitellers & templers, yt hereafter they bring no man in plea before the kepers of their priuiledges for any matter, the knowledge whereof belongeth to the kings court, whych if they do, first they shal yeld dammages to ỳ party greued, & be greuously punished vnto the king. The king also prohibiteth to the kepers of such priuiledges, ỳ from henceforth they grãt no citations at the instaunce of hospitellers, templers, or other persons priuileged, afore it be erpressed vpõ what matter the citation ought to be made. And if the kepers do see such a citation is requited vpõ any matter, the knowledge whereof belongeth to the kings court, the kepers shal neither make nor knowledge the citation. And if the keepers do otherwise, they shall yeld damages to the partie greeued, and nevertheless shalbee grevously punished by ỳ king. And forasmuch as such personz priuileged deputie, kepers, supriours, chaũtors, sertens which be religious men, and which haue nothing to satisfy ỳ parties greeued nor the king, which bee more holde to offend the kinges dignitie, then their superiours, to whõ punishment may be assigned by their temporalties: Let the prelatez of such obedientes therefore beware from henceforth, that they do not suffer their obedientes to vsurpe any iurisdiction in prejudice of the kyng and hys crowne: and if they do, their superiours shalbee charged for their fact as much as if they had been comitted vppon their proper act. W. 2. cap. 43. Anno. 13. E. 1.

Hospitelers Templers

Damages Punished

Religious

Temporaltie Obediens

¶ No maner of person shalbe from henceforth cited or sumoned or otherwise called to appeare by himselfe or her self, or by any procuratour before any ordinary, archdeacon, commissary, officiall or any other iudge spirituall out of ỳ dioces or peculier iurisdiction, where the person which shalbee cited, sumoned or otherwise (as is aboue said) called, shalbe inhabiting & dwelling at that time of awarding or going forth of the same citation or sommons except ỳ it shalbee for, in, or vppon anie of the cause, or causes hereafter written, that is to say, for any spirituall offence or cause temporall or done, committed, forslowed or neglected to be done contrary to right or dutie by the bishop, archdeacon, commissary, official or other pso having spirituall iurisdiction, or being a spirituall iudge, or by anie other person or

Procurators Spirituall Judges

Spirituall offence

or persons within the dioces or other iurisdiction, wherunto he or she shall be cited, or otherwise lawfully called to appere and answer. And except also it shalbe by or vpō matter or cause of appeale, or for other lawful cause wherein any partie shal finde hymselfe or herself greued or wronged by the ordinarye iudge or iudges of the dioces or iurisdiction or by any of his substitutes, officers or ministers, after the matter or cause there first commenced and begon to be shewed vnto the archbishop or bishopp, or any other hauing peculier iurisdiction, wō in whose prouince ỳ dioceſſe or place peculier is: Or in case that the bishop or other immediat iudge or ordinarie dare not or wil not conuent the party to be sued before him or in case that the bishope of the dioces, or the iudge of the place, wīn whose iurisdiction, or before whom the suite by this act should be commensed and prosecuted be partye directly or indirectly to the matter or cause of the same suite, Or in case that any bishoppe or any inferiour iudge, hauing vnder him iurisdiction in his own right and title or by cōmission, make request, or instance to the Archbishopp, bishoppe, or other superiour ordinary or iudge, to take, treat, examine or determin the matter before him or his substitute. And that to bee done in cases onelye where the lawe Ciuile or Canone doth affirm execution of such request or instance of iurisdiction to be lawful or tollerable, vppon paine of forfaiture to euery person by any ordynary commissary, official or substitut by vertue of his office, or at the suite of any person to be cited or otherwise summoned or called contrary to this act, of double damages & costs for the veration in that behalfe susteined, to be recouered against any such ordynary, cōmissary, archedeacon, officiall, or other iudge as shall awarde or make proces, or otherwise attempte or procure to do any thing contrarye to this act, by action of debt, or accyō vpon the case according to the course of the common law of this Realme, in any of the kinges high courts, or in any other competent tēporal court of record by originall writte of debt, bil, or plaint, In which action no protection, other then suche as shalbee made vnder the kings great seale, & signed with his signe manuell, shalbee allowed, neyther any wager of lawe nor essoine shalbe admitted.

And vppon paine of forfaiture for euery person so summoned, cited, or otherwise called (as is aboue said) to answere before any spiritual iudge out of the dioces or other iurisdiciō wher the said person so dwelleth or is resident or abiding .x.li. sterling. The one halfe thereof to be to the king our soueraigne lord, and the other halfe to any personne that will sue for the same in any of the kings said courts or in any other ỳ said tēporall courtz by writt, information, byl, or plaint, In which action no protection shalbe allowed, nor wager of law nor essoin shalbe admitted. Prouided alwaies that it shalbe lawful to euery Archbishoppe of this realme to call, cite & summon any person or persons inhabiting or dwelling in any Bishopes dioces within his prouince for causes of heresye, if the Bishoppe or other ordinarye immediat thereunto consent, or if that the same bishoppe or other immediat ordinarye or iudg do not his duitie in punishment of the same. Prouided also that this act shal not extend in any wise to the preroga tiue of ỳ most reuerend father in god ỳ archbishop of Canterbury or any of his successours or for callinge any

any persone or persones out of the dioces where hee or they bee inhabyting, dwellyng or resident for probate of any testament or testaments, any thing in this act conteined to the contrary notwithstanding. And bee it further enacted by authoritie afore said, ỳ no archebishop or bishop, ordinary, official, comissary, or any other substitute or minister of any of ỳ said archebishoppes, bishoppes, archedeacons or other hauinge any spirituall iurisdiccion, at any time from ỳ feast of Easter nert comming, shall aske, demaund, take, or receiue of anye of the kinges subiects any summe or sũmes of money for the seale of any citation, after the said feast to be awarded or obteined, then pnely iii. d. sterling, vpon the paines and penalties beefore limitted conteyned and expressed in this present acte, to bee in like forme recouered as is aforesaid. Prouided alwaies, that this act bee not in any wise hurtful or preiudiciall to the Archebishoppe of Yorke, nor to his successors, of for or concerning probate of testaments within his prouince and iurisdiccion by reason of any prerogatiue, any thing in this act to the contrary thereof notwithstanding. An. 23. H. 8. cap. 9. This act was repealed, as it seemeth by the statute of Anno. 1. & 2. P. & M. cap. 8. And renued by the statut of An. 1. Eliza. capitulo. 1. whiche act is in Crowne lre.

Seale

Probate of testament

## ¶ Clergie.

When a clerke is taken for guilty of felonie and is demaunded by the ordinary, he shal be deliuered him according to the priuiledge of holie church on such peril as belongeth to it, after the custome afore times vsed. And the kinge admonyshed the prelates, and enioigned them vpon the faith ỳ they owe to him, and for the common profit and peace of the Realme, that they which be endicted of such offences by solempne inquest of lawefull men in the kinges court, in no manner shalbee deliuered without due purgation, so that the kinge shall not need to prouid any other remedy therin, W. 1. cap. 2. An. 3. E. 1.

Felony

Ordinary

Purgation

2 ¶ Concerning men twise maried called bigamie, whom the bishopp of Rome by a constitution made at the councel of Lions hath excluded from al clerkes priuilege, whereuppon certaine prelates (when such personnes haue bene attainted for felons) haue prated for to haue them deliuered as clerkes, which were made bigamie beefore the same constitution: It is agreed and declared beefore the kinge and his counsaile, that the same constitution shalbe vnderstanden in this wise, that whether they were bygamie beefore the same constitutiõ or after, they shall not from henceforth be deliuered to the prelats, but Iustice shalbe executed vpon them as vpon other lay people, Bigamis ca. 5. An. 4. E. 1.

Bigamie

Council of Lions

3 ¶ A clerke flying to the Churche for felonie to obteine the priuiledge of the Churche, if hee affirme hym selfe to bee a clerke, hee shal not bee compelled to abiure the Realm, but yelding him selfe to the law of the realm shal enioye the priuiledge of the church according to the laudable custome of ỳ Realm heretofore vsed. Articuli cleri ca. 15. an. 9. E. 2.

Felony

Abiure

4 ¶ The priuiledge of the Church being demaunded in due fourme by the ordinary shal not bee denyed vnto the appelloure as to a Clerke, Articuli cleri capitulo 16. Anno nono Edwardi. 2.

Ordinaris

5 ¶ If any clerke be arraigned before

Clerke

fore our iustices at our suite, or at the suite of the partie, and the clerke holdeth hym to his clergie, alledginge that hee ought not before them ther uppon to make aunswere, and anie man for vs, or for the partie maketh a suggestion, that he hath maried two wiues or one widowe, that vpon the same the Justices shall not haue the conisãce nor power to trie ỹ bigamie by enquestes, or in other manner: but it shalbe sent to ỹ spiritual court, as hath beene done in case of bastardy, and till the certification bee made by the ordinary, the partie in whom the bigamie is alleged, by the wordz aforesaid or in other manner shall abide in prison, if hee bee not maynpernable, Anno. 18. Ed. 3. pro clero. cap. 2.

Purgation
Bigamie
Bigamis
Spiritual court
Bastardy
Counsel at Liuing

6 ¶ All manner clerkes, as well seculer as religious, which shalbe frõ henceforth conuict before the seculer Justices aforesaid, for any manner treasons and felonies touching other personnes then the kinge him selfe or his roial maiestie, shal from hence forth freely haue and enioy the priuilege of holy church, and shalbe without any impechement or delay deliuered to ỹ ordinaries demaunding thẽ. And for this graunt the sayd archebishoppe promiseth to our soueraign lord the kinge, that vppon the punishment and safegard of such clerks offenders, which so shalbe deliuered to the ordinaries, hee shall thereof make a conuenient ordinance, where by they shalbee safely kept and duely punished, so that no clerke shall take courage so to offend for defaut of correction, Anno. 25. Edw. 3. pro. clero cap. 4.

Clerk conuict
Treasons Felonyes
Felony
Ordinary

7 ¶ Where as clerkes arraigned of felony before seculer iustices which chalenged their clergie, and were demaunded by the ordinarie of ỹ place haue beene often before this time remaunded to the gayle of the said Justyce surmysinge to them that other thinges bee to ber said against them, neuertheless because the common lawe is, that a Clerke in such case ought not to bee remaunded to the gaile, but ought to bee forthwith arraigned of all, or otherwise deliuered to the ordinarie: It is accorded, that this point bee kept by al manner of Justices and iudges seculer throughout our Realme. An. 25. E. 3. pro clerc cap. 5.

8 ¶ The king, considering that the woordes and termes (that is to saye) Insidiatores viarum and depopulatores agrorum, compriled in the petition deliuered to him in this parliament by the clergie of Englande, hath not bene commonly vsed in endictments, arrainements, appeales, nor in other impechemẽtes, in the time of his said graundfather, nor in the time of his other noble progenitours, and willing by so much to auoide such nouelties, for the greate quiete and suertie of his people, by thassent of the lordes and commons of the same parliament, wil and graunteth, and hath ordeined & stablished, that the said woordes and termes shall not be from henceforth vsed, nor put in endictmentes, arrainements, appeales, nor any other impechments. Nor that by force of any such woorde, or terme, any clerke religious or secular, nor none other of the kinges leige people, shalbee from henceforth arraigned, appealed, impeched, nor greued before any seculer iudge: but our said soueraigne lord will well, that the Justices may take & receiue before them endictmentes, arrainements, and appeales of felonies, bearinge in them the effecte of the sayd woordes

Indictmẽt
Religeous
Justices
Felonies
Appeales

wordes and termes, if any persone of such felonies shalbee hereafter endicted, arraigned, or appealed, and if percase in time to come any clerks religious or seculer, shalbe indicted, arrained, or appealed, and their endictments, arrainements, & appeales do beare the effect of the said wordes, ỳ is to say Infidiatores viarum, & depopulatores agrorũ, or other words purporting like effecte, yet neuerthelesse such clerkes shal haue & enioy ỳ priuiledge of holy church, and shalbe deliuered to the ordinaries them demaunding or their deputies, without any empechement or delay. An. 4. H. 4. cap. 2.

Priuiledges Ordinaries

B. of Canterbury Conuict

9 The An. 4. H. 4. ca. 3. how the Bishoppe of Canterbury for him & other promised ỳ clerks cõuict should be kept safely by their ordinaries according to a constitution prouinciall therof to be made, and ỳ they should not make purgation against ỳ constitution.

10 Euery person not being within orders which once hath ben admitted to the benefit of his clergye, elsons arrained of any such offence, be not admitted or haue the benefitt or priuilege of the clergie. And ỳ euery person so conuicted for murder to be marked with an M. vpon the braune of the left thũb. And if hee be for any other felony the same persone to bee marked with a T. in ỳ same place of the thumbe, and these markes to bee made by the Jaylour openly in court before the iudge, or that such persone bee deliuered to the ordinary. Prouided alway that if any person at ỳ second time of asking ỳ clergy, because hee is vin orders, hath not there his letters of his orders, or a certificat of his ordinary witnessinge the same, ỳ then the iustices afore whom he is so arraigned shall geeue him a daye by their discretion to bringe in hys sayd letters or certificat. And if hee faile & bring not in at such a day his said letters nor certificat, then the same person to lose the benefit of his clergie, as he shal do that is wõut order, An. 4. H. 7. ca. 13.

Murder Burning in the hand

Letters of orders

Iustices

11 The captaines An. 7. H. 7. cap. 1. & An. 3. H. 8. ca. 5. that if souldiers depart it is felony, and they shal not enioye the benefit of their clergy.

Souldiers Felony

12 If any lay ylon hereafter prepensedly murder their lorde, maister or soueraigne immediat, that they hereafter bee not admytted to their clergie. And after conuictiõ or attainder of any such person so hereafter offending had after ỳ course of the law, that ỳ same person bee put in execution as though he were no clerke Ann. 12. H. 7. ca. vltimo.

Murder

13 An. 4. H. 8. ca. 2. clergy was putt out in certaine cases to endure to ỳ next parliament.

14 No person or persons which hereafter shal happen to bee founde guilty after the lawes of this land, for anie manner of pety treason, or for any wilfull murder of malyce prepensed, or for robbing of any Churches, Chappels, or other holy places, or for robbing of any person or persons in their dwelling houses or dwelling place, the owner or dweller in the same house, his wife, his children or seruants then being within, and put in feare and dread by the same, or for robbing of any person or persons in or nere about the high waies, or for wilful burning of any dwelling houses or barns wherein anye graine or corne shal happen to be, nor any person or persons beinge found guilte of any abettment, procurement, helpig maintaining, or councelling of any such pety treasons, murderers, or felonies, shall from henceforth bee admitted

Pety treason wilful murder Sacrilege

Burglary

Robbery by the way Burning of houses

Abbettors in pety treason

mitted to the benefit of his or their clergy, but vtterly be excluded therof, & suffer death in such manner and forme as they should haue done for any the cauſes or offences aboueſaid if they were no clerkes, ſuch as be in holy orders, ỳ is to ſay, of the orders of ſubdeacon or aboue al onelys except. And bee it &c. ỳ euery ſuch perſon & ꝑſons vnto ſuch orders of ſubdeacon or aboue, which at any time hereafter be found guilty of any petty treaſon, or of anie murder of malice ꝓpenſed, or of any of the felonies aboue rehearſed, or of any acceſſary to petty treaſon, wilful murder or to any other the felonies aboue ſpecified, and admitted to his or their clergye, and deliuered to the ordinary for the ſame, ſhal not in any wiſe from hencforth be ſuffered to any purgation nor bee ſet at libertie, but remaine & abide in perpetuall priſon, vnder the keeping of the ordinary to whom hee ſhalbee committed and his ſucceſſors without anye manner of purgation during the natural life of euery ſuch conuict, except onely ſuch perſonne or perſons ſo beinge within ſuch holy orders and conuict of or for any of ỳ offences aforeſayd, and deliuered to the ordinary for ỳ ſame, doo find two ſufficient ſuerties by recognizaunce before two of the kinges Juſtices of his peace within the ſame ſhire wher the petty treaſon, murder, or felonye wherof he was conuicted was committed and done whereof one of them to bee of the Quorum, that ſuch conuict ſhalbes of good abearing againſt the king our ſoueraigne lord his lawes and ſubiects, euery ſuch conuict to be bound in ỳ ſume of xl. li. and euerie his ſuerties in xx. li. And that no ſuertie bee taken vnleſſe ſuch as may diſpend in landes tenementes or hereditaments yearely aboue al charges of eſtate of inheritãce or charter hold rrvi.s viii.d. or els be worth xx. li. in moueable ſubſtance at the tyme of ỳ takinge of ſuch recogniſance. And ỳ two Juſtices of peace, whereof one to bee of the Quorum, by auctoritie aforeſaid, haue power and auctoritie to take ſuch recogniſance. And that the ſaid Juſtices aforewhom any ſuch recogniſance ſhalbe taken, ſhal certifie the ſame into the kings bench, with iiii. moneths next after the taking therof vppon paine to loſe & forfait C.s. for euery default therof. (See a like matter infra. 17.) Prouided alway, that this act extend not to greue anie perſon or perſonnes whych after their confeſſion or iudgement geeuen againſt them, of or for felony or murder, or after they bee outlawed for anie ſuch cauſe be admitted to their clergy, & deliuered to the ordinary for the ſame, but that they and euery of them ſhal remaine in the cuſtody of the ordinary without making purgation, vpon ſuch peril and in ſuch maner & forme as it was vſed by the common lawe before the making of this preſent act, this act or any thing therein conteyned notwithſtanding. Prouided alwayes and it is further enacted, that euery ordinary to whoſe cuſtody any ſuch conuict for any of the offences aforeſaid rehearſed ſhalbee committed, maye at his libertye diſgrade euery ſuch conuict after the law of ỳ church if hee ſee cauſe ſo to doo, and ſend ỳ conuict ſo diſgraded in ſure and ſafe keping into the kings bench with a certificate vnder his ſeale, reſiſtyinge ỳ ſaid diſgrading, vppon the which ỳ Juſtices of the kinges benche hauing afore them the record vppon ỳ which the ſaid perſon ſo diſgraded was firſt conuict, ſhal geue ſuch like iudgemẽt of death vpon ỳ ſame record againſt euery

Freehold

Juſt. of p.

Certifie

Fort.

Confeſſion
Judgemẽt

Outlawed

Ordinary

Diſgrade

Kings bẽch

Judgemẽt

euery such person so conuict disgraded as ỳ iustices afore whom he was conuicte might haue done if the sayd person disgraded at ỳ time of his conuiction afore thẽ had be no clerke his admission to his clergye, & cõmitting to ỳ ordinary, nc any other thing, vse or custome to the contrary herof not wtstanding. And ỳ euery such iudgmt shalbe executed accordingly. And ỳ euery ordinary so sendinge any such conuict disgraded into ỳ kings bench shalbee disgraded against ỳ king our soueraigne lord his heires and successours or ony for anie further custodye or keping of the same conuicte. This acte to continue to the laste day of the next parliament, An. 23. Henrici. 8. cap. 1.

And this act continued. An. 28. H. 8. ca. 1. to endure to the last daye of the next parliament. And after, 32. H. 8. ca. 3. it is made ỳpetual. And it is ther further enacted ỳ such persons as ben or shalbee within holy orders, which by the lawes of this Realm ought or may haue their clergye for any felonies, and shalbee admitted to the same shalbe brent in the hand in like maner and fourme as lay clerkes brn accustomed in such cases, and shall suffer & incurre afterward al such peins daungers, and forfaitures, as bee ordered and vsed for theire offences of felony, to al intents, purpoles & constructions as lay personnes admitted to their clergy, bee or ought to bee ordered and vsed by the lawes & statutz of this Realme, any statut, lawes, prouisions, ỳuileges, customes, or anie other thing to ỳ contrary herof heretofore vsed notwtstanding. An. 32. H. 8. cap. 3. But the said act of 23. H. 8. ca. 1. is altered and diminished in diuers thinges. Mr. patet poll 21. Anno. 1. E. 6. cap. 2.

25 ¶ An. 27. H. 8. ca. 21. it is enacted ỳt a clerke conuict break the ordinaries ỳison it is felony, & he shall not haue his clergie except he bee vnin orders, & then he to remaine without purgatiõ but the ordinary may disgrade him & send him to the iustices to haue iudgment & execution &c. but this felony is repelled by 1. Ma. sessione, by general wordes.

16 ¶ Euery persone & persons ỳ is or hereafter shalbee endicted of pety treason, wilful burninge of houses, murder, robery, or burglary, or other felony according to the tenor & meaning of the same statut, & thereuppon arrained, & do stand mut of malice or frowarde minde, or challenge peremptory aboue the number of xx. or else will not or do not answere directly to ỳ same endictment and felony wher uppon he is so arraigned, shall from henceforth loseỳ benefit & ỳuilege of his or their clergy, in like maner and forme as if he had directly pleaded to ỳ same pety treason, murder, robberye, burglary, or other felony, wherupon he is so arraigned, not giltie, & therupon had be found giltie, after ỳ lawes of the land. And bee it &c. that if any person or personnes be hereafter endicted of felony, for the stealing of any goodes, or cattels in any countie within this Realm of England, & therupon arrained and bee found gilty or stand mute of malice, or challenge peremptory aboue the number of twenty personnes, as is afore sayde or will not vppon his said arrainment direct in answere to the same felony: that then the same person and personnes so arrained and found giltie, or stand mute of malice or challenge peremptory aboue the number of twety persons, or will not directly answere to the lawe shal lose & bee put from the benefit of their clergy in lyke maner & fourme as they should haue ben if they

Burning in the hand

Fort.

Felony

Repeale

Pety treason

Mute
Peremptory
Challenge

they had bene endicted and arrained and found giltye in the same countie, where the same Robbery or burglary was done or committed, if it shal appeare to the Justices, before whom any such felons or robbers bee arrained by euidence geuen before thē, or by examination, ẏ the same felonies whereuppon they bee so arraygned, hadde bene such robberies or burglaries in the same shire where such robberies or burglaries were committed or done, by reaſō wherof they should haue lost the benefit of theire clergie by force of ẏ said statute in case they had beene founde giltye thereof in the same shire, where such robberyes or burglaries were so committed and done. Anno. 25. H. 8. cap. 3. This acte is confirmed in Anno. 28. H. 8. cap. 1. to endure to the laste day of the next parliament. And after Anno. 32. H. 8. ca. 3. it is made perpetual. This act is altered and minished in dyuers things as appereth hereafter 2i. An. 1. E. 6. ca. 12. But after 5. E. 6. ca. 10. this act of 25. H. 8. is reuiued, as appeareth herafter, 24.

¶ Euery such ꝑsons ꝑsons as is recited in the said statut of 23 H. 8. ca. 1. ioin with other of subdeacon or aboue, being conuict of any pety treason or of any murder or malice ꝓpensed, or of any of ẏ said felonies aboue reherced. 8. in ẏ said statut of 23. H. 8. ca. 1. or of any accessary to pety treaſō wilful murder, or to any other ẏ said felonies aboue specified. 8. in the said statut of 23. H. 8. ca. 1. before my Lord Marcher, Steward, Lieutenant deputie, or other Justice or officer, ioin Wales, or within any other place, citie, towne, honour, lordshippe, manour within ẏ kings dominiō, wher no Justices of the peace, and of the Quorum bee, and thereuppon the same cōuict admitted vnto his clergy that the same persone or persones so beinge within such holy orders, & conuict before anie such Lord Marcher Steward, Lieutenaunt, Deputye, or other iustice, or officer in Wales, or within any such place, Citie, or town, honour, Lordshippe, or manor, within any the kinges dominions, where be no Justices of ẏ peace and of the Quorum, or for any of the offeners aforesaid, and deliuered vnto the ordinary, as clerke conuict for the same, shall or maye finde two sufficient sureties by recognisance for his good abearinge before two of the kinges Justices of peace, whereof the one to bee of the Quorū, in the shire where the same conuicte is or shalbee kept in the ordinaries prison, if the same prison bee within the shere ground, where Justices of the peace and of the Quorum bee, or else before two of the kinges Justices of the peace, whereof the one to bee of the Quorum in the nexte shire adioininge vnto the same prison. And that ẏ sāe two Justices of the peace, wherof thon to bee of the Quorum, to haue power & auctoritie to take such recognisāce & to certifie the same in like manner & formē vppon like pain as it should or ought to haue ben done by vertue of the said former act, if the same pety treason, murder, felony, or other offence, of or for which any such cōuict was, or shalbe conuicte and admitted vnto his clergie, as is aforesayd, had bene committed and don within the shire ground, where Justices of the peace, and of the Quorū be. An. 26. H. 8. ca. 12.

¶ Such as be within holy orders shall from henceforth stand & bee vnder the same paines and daungers for the offences contained in any of the said statutes, (s. in abiuration, 32. H. 8. cap. 14. and infra 23. H. 8. capi. 1.

and

and infra 25.H.8. capitulo.3. et in felony, An.25.H.8.capitulo 6. Jand bee bied and ordered to al entents & purposes, as other persons not being wt in holye ordere: Any prouision or exception specified in anie of the sayd actes, or any other vsage or custome of this Realme to the contrary ther of notwithstandinge. This act to endure vnto the last day of the next parliament. Anno.28.H.8. cap.1. and after An.31.H.8.ca.2 this act is made perpetual.

Clergy prohibited

19 ¶ De trial Ann.28.H.8.ca.15.ẏ clergy is put away for treason, murder, robbery or felony done vpon the sea, or in any hauen, tyner, or creeke wher the admiral pretendeth to haue iurisdiction.

20 ¶ That if any person or persons at any tyme after the sayd feast of the Natiuitie of our lord god next commynge, do steale any horse, Gelding, Mare, Fole or Filley, and therof be found guilty by verdict of twelue men, or by his owne confession be attainted, or otherwise bee endicted for the stealinge of any horse, Gelding, Mare, Fole or Filley, & thereuppon arraigned and do stande mute of malice,

Mute

or froward & mynde or challenge peremptory aboue the number of xx. or els will not answere directly to the same endictment and felony, whereuppon hee is so arraigned, that then euery such persone and persons shall not from thenceforth bee admitted to haue the benefit of his or their clergy but vtterly be excluded therof, & shal suffer death, in such manner & forme as they should if they were no clerks Anno.xxiiij.H.8. cap.8. Sone here followinge.

Peremptory challenge

¶ No person or persons ẏ here tofore hath bene, or at any time here after shalbe in due forme of the lawes attainted or conuicted of murder, of malice prepensed, or of poisoning of malice prepensed, or of breaking of any house by day or night, any persone being then in the same house wher ẏ same breaking heretofore hath bene or hereafter shalbee committed, & her tofore hath bene or hereafter shal be therby put in feare or dread, or of, or for robbing of any person or persons in the high waye, or neare to ẏ high way, or for felonies stealing of horses, Geldings or Mares, or of felonyous taking of any goods out of anie parishe Churche, or other Church or Chappel, or beinge endicted or appealed of any of the same offences, and thereuppon found guilty by verdict of xii. men, or shal confesse the same vppon his or their arraignemẽt, or will not answere directly according to the lawes of this Realme, or shal stande wilfully, or of malice mute, shal not be admitted to haue or enioye the priuiledge or benefit of his clergy or sanctuary, but shalbe put from the same, and that in al other cases of felonye, other then such as before are mencioned, al and singuler person and persons which after ẏ first day of March next comming shalbee arraigned or found guilty vppõ his or their arraignment, or shal confesse ẏ same or stand mute in forme aforesaid, or will not answere directlye, in fourme aboue said, shal haue and enioie the priuiledge, and benefitte, of his or their clergye, the libertie and priuiledge of sanctuary, in like maner and forme as hee or they might or shoulde haue done before the xxviii. day of Aprill, in the first yere of the raigne of the said late king Henry the eight. (See before this matter). And be it enacted that in al and euery case & cases, where any of the kinges Maiesties subiects shal and may vppon his praier, haue the priuiledge of clergye as a clerke

Murder

conuict

Purgation

conuict that may make purgation, in all those cases, and euery of them and also in al and euery case and cases, of felony, wherin the priuilege & benefite of clergy is restrained, excepted or taken away by this statut or act (wilful murder and poysoning of malyce prepensed, only excepted) the lord and lordes of the parlement, and pere and peres of the realme hauing place and voice in parlement, shall by vertue of this present act of comon grace, vpon his or their requeste or praier, alledgig that he is a lord or pere of this realm, and claiming the benefit of this acte though he cannot read wout any burning in the hand, losse of enheritance or corruption of his blood, be iudged deemed, taken and vsed for the first tyme only, to al intences, constructions and purposes, as a clerke conuict, and shalbe in case as a clerk conuicte, which may make purgation without any further or other benefite or priuilege of clergy to any such Lorde or peere from thencefoorth at any tyme after, for any cause to be allowed, adiudged or admitted, any lawe, statute vsage custome or any other thing to ỹ contrary in any wise notwithstanding. Prouided alwaies, that if any of the said lords of the parlement or any of the peres of this realme for the time beig shal fortun to be endicted of any of ỹ offences limitted in this act, ỹ then they and euery of them shal haue his or their tryal by their peres, as it hath bene vsed heretofore in cases of hie treasõ. And be it &c. that if any person or persones that by this statute or by any other statutes or lawes of this realme ought to haue or bee admitted to the benefit of his or their clergie, ỹ the same person or persons shalbe frõ thencefoorth admitted & allowed to his or their clergie although they or any of them haue beene diuers and sundrie times married to any single woman or single women, or to any widowe or widowes, or to two wiues or mo, any lawe, statute, or vsage to the contrarie notwithstanding. Anno. 1. Ed. 6. cap. 12.

Murder
Poysoning

Lordes
Peres

Clergy allowed with out reading

Trial

Clergy allowed notwithstãding Bigamy

22 ¶ All and singuler person & persons feloniously taking or stealing any horse, gelding, or mare, shal not be admitted to haue or enioy the priuilege, or benefit of his or their clergie or iãctuarie, but shalbe put from the same, in like maner & fourme as though hee or they had bene endicted, or appealed for felonious stealing of two horses, two geldings or two mares of any other & therupon found giltie by verdict of xii. men or confessed the same vppon their arrainment, or stand wilfully or of malice mute. An. 2. E. 6. ca. 33.

Horse
Gelding
Mare

Clergy disalowed

23 ¶ If it happen any person or persons to be found giltie, according to ỹ lawes of this realme, for robbing of any person or persones after the first day of May next ensuing in any parte or parcel of their dwelling house, or dwelling places, the owner or dweller in the same house, or his wife, his children or seruaunts being then within ỹ same house or place where it shal happen the same robberie and felony to be committed & done, or in any other place within the precinct of the same house or dwelling place, that such offendours shall in no wise be admitted to their clergie, whether the owner or dweller in the same house, his wife or children, then and there being, shalbee waking or sleeping. And that no person or persons, which after the laide first day of May, shall happen to bee founde giltie, after the lawes of this realme, of & for robbing any person or persones in any bouth or tent, in any faire or market, the owner, his wife, his children, or seruaunts, or seruant, then being within the same bouth or tent, shal not from thencefoorth be admitted to the benefite of his or their clergie, but vtterly be excluded therof & suffer death, in such maner & forme as is before mentioned in the said act, made in the said xxii. yere of ỹ raigne

Burglary

Clergy disalowed

Faire
Market

Clergy disalowed

of the same late king, for robberies, & felonies committed & done in dwelling houses, & dwelling places, the owner or dweller in ỳ sãe, his wife, childrẽ or seruãts, then being wiñ ỳ same & put in feare & dread, wout having any respect or consideration whether ỳ owner or dweller in such boothes and tents, his wife, children or seruantes being in the same bouthes or tẽts, at any time of such robberies & felonies cõmitted, shalbee sleaping or waking An. 5. E. 6. ca. 9.

24 ¶By reaſõ of an article & clause conteined in ỳ statut here before in 2. an. 1. E. 6. ca. 12. ỳ statut heretofore in 16. an. 25. H. 8. ca. 3. which did put such felons & burglaries fro their clergie ỳ do such offence in one county & after are taken with the goods stollen in another countie & there endicted, arraigned & froũd guilty, was made void, wherfore in an. 5. E. 6. ca. 10. it is enacted ỳ the said act made in ỳ sayde xxv. yere touching ỳ putting of such offenders from their clergy, & every article clause, & sentence, conteined in ỳ same touching clergy, shal from hence forth touching such offences, frõ hẽce forth to be committed & don, stand remaine & be in full strength & vertue in such maner & form, as it did before ỳ making of the said act, made in the said first yere of ỳ reigne of our said soueraigne lord the king ỳ now is, any clause, article or sentẽce, comprised in the said act made in the said first yere to ỳ contrary notwithstanding Anno. 5. E. 6. ca. 10.

Remained

25 ¶An. 2. & 3. P. & M. an act was made to take away ỳ benefite of clergye from Bennett Smyth for the murder of Rufford if the same Bennet shoulde bee founde guilty as accessary to the murder, or should confesse the murder, or not aũswere directly, or stande mute or challeng peremptory aboue xx.

Bennet Smith

26 ¶That all and every persone & persons ỳ after ỳ first day of Marche next comming, shall maliciously commaund hire or counsell any persone or persons to cõmit or doe any pety treason, wilfull murder or to do any robbery in any dwelling house or houses, or to commit or doe any robbery in or neere any high way in the realme of England or in any other ỳ Queenes dominions or to committe or doe any robbery in any place within the marches of England against Scotland, or wilfully to burne any dwelling house or any part therof, or any barn thẽ haning corne & graine in ỳ same, ỳ then euery such offẽder or offẽders & euery of them being outlawed therof, or being thereof arraigned and found guilty by the order of the law, or being otherwise lawfully attainted or conuicted of the same offence, or being arraygned thereof do stand mute of malyce or of froward mind or doe challenge peremptory aboue the number of xx. persones or will not aunswere directly to such offence, shall not haue the benefit of his or their clergy. Prouyded alwaies and be it enacted that euery lorde and lordes of the parliamẽt and pere and peres of the realme hauing place and voice in the parliamẽt, vpon euery endictmẽt of any of ỳ offences aforesaid, shalbe tryed by their peres, as hath ben accustomed by the lawes of this realme. An. 4 & 5. P. et M. cap. 4.

Pety treason
Murder
Marches
Burne houses
Burne corne
Mute
Peremptory challenge
Clergie denied
Peeres

27 ¶Be it enacted that no person or persones, which hereafter shall happen to be indicted or appealed for felonious taking of any money, goodes, or cattelles from the person of any other, priuyly without his knowledge in any place whatsoeuer, and thereupon founde guilty by veraict of twelue menne, or shall confesse the same vpon his or their arraignement, or will not aunswere directly to the same, according to the lawes of this realme, or shall stande wilfully, or of malice or obstinately mute, or

Money Goods
Clergy denied

or challenge peremptory above the num-
ber of twenty, or shalbe vpon such en-
dictement or appeale outlawed, shall
not from hencefoorth bee admitted to
haue the benefit of his or their clergy,
but vtterly be excluded thereof, & shall
suffer death, in such maner and forme
as they should if they were no clerks.

Be it further enacted &c. that euery
person and persones which shall here-
after vpon his or their arraignemēt
for any felony bee admitted to the be-
nefite of his clergy by the lawes of
the Realme, & deliuēd to ỳ Ordinarie
for the same, and shall make his due
purgation for the same offence or offē-
ces, wherevpon hee was so admitted
to his clergy, and shall before the sāe
admission to his clergie, haue cōmit-
ted any other such offence wherevpon
Clergie by the lawes or statuts of this
realme is not allowable, and not bee-
ing thereof before indicted, and ac-
quited, conuicted, or attaynted, or par-
doned, shall and may bee endicted or
appealed for the same, and thereupon
put to answere, and ordered, and vs-
ed in all thinges according to ỳ lawes
& statutes of this Realme, in such and
like maner and fourm, as though noe
such admission of Clergy had bene,
Any lawe, custome, or vsage to the
contrary notwithstāding. An. 8. El.
cā. 4.

For the repressing of the most wic-
ked and felonious Rapes or rauish-
mentes of women, maydes, wiues, &
damsels, & of felonious Burglaries, &
for the auoyding of sundry periuries &
other abuses in and about the purgati-
on of Clerkes cōuict, deliuered to the
Ordinaries: be it enacted & ordayned
by thauctorite of this present Parlia-
ment, that if any person or persones,
shall fortune at any time after ỳ first
day of June now next ensuing, to com-
mitte or doe any maner of felonious
Rape, rauishment, or Burglarie, and
to bee founde guiltie, by verdict, of a-
ny such felonious rape or burglary, or Burglary
that any person or persons shall for-
time to be outlawed for any the offen-
ces aforesaied, or vpon his or their
arraignement shall confesse any such
felonious rape or burglarie: that in e-
uery such case, euery person and per-
sons so being founde guiltie, outlawed, Outlawed.
or confessing any of the said felonious
Rapes or Burglaries shal suffer paye-
nes of death, and forfayt as in cases Forf.
of felonie hath ben vsed & accustomed
by the common lawes of this Realm
without any allowance of the pryu-
ledge or benefite of Clergie: anye Clergy de-
lawe, custome, or vsage heretofore nied
had made, or vsed to the contrarie not
withstanding.

And moreouer, be it further enac-
ted by the auctorite aforesaid, that e-
uery person and persons, which at a-
ny time after the ende of this present
session of Parliament, shalbe admit-
ted and allowed to haue the benefite
or priuiledge of his or their Clergie,
shal not therevpon be deliuered to the
Ordinarie, as hath bene accustomed, Ordinarie
but after suche clergie allowed, & burn-
ing in the hand, according to the sta-
tute in that behalf prouided, shal forth
with be enlarged and deliuered out of
prison, by the Justices before whome
such clergie shalbe granted, that cause
notwithstanding. Prouided neuer-
theless, and be it also enacted by the
auctorite aforesaid, that ỳ Justices
before whome any such allowance of
clergie shalbe had, shall and may for
the further correction of such persons
to whome clergie shalbe allowed, de-
teine & kepe them in prison for suche
conuenient time, as the same Justi-
ces in their discretions shall thinke
conuenient, so as the same do not ex-
ceede one yeres imprisonment: anye Imprison.
lawe or vsage heretofore had or vsed
to the contrarie, in any wise not with-
standing.

And for plaine declaration of law,

be it enacted ẏ if any person shall vn lawfully and carnally knowe and a buse any woman child vnder the age of ten yeeres, euery such vnlawful & carnall knowledge shalbe felony, and the offendour thereof being duely conuicted, shal suffer as a felon, without allowance of Clergie. Rape Felony

¶ Prouided alwayes, that al and euery person and persones, which shal hereafter be admitted to haue the benefite of his or their Clergie, shall, notwithstanding his or their admission to the same, be put to answere to al other felonies whereof he or they shalbe hereafter indicted or appealed and not being thereof before acquited conuicted, attainted, or pardoned, and shal in such manner and fourme bee arraigned, tryed, adiudged, and suffer such execution for the same, as hee or they should haue done, if as Clerk or Clerkes conuict they had ben deliuered to the ordinarie, and there had made his or their purgations: anything in this Act conteined to the contrary notwithstanding. Ann. 18. El. cap. 7. Answere

¶ *Clerkes of the Chauncery.*

YE shall sweare, that wel and lawfully ye shall serue our soueraigne lorde the king, and his people, in the office of Clerk of ẏ chancery, to which ye be attitled: And ye shall not assent nor procure the kings disherison, nor damage to your power, nor ye shall do nor procure to be done, any fraude to any mans wrong, nor thing that toucheth the keeping of the seale, & ye shall lawfully counsaile in the thinges ẏ toucheth the king, when yee shalbe therto required. And ẏ counsaile which ye know touching him ye shall kepe secret. And if ye knowe the kinges disherison or perpetuall damage or fraud to be done vpon thinges, which touche the kéeping of the seale, ye shal put your lawful power to redresse & amend the same. And yf ye cannot ẏ same do, then ye shall certify the chauncelor or other, which may do the same to be amended to your intēt. And for the clerks of courte shalbe added. And ye shall not bring, nor to your knowleog suffer to be brought any writs, which ye make out of the court not sealed, therof to do execution, nor shall record any attourney by writes nor without writs, without especial licēce if ye haue not lawfully examined the party, and the attourney in propre persone, or at the least, him that shall make attourney in propre person, nor yee shall deliuer no writte which shalbee of commaundement to the examiners, nor to the seale, beefore that the same writte be sent to you by the commaundour, which thereof hath power, vnlesse it be to the chauncelor or to one of the maisters, which commaundeth you to make their writes. And al the writtes that ye shal make ye shal deliuer them to the examiners by your owne hand, or by one of your felowes which is swoorne to the king, if ye your selfe be out of the court, be cause of sickines or other cause necessary, so that ye can not the sāe do. And no write written of an other manes hand be deliuered to the examiners vnder your name, as yours, nor no name shall ye put vpon your writes, but your owne, as God you helpe & all sainctes. An. 18. E. 3. tint de Sacramentum Clericorū Chancellerii. Fraud Seale Chauncelor Writts Attourney Licence Maisters Examiners

2 ¶ Anno. 14. H. 8. ca. 8. an act is made ẏ the vi. Clerks of the Chancery may marry. vi Clerks Mary

¶ *Clerkes of the Crowne.*

BEcause that complaint is made to our soueraigne lorde the king by ẏ said commons, of the clerke &c. the crowne of the kings bench, where as yr. rl. or C. men be endyted of one felonie, or of one trespasse, and all they plede to an issue, as not guilty, the said clerke ought not to take for the Venire fa- Indicted Felonie Venire facias

re fa-

Extorcion

re facias, nor for the entring of the plea, more then .ii.s. the said clerk doth take for euery such name by extortion .ii.s. in great oppression of the people, Our said soueraign lord the king, willing to saue his said people of such extorcions and iniuries, by the aduise & assent of the said lordes spirituall and temporal, and at the prayer of the said cõmons, hath ordeyned & stably shed, that ỹ said clerk of ỹ crown shall take no more then hath ben duelye vsed of old times. And moreouer our sayd soueraigne lord the king hath charged the Justices of the kinges bench, that no extorcion be done in this behalfe in the benche aforesayd. An. 2. H. 4. cap. 10.

Fees

Iust. of the K. bẽch

¶ *Clerk of the maket.*

Kings house

False measures. Weights

THe clerke of the market of ỹ kigs house, shall do his office well and duely. And that al false measures and weyghtes shall bee burned after the fourme of the statute. And that the said clarke take no common fine, but that euery person, which is founde in default touching the same office, be punished according to his deserving, and that he shall not ryde but with .vi. horses at the most, and that he shall not tary in no towne nor other place no longer then the necessity of his deede shall require, and if he doo any thinge contrary to this statute, and be therof duely conuict he shall paye to the king at the first time that he shalbe so conuicte an C.s. and at the second tyme x.li. and at the third tyme xx.li. An. 13 H. 2. ca. 4.

Fine

¶ *Clerkes of the signet and priuie seale.*

Graunts Leases

A Nno. 27. H. 8. ca. 11. an act was made howe and in what wise the kinges graunts, writings and leases shal passe the priuie Signet the priuy Seale & the great Seale, and in what time they shall passe those seales, & for faitures set vpon the clerkes of the priuie signet and priuie seale, for not doing their duties, & what fees they shal take for those writtings, & what fees shalbe paid to any person for the sãe, and howe and where such writinges shal come to the great seale with an immediate warrant and not passe the signet or priuie seale, and what fees shall then be payd therfore & how & vnder what seales the kings leases, grãtes, and writinges of lands, or offices of the countie Palantine, or duchy of Lancaster shal passe, and what grãts leases or writigs for the king may be made without his warrãt, and diuers articles at large concerning these matters.

¶ *Collectors.*

Abbots Priours Dismes Subsidies

A N. 9. H. 5. ca. 9. an act was made (to endure to the next parlement that should bee after the kinges returne into England) ỹ Abbotes and Priors should not be collectors of dismes or subsidies out of the shires wher they dwelt.

Dismes Fifteens

2 ¶ An. 6. H. 5. ca. 2. ca. 10. an act was made (to endure to the next parlement that should bee holden after ỹ kings retorn into Englãd for collectors of x.s & xv. to recouer such money as they paid for their felowes.

Citie

2. ¶ That no man dwelling within any citie or borough within the said realme, of which citie or borough it hath ben vsed before this time & yet is, the names of certaine men by the persõs for the said citie or borough cõming to the parlement, to bee deliuered in the kings chauncery to bee collectoures of dismes, in the same citie or bourghe. And wherupon ỹ king hath sent his letters patents to the sãe persones so named and deliuered in his chauncery, to be collectoures of the disme or parcell of the same within ỹ said city or borough, and the which collectoures haue occupied and be bound to accompt of their receypt in this be-

Parliament Dismes

Letters patents Chauncery

Exchequer

halfe immediately in the kings eschequer shall in any wise be deputed nor assigned to bee Collectour of any quintisme or any parcell of the same, graunted or to graunted to the king or his heyres within any countie of this realme, except that he may expend in the countie out of the said citye or borough in landes or tenementes to the value of an hundred shyllynges by yere over al charges and reprises. An 18.H.6.cap.5.

Freehold

¶ *Common plees.*

Common pleas shall not folaw our court but shalbee holden in some place certain Magna Charta.ca.11.

Eschequer

2 ¶No common plea shalbe from henceforth holden in the eschequer contrary to the fourme of the great charter Artt. super cartas. cap.4. Anno. 28.E.1.

¶ *Commission and Commissioners.*

By An.18.Ed.3.cap.1. commissions granted to enquire of certaine things were repelled.

Enquiries Repealed

2 ¶By An.18.E.3.ca.4. cõmissions made to assay measures, yardes, and weightes were repelled & that no such commissions should after bee graunted.

Measures Yardes Weights Repealed

3 ¶Fromhenceforth in all enquiries within the realme, commissions shalbe made to some of the Justices of the one benche or of the other, or iustices of assise, or iustices of the peace with other of the most worthy of the countrey as well for the kinges profite as the commens, saving in the office of eschetour ship or thing that toucheth the same office. Anno.42.E.3.ca.4.

Just. of both bēches Just. of ass. Justic. of p. Eschetour

4 ¶An.10.R.2.a commissiõ was made by the king and aucthorized by that parliament to diuers to survey ỳ kings reuenewes, and to correct and reforme for many things there expressed, any penalties set vppon them that should move the king to repeale this commission. And after An.11 R.2.ca.2. & 3. the said commission was affirmed & all that was done by force of ỳ cõmission, & ỳ none should be molested for rising, assembling of force for any thing against the ỳ did re fuse ỳ commission nor for any evil gouernance aboue ỳ king, except certein persons there named. And after. An. 21.R.2.ca.2. the said statute of An. 10.R.2. in that article & the said commission & all the paines & dependants thereupon were repelled, it was there enacted ỳ no such cõmission should after be made & that who so purchased, or procured, or put in vre any such commission should be a traitor. But ỳ parlement of An.21.R.2. was repelled by 1.E.4.ca.3.

Repealed

Traytor Repealed

5 ¶An.2.H.4.ca.9. it was enacted that commissioners made in the time of R.2. that were rifled & had declared their commiõs should not be charged to certifie but should be discharged by their othes.

Discharge Othes

6 ¶By cause that many commissions be made in the chauncery and directed to diuers persons of the realme somtime to enquire and certify, some time to enquire heare and determine, and somtime to scale landes and tenements, goods and cattels, which commissions neuer came to the hands of the said commissioners, wherevpon writtes yssued out of the eschequer of our soueraigne Lord the king, to distreyne such commissioners their executours heyres and landtenants, somtime to yelde the estretes of the fines issues and amerciamentes, which perteineth to our soueraigne lorde ỳ king by cause of the said commissions, somtime to certifie that which is found before them by enquest, and somtime to attempt of certeyn thinges conteined in the said cõmissions, to ỳ great damage and disquieting of many the kinges liege people: The same our soueraigne Lord the king, for the ease and quietnes of his people, willyng in this case to provide remedy, by the

Chauncery

Dier & tre.

Eschequer

Executors

Amercements

assent

assent aforesayd, will, and hath ordey
ned and stably shed, that the Chaun-
cellour of Englande, for the tyme be-
ing, shall vse his power as hee hath
done for the this time, in this case.
And in other cases, ỳ sãe Chauncellor
calling to him such Justices, as him
shall please, or the chiefe Baron of the
Eschequer if nede bee shall have pow
er by auctoritie of parliament, to pro
vide remedy from tyme to time, by
their discretion. An. 4. H. 4. ca. 9.

Chauncellor

Justices

Chief barõ

7 ¶ Where as many of the kinges
lyege people be assigned by the com-
missions, to do and perfourme the con
tenue of the same, some to here and
determine, some to enquire and certi
fie, and other wise, whereby the same
commissioners be greviously distrey-
ned by processe out of the eschequer, by
reason of the said commissions, and by
ỳ occasion do lose great wages, where
the said commissioners were never
knowing of such commissions nor the
same commission never came to their
handes, to the great damage & disease
of many of the kinges subjectes,
It is ordeyned and stablyshed, that ỳ
barons of the eschequer shal have pow
er to receive the othe of such commissi
oners and of their excuse and discharg
of the reiceit or occupation of the said
commissions, and also that the same
barons & the Justices of the one bench
& the other shall have power by writs
of Dedimus potestatem, to receyve
such othes in the countreye, and that
the same Justices shall therof certifie
the said barons in the eschequer from
time to tyme, and that vpon the sãe
the said barones shal discharg the said
cõmissioners, and in like wise it shalbe
done for their heirs executors or lãd
tenantes of the same commissioners.
Provyded alwaies that such othes be
not taken but in the case of commissi-
ons of oyer and determyner, and of
en pirie and certifieng onely. An. 7.
H. 4. ca. 11.

Barons of ỳ eschequer

Justices of both ỳ B.

Dedimus potestatem

Discharge

Heires Executors

Oier & ter-
miner

8 ¶ An. 31. H. 8. ca. 14. an act was
made for matters of religion, called ỳ
act of ỳ five articles, & therin was en-
acted ỳ cõmissiones should be made
to êquire of these maters, but an. 1. E
6. ca. 12. ỳ act was repelled. And bee-
fore ỳ repeal. s. an. 32. H. 8. ca. 15. an
act was made ỳ certi spirituall officers
& iudges should be cõmissioners. But
after. 1. E. 6. this act of 32. H. 8. was
of no force because ỳ said statut of 31
H. 8. ca. 14. was repelled.

vi. Articles

Repealed

## ¶ Condicion.

ALl well all and euery ỳ person and
persons, and bodies politike, their
heires successours, and assignes
which have or shall have any gift or
graunt of our said soueraigne lorde by
his letters patentes of any lordships,
maners landes tenementes, rentes,
personages, tithes, portions, or any o-
ther hereditamẽtz, or of any reuertion
or reuersions of ỳ same, which did be-
long & apperteine to any of ỳ said mo-
nasteries & other religious & ecclesias-
ticall houses dissolued, suppressed, re-
linquished, forfait, or by any other
meanes come to ỳ kings handes since
the said fowerth of February, ỳ xxvii.
yere of his most noble raign, or which
at any time heretofore did belong or
appertain to any other person or per-
sons, & after came to the handes of our
said soueraigne lorde, as also all other
persons being grãtees or assignes to
or by our said soueraigne lorde ỳ king,
or by any other person or persons the
kings highnes, and the heires ex-
ecutors successours, and assignes, of e
uery of them shall and may have and
enioy like auantages against the les-
sees their executors & administrators
& assignes by ỳr or non payment of
ỳ rẽt, or for doing of wast or other for
feiture, & also shal & may have & enioy
all & euery such like & ỳ same auãtage
benefite & remedies by accion onely
for not performing of other condicions
conenantes or agrẽments contained
and expressed in the indẽtures of their

Heires Executors

Lesse

said leases, dimises or graunts, against all and every the said lessees and fermours and grauntees their executours and administratours, and assignes, as the said lessoures or grauntoures them selues or their heires or successoures ought shoulde or might haue had and enioyed at any time or times, in like maner and fourme as if the reuersion of such lands tenementes, or hereditaments had not come to the handes of our said soueraign lorde or as our sayde soueraigne Lorde his heires and successoures should or might haue had and enioied in certain cases by vertue of the actes made at ỹ first sessions of this present parliemẽt c.an.31.H.8.ca.13.vvhich is in Monasterie.11.) if no such graunt by letters patents, had been made by his highnes. Proe ouer be it ec. that al fermours leasees & grãtees of Lordshyps manors, landes and tenements, rẽts personages, tithes, porcions or any other hereditaments, for terme of yers life or lines, their executours administratours & assignes shal and may haue like accion aduantage and remedy against all and euery persone and persones and bodies politike their heires successours and assignes, which haue or shall haue any gifte or grant of the king our said soueraign lord, or of any person or persons of the reuersion of ỹ same manors, landes, tenementes, & other hereditamentes so letten or any parcel thereof, for any condicion, couenant or agreement conteigned or expiessed in the indentures of their lease and leases, as the same lessees or any of them might and should haue had & against the said lessoures, and grauntours, their heires, or successoures, all benefites and auauntages, of recouenies in value by reason of any warranty in deede or in lawe, by voucher or otherwise onely excepted. Prouided alwaies that this act, nor any thing or thinges therein conteined shall extend to hinder or charge any person or persones, for the breach of any couenant or condition compriled in any such writing as is aforelayde, but for such couenauntes and condicions as shall bee broken or not performed after the first day of September next comming and not before, any thing before in this act conteyned to the contrary thereof notwithstanding. Anno.32.H.8.ca.34.

Personages Tythes

Accion

Couenants

Reuersiõs

2 ¶ See hyrst fruites and tenthes 9. a lyke statute for Graunte of Reuersions, and ỹ leasses & their grantes, of benefices appropriate renounced by the king and Queen to the spiritualty.

## ¶ Confirmation.

THe great charter shalbe obserued in all his articles, as well in such as perteigne to the king, as to other and that shalbee enquired afore the Justicers in eyre in their circuites, and afore the shiriffes in their counties, when nede shalbe. And writtes shall bee freely graunted against the that do offende beefore the kinge, or the Justicers of the bench, or beefore Justicers in eyre, when they come in to those parties. Likewise the charter of forestes shall bee obserued in al his articles, and the offenders, whe they be conuicte, shalbee greuously punished by our soueraigne lorde the king in fourm aboue mencioned. Marlbridg ca. 5. An. 52. H. 3.

Magna carta

Shirifes

Carta de foresta

2 ¶ From hencefoorth the great charfoure of the liberties of Englande graunted to all the comnaltie of the Realme, and the chartour of forestе in like maner graunted, shalbee obserued, kepte, & maintened in euery point, in as ample wyse as the kyng hath graunted, renewed, and confirmed them by hys chartour. And that the chartour bee deliuered to euery shiriffe of Englande vnder the kings seale to be read fower times in ỹ yere beefore the people in the full county, ỹ

Magna carta

Carta de foresta

Shirife

si

is to wete, the next Countye day after the feaſt of ſaint Michael, and the next coũty day after ỹ feaſt of Chriſt mas & after Eaſter, & after the feaſt of ſaint John Baptiſt. And for theſe two chartours to be fermely obſerued in euery point and article (where before no remedy was at the common law) ther ſhal be choſē in euery ſhere courte by the comminalty of ỹ ſame ſhire three ſubſtancial men knights or other lawfull wiſe & well diſpoſed perſons, to be Juſtices, which ſhal be aſſigned by the kings letters patents vnder the great ſeale to heare and determyne (without any other writte but onely their commiſſiõ) ſuch plaits as ſhall bee made vppon all thoſe that committ or offend againſt any point contained in the foreſaid chartours, in the ſheres where they be aſſigned, as well within fraunchiſes as without. And as well for the kyngs ſeruants out of their places as for other, and to heare the playntes from day to day without any delay, & to determine thẽ without allowyng the delayes which be at the common lawe. And the ſaid knightes ſhall haue power to puniſhe all ſuch as ſhall bee attaynted of any treſpas done contrary to any point of the foreſaid chartours (where noremedy was before the common lawe) as before is ſayd by impriſonment, or by fine, or by amerciament according to the treſpas. Neuertheleſſe the king nor none of his councell ỹ made this ordinance entend that by vertue herof any of the foreſaid knights, ſhall hold any maner of plea by power for to admit any ſuit in ſuch caſes, wherin ther hath been remedy prouided in tymes paſſed after ỹ courſe of the common lawe by writte. Nor alſo that ỹ common lawe ſhould be preiudiced, nor ỹ chartours aforeſaid in any point. And the king willeth that if all three be not preſent, or can not at all times attende to do their office in fourme aforeſaid, the kinge commaundeth ỹ two of thẽ ſhall doe it. And it is ordayned that ỹ kinges ſheriffes and bailiffs ſhalbe attendant to doe the commaundemẽts of the foreſaid iuſtices as forſoth as apperteineth vnto their offices. Articuli ſuper cartas, cap. 1. Anno. 28. Edwardi. 1.

Knights Juſtices

Oier & ter.

Knights ſeruants

Impriſon

Cõmõ lawe

Sheriffe Bailife

3 ¶In the ſecond volum of ỹ olde ſtatuts is an ordinance intituled, cõfirmacio cart de libert Angl. et foreſte An. 25. E. 1. by which is ordened ỹ the charter of Magna carta & the charter of the foreſt ſhalbe kept, and that the ſame charters ſhalbe publiſhed in townes & read in Cathedral Churches & that biſhops ſhal excommunicate the breakers therof. And thẽ followeth a form of a ſentence of excõmunication intituled Sentẽcia lata ſuper confirmatione cartarum.

Excõmunicat

4 ¶Magna Carta & carta de foreſta ſhalbe kept & put in execution. An. 1. 2. 4. 5. 10. 14. 28. 31. 36. 37. 38. 42. 45. & 50. Ed. 3. ca. 1. An. 1. 2. (ſtat. 2. 5. 6. ſta. 1. 6. ſta. 2. 7. 8. & 12. R. 2. cap. 1. An. 1. 2. 4. 7. 9. & 13. H. 4. ca. 1. And A. 4. H. 5. ca. 1.

5 ¶If any ſtatut be made contrary to Magna carta & carta de foreſta, it ſhalbe void. An. 42. E. 3. ca. 1.

6 ¶All eſtatutes not repelled ſhalbe kept & put in executiõ. An. 10. 28. 36. 37. 38. & 50. E. 3. ca. 1. An. 1. 2. ſta. 2. 3. 5. 6. 7. 8. 9. & 12. R. 2. ca. 1. & An. 13. R. 2. ca. 8. & An. 15. R. 2. ca. 2 & An. 1. 2. 4. 7. 9. & 13. H. 4. ca. 1. & An. 4. & 5. ca. 1.

7 ¶All ſtatuts not repelled made againſt artificers ſhalbe kept & put in execution. an. 13. R. 2. ca. 8.

Artificers

8 ¶All ſtatuts not repelled of Eſchetors, Sheriffs, vnder Sheriffs, & clerkes of ỹ ſheriffs, ſhalbe kept & put in execution. An. 9. R. 2. ca. 1.

Eſchetors Sheriffs

9 ¶All ſtatuts not repelled of labourers ſhalbe kept & put in executiõ. An. 8. R. 2. ca. 1. & An. 13. R. 2. ca. 8.

Labozers

10 ¶All ſtatutes not repealed, of puruieours ſhalbe kept & put in execucion An. 5, 6. 8. & 9. R. 2. ca. 1.

Puruetors

11 ¶All

Vitaylers

11 ¶All Statutes not repealed of Vitaylers, shalbee kepte and putt in Execution. Anno. 13. Richardi. 2. capitula. 8.

Parliamēt

12 ¶An. 1. H. 4. ca. 4, it is enacted that the Parliament holden. Anno. 11. Richardi 2. shalbee holden and kept.

Exemplifications

13 ¶Anno 1, Ed. 4. cap. 1. an Act was made wherby was confirmed all iudiciall actes exemplifications, concordes, recoueries, processe in Courte made in the tymes of Henrici. 4. Hen. 5. Hen. 6. and all graunts and letters Patentes, of diuers thinges mēcioned in the said act made by any of the said thee things. See the Statute.

Letters patents

Pope

14 ¶See patentes of confirmations of the kynges Letters Patentes.

Measures

15 ¶See Rome. 4. what thinges be confirmed by the Pope.

Feoffemēts Fines Surrfders

16 ¶See Weygytes. 35. of Confirmation of Statutes, made for Measures of vesselles and gaugyng.

17 ¶Feoffements, fynes, surrenders assurances, conueyances, and estates, in any wise conueyed, had, or made, or to bee had or made, at any time during the space of seuen yeares nexte after the ende of thys present session of Parliamēt, to or for our said Soueraigne Lady the Queenes Maiestie, by or from any person or persons bodies politik or corporat, of any Honours, Castels, Manours, Lāds Tenementes, Rentes, Reuercions, Seruices, and other Hereditamēts, for any debte, summe or summes of money, or other consideration whatsoeuer shall stande, remayne and bee good and auaylcable in the lawe, to al intentes, constructions, and purposes according to the trewe meaning, intent, and purporte of the same. Saueing to all and euery person and persons and to their heyres, bodies politike and corporate, and to their successours and euery of them, other then such person or persons, and theyr heyres, and wyues, being parties or pryues to suche conueiaunces or assurances, and euery of them, bodyes politike and corporate, and their successours, and euery of them, of or from whome the Quenes highnesse hath hadde, obtayned, or purchased, or shall obtayne, or purchace durynge the space of seuen yeares, any Manours, Messuages, Landes, Tenementes, Rentes, Reuercions, Seruyces, or Hereditamentes, by Exchaunge, Gyfte, Bargayne, Fine, Feoffament, recouerie, deede inrolled, or otherwise all such Ryght, Tytle, Interest, Vse, Possession Rentes, Reuercions, Remaynders, Offices, Fees, Commons, Profites, and Commodyties whatsoeuer, which they or any of them haue, myght, or ought to haue hadde, of, in, or to the premisses, or any parte therof, in as large and ample maner fourme, and condyeyon, to all intentes, constructions, and purposes as if thys Acte had neuer bene hadde ne made: thys present Acte, or any thing therin contained to the contrary, notwithstanding.

Debt

Purchase

Exchaūge

And where our sayd Soueraigne Ladye the Queenes hyghnesse, sythence the eyghteenth daye of November, in the fyrst yeare of her Maiesties raygne, aswell for diuers and great summes of money, as also for dyuers and sundry other consyderations, hath bargayned, solde, geuen, and graunted, by her graces sundry letters Patents, indentures, or other wrytynges, sealed vnder the greate Seal of England, or the Seale of the Duchy of Lācaster, or the seal of the County Palantyne of Lancaster, aswell to bodies politike and corporat as to diuers and sundry other her louinge and obedient subiectes, diuers and sundry Honours, Manours, Landes, Tenementes, Rentes, Reuercions

tions, Seruices, and other Hereditamentes, in fee simple, fee tayle, or for terme of life, lyues, or yeares as in the same seuerall Letters Patentes, indentures, and other wrytynges is mencioned and declared,

And to the intent the same Letters patentes, indentures, and other wrytynges, should bee of good, auayleable, and perfect force and effecte, to all and euery her hyghnesse louynge Subiectes, accordyng to the trewe meanynge and effecte of the same: Be it enacted and established by auctoritie of this present Parliament that aswell all and singuler Letters Patentes, Indentures, and other wrytynges, sealed under the greate Seale of England, or under the Seal of the Duchy of Lancaster, or the Seale of the County Palantyne of Lancaster, and heretofore made or graunted by our sayde Soueraygne Lady the Queene, for any summes of money, or for and vppon any other considerations, as all other Letters Patentes hereafter to be made by our sayd Soueraygne Ladye the Queene, for any summe or summes of money, or other considerations, vij. yeare during the sayd space of seuen yeares nexte ensuyng the makyng of this Acte, to any bodye politike or corporate, or to any other persone or persones whatsoeuer, of any Honours Castelles, Manours, Lordshippes Graunges, Woles, Landes, Tenementes, Meddowes, Pastures, Rentes, Reuercions, Seruices, woodes, Annoiusons, Nominationes, Patronages, Annuities, Rights Interestes, Entrees, Conditions, Leetes, Courtes, Liberties, Priuiledges, Fraunchyses, or of any other Hereditamentes, with theyr appurtenaunces, or of any parte or parcell of them, Sealed with or vnder the great Seale of Englande, or vnder the Seale of the Duchye of Lancaster, or the Seale of the county Palantine of Lancaster, or whatsoeuer kynde, nature, or quantie, they or any of them bee, or shalbee reputed, knowen or taken, with theyr appurtenaunces, or any parte or parcell of them, shalbee good perfecte, and effectuall in the lawe, and shall stande, bee taken, reputed, deemed, and adiudged, good, perfect, sure, auayleable, and effectuall in the lawe, against the Queenes Maiestie, her heyres, and successours accordyng to the tenour and effect of the sayd Letters Patentes, the same to bee expounded, construed deemed, and iudged most beneficially for the partées & graũtées of ỳ same, & their assygnees, accordyng vnto the woordes and purpart of euery the sayd Letters Patentes, without any confyrmation, lycence, or tollcration of the Queene her heyrs or successours: any misnamyng, misrecitall, or non recitall, of any the same Honours, Castels, Manours, Landes, Tenementes, and other the premisses, or of any parcell therof, or any lack of fynding of offices, or inquisitions of and in the premysses, or any part thereof, whereby the tytle of the Queenes hyghnesse therin ought to haue been founde, before the makyng of the same Letters Patents or other wrytynges, or any misrecitall, or non recitall of Leases ther of before made, aswell of record, as not of record, or any lacke of the certaynte, mysreciting, ratyng, or settinge fourth of the yearely value and rate of the Premysses, or of the yearely rentes reserued of, and for the premysses, or any parcell ther of mencioned or contayned in any of the sayde Letters Patentes, or other wrytinges, or for that the premysses bee, or anye parte thereof is valued to a more or lesse value in the sayd Letters Patentes, or

Letters patents

Misrecitall

Leases Misreciting

Value

or wrytynges, then the sayd Manours, Landes, Tenementes, and other the premysses then were, or shalbee in yearely value, or any mysnaumyng, or not trew naming of the Townes, Hamlettes, Parysshes, or Counties, wher the same Honours, Manours, Landes, Tenementes, Rentes, Hereditaments and other the premisses, and euery parcell therof, or any parcell therof, lyen or been, or any lacke of the trewe naming of the Landes, Tenements, or Hereditamentes, or of the natures, kyndes, sortes, qualities, or quantities of the sayd possessions or hereditaments, or any parcell therof, or any lacke of ỹ trewe naminge of the Corporation, or any lacke of the attornement, liuerie or seasin, or of any misnaming of any the late Tenauntes or Farmours of the same Honours, Manours, Landes, Tenementes, and Hereditaments or any parte therof, so sold, graunted, or geuen, notwithstanding.

Letters patentes

Prouyded that thys Acte, nor any thing therin contayned, shall not extend to make any letters patentes of any office or offices, to bee of any other effect, force, or strength, then the same Letters Patentes were, or should haue bene before the makyng of this Acte.

Prouided also, that all and singuler such patentees, grauntees, and donees, and euery of them, which at any time heretofore sithen the said eightinth daye of Nouember, haue obtayned and gotten of our sayd Soueraigne Ladye the Queene, or at any tyme hereafter during the sayd space of seuen yeares, shall obtayne and gett of our said soueraigne Lady the Queenes Maiestie that now is, by waye of exchaunge, or for any summe or summes of money, or other considerations, any letters patentes of any Manours, Landes, Tenementes, or Hereditamentes, whatsoeuer, which at the date and makinge of any the sayd Letters patents so made, sythen the sayd eightenth day of Nouember, or hereafter to bee made, duringe the sayd space of seuen yeares as is aforesaid were or shalbee at the tyme of the makyng of suche Letters Patentes of better and more yearely value to the Queenes highnesse, and so answered in yearely rent and farme, then was, is, or shalbe contayned, mencioned, and specified in any such letters patentes, or in the particulers or rate therof, made, or to bee made by any Auditour or Auditours, Surueyour or Surueyours, or other officer: That then euery such patentee graunte, or donee, theyr heyres, executors, or assygnes, and euery of them, within one yeare next after office, or other due proofe, order, and decree, therof made and hadde, or to bee made and had within the space, and terme of tenne yeares next after the ende of thys present Sessyon of Parlyament in ỹ Court of Ther chequer, shall content and pay vnto the Queenes Maiestie, her heyres and successors, for the same ouerplus and more value of the same Manours Landes, Tenementes, and other Hereditamentes whatsoeuer, wyth theyr appurtenaunces, so solde, geuen, graunted, or exchaunged, as is aforesaid, after the rate of three score yeares purchace, and accordyng to such yearely value and rate, as the same Manours, Landes, Tenementes, and other Hereditamentes whatsoeuer, were, and answered at the tyme of the makynge of any such Letters Patentes, so made or to bee made, in maner and forme aforesayd: any thinge contayned in any such Letters Patentes to the contrarye, in any wyse notwythstandyng.

Auditors Surueyors

Prouyded also, that thys Acte, or any prouiso therin contayned, shall not

not in any wise extend to confirme, ratifie, or make good any leasse or leases made or to bee made by our sayd Soueraigne Lady the Queene, for terme of life, liues, or for years, wher vppon the olde and accustomed rentes or more be not, or hereafter shall not be reserued, and yearely payable, during the time and terme of euery such leasse: nor that this present act shal in any wise extēd to reuiue or make good any letters patents made of any office or offices to any comptroller, customer, Alneger, Searcher, nor to any letters patents of the graunt of any other office or officers heretofore graūted or made by the Quēnes Maiestie which now bee, or at any time hereto fore haue bē adnihillated, determined or made voyd, by iudgement, by authoritie of parliamēt, or by decree nor to any patēts to be made to any persō or persons for terme of yeares, or during the minoritie of any heyre of any Manours, Landes, or Tenements, wherof any trauers hereafter shalbe tendred within three monethes after any office found & certified into any the Quenes Maiesties courtes of record, ne to make any letters patents made by our said Soueraigne Lady, of any office or offices, to bee of any other effect, force, or strength, then the same letters patentes were or should haue bē before the making of this act.

Old rents

Leafe
Cōptroller
Customer
Alneger
Sercher

Prouided also, that this act, or any thing therin contayned, shall not extend to any letters patentes, which at any time heretofore sithen the beginning of the Queens Maiesties raigne haue ben, or hereafter shalbe made by the Quenes highnesse, to any person or persons, of any Manours, Landes Tenementes, Rents, Reuertions, Seruices, or other Hereditamentes, by force of any Information, suite, or suggestion, made or to bee made to her highnesse, that the same Manours, Landes, Tenements, and other Hereditaments, so conteyned in any such letters patents, were concealed Landes, but that the same letters patentes, and euery of them, shall stand, remayne, and bee in the same force, strength, and effect, as they were before the making of thys act: any thing in thys acte mencioned to the contrary notwithstanding. Saueing to all and euery other person or persons, and bodies politike and corporat, their heires and successours, and euery of them, all such Ryght, Tytle, Interest, Possession, Estate, Leasses, Rentes, Seruices, Commons, and all other profites and commodyties whatsoeuer, as they or any of them should or myght haue had before the letters patents therof made, if this act had neuer ben had ne made: any thing therein conteyned to the contrary notwithstanding. An. 18. Elizabeth. cap. 2.

Letters patents

Concealed lands

¶ *Coniurations, Enchauntment and witchecraft.*

BE it enacted &c. that if any person or persons after the fyrst daye of June next comming shall vse, practise, or exercise any inuocations, or cōiurations, of euel or wicked spirits to or for any intēt or purpose, or else if any person or persons after the said first day of June shal vse, practise or exercise any witchcraft, enchauntment, charme or sorcery, wherby any persō shal happen to be killed or destroyed, that then al well euery such offendour or offendours in inuocations, or coniurations, as is aforesaid, their aydours and councellers, as also euery such offendour or offendours in that witchcraft, enchauntment, charme, or sorcerie, wherby the death of any person doth ensue, their ayders and councellers, being of either of the sayd offences lawfully conuicted & attainted, shal suffer paines of death, as a felon or felons, and shall lose the priuiledge and benefyte of Clergye and

Charmes
Sorcery
felony

Felony Clergy denied Dower

sanctuary. Sauing to the wife of such person her tytle of dower, and also to the heyre and successour of such person, hys or their tytle of inheritance, succession, and other ryghtes, as though noe such attainder of the ancestor or predecessour hadde ben hadd or made. And further bee it enacted by the aucthoritie aforesaid, that if any personne or personnes, after the sayd first daye of June nexte commynge shall vse, practise, or exercise any witchcrafte, enchantment, charme or sorcery, wherby any personne shall happen to bee wasted, consumed, or lamed in his or her body, or mẽber, or wherby any goods or cattelles of any persõ shal be destroied, wasted, or ꝑpaired, thẽ euery such offẽdor or offẽdors their coũsellers & aydors being therof lawfully cõuicted, shal for his or their first offẽce or offences suffer imprisonmẽt by ẏ space of one whole yere, wt out baile or mainprise, & once in euery quarter of the said yere, shall in some market towne, vpon ẏ market day, or at such time as any faire shal be kept, there stãd openly vpon ẏ Pillory, by ẏ space of fiue howers, & their shal openly confesse his or her errour & offẽce, & for ẏ second offence, being as is aforesaid, lawfully conuicted or attainted, shall suffer death as a felõ, & shal lose ẏ priuiledge of clergye & sanctuary, saũing to the wife of such persõ, her title of dower, & also to the heire & successor of such person, his or their titles of inheritance, succession & other rights, as though no such attainder of ẏ auncestour or predecessor had bẽ had or made. Prouided alwaies ẏ if ẏ offendour in any of the cases aforesaid for which ẏ paines of death shal ensue, shal happẽ to be a peere of ẏ Realme, then his triall therin to be had by his peeres as it is vsed in cases of felony or treason, & not otherwise. And further be it enacted by ẏ auctheritie of this ꝓsent parliamẽt, ẏ if any persõ or persons shall frõ & after ẏ said first day of June next

Treasure

Lost goods

Imprison

Pillory

ij. Offence For.

Imprison

comming, take vpon him or them by witchcraft, enchauntment, charme or sorcery, to tel or declare in what place any treasure of gold or siluer should or might be found, or had in the earth or other secret places, or wher goods or things losse, or stollen should be found or become, or shall vse or practise any sorcery, enchauntmẽt, charme or witchcraft, to the intent to prouoke any person to vnlawful loue or to hurte or destroy any person in his or her bodye, member or goods: That then euery such person or persõs so offending & being therof lawfully conuicted shal for the said offẽce suffer imprisonmẽt by the space of one whole yeare wout bayle or mainprise, & once in euery quarter of the said yere, shall in some market towne vpon the market day, or at such time as any faire shall bee kept there, stand openly vpon ẏ Pillory, by the space of fiue howers, and there shall openly confesse hys or her errour and offence. And if any person or persons being once conuicted of the same offences, as is aforesaid, doe eftsones perpetrate and commit the like offẽce, ẏ thẽ euery such offẽdor, being therof ẏ ij. time conuicted, as is afore said, shall forfait vnto the Queenes Maiestie, her heires & successours, all his goods & cattels, & suffre imprisonmẽt during life. An. 5. Eliz.

Felony Clergy denied

Dower

Peere of ẏ Realme Peeres

## ¶ Conspiracie.

COnspiratours bee they that doe confederate or bind thẽselues by oth couenant, or other alliaunce that euery of thẽ shal ayde & beare the other, falsely & maliciously to indict, or falsely to moue or maintaine pleas, & also such as cause children with rage to appeale men of felony wherby they are imprisoned & sore grieued, & such as retaine men in the countrey with liueries or fees for to maintayne their malicious enterprises & to dr owne the truthe, and this extendeth as well to the ta-

Oth

takers as to the geuers. And ſtewardes & bailiffs of great lordes which by their ſeignory, office or power, vnder take to beare and maintain quarelles plees and debates that concerne other parties then ſuch as touche the eſtate of their lordes or them ſelues. Anno. 33. E. 1.

Stewards Bailifes

2 ¶ In right of conſpiratoures, falſe inſourmers, & imbraceours of aſſiſes, inqueſtes & iuries, the king hath prouided remedy for the plaintifes by a writte out of ỹ chauncery. And frō henceforth the king will that the iuſtices of either bench aſſigned to take aſſiſes, when they come into the countrey to do their office, ſhal vpon euery plaint made vnto them award inqueſtes therupon without writ, & ſhal do right vnto the plaintifs wꝺout further delay. Articuli ſuper cartas cap. 10. Anno. 28. E. 1.

Infourmers Imbraceours

Juſt. of both benches

Inqueſts

For as much as diuers men of malice & enemitie & for gaine & vēgeāce, haue often cauſed to bee indicted & appealed diuers of our liege people of treaſons & felonies in the County of Lancaſter, pretending by theſe appeales & indictments that the ſaid treaſones or felonies were cōmitted in a certain place wher of trouth no ſuch place is had in the ſaid county, where ỹ ſaid appeale & endictment is made, to ỹ great damage & peril of ſuch our lyege people, conſidering that ſome ſo appealed & endicted, dare not appeare before ỹ Juſtices in their proper perſons, to anſwer therto, for feare of beatinge, maiheming, or ſleying of them, by the conſpiratours or procurours of ỹ ſame appeales & endictmentes, as by the commons of ỹ realme of England in our laſt Parliament holden at Weſtminſter by their petition ther exhibite, grieuouſly complayning was ſhewed: It is ordeined in the ſame parliament by the aſſent of the Prelates, & great mē of the ſame realme ther being, at the requeſt of ỹ ſaid cōmons, for ỹ cōmon profit & quietneſſe of ỹ people of ỹ ſāe realm, ỹ euery Juſtice, which hath power to heare and determine ſuch treaſons and felonies, within the ſaid coūty, by the othe of twelue men, of whō euery one ſhall haue freehold in ỹ ſāe county to ỹ yerely valour of an hundred ſhillings aboue al charges, before ỹ the erigent be awarded, wꝺout allegation of ỹ partie, al well in ỹ parties abſence, as his preſence, ſhal enquier of office, whether any ſuch place be in ỹ county, wher ſuch appeales or endictments be made or not, & if it be found ỹ there is no ſuch place wꝺin ỹ ſāe coūtye, then ſuch appeals & endictmēts, & ỹ proces therof made or to be made ſhalbe void & holdē for none. And that in ſuch caſe the endictours aforeſayd, be puniſhed by imꝓiſonment, fyne & raunſome by the diſcretion of the ſaid Juſtices. And that this preſent ordynaunce and remedy, extend aſwell to appeales & endictments to bee taken hereafter. And if any erigent from hēceforth be awarded, before ỹ ſuch inquiſitiō of office (as afore is ſaid) be takē, ỹ the ſame erigent & the awarding therof, bee likewyſe voyde and holdē for none. Prouided ỹ this preſēt ordinance haue ſtrength, & extend onely vntil ỹ nert parliament. An. 7. H. 5. cap. 1. And after an. 18. H. 6. ca. 12 this act is made perpetuall, becauſe it was doubted whether it be expired by that, that king H. 5. died beyond ỹ ſea before his returne into Englād, See a like ſtatut. Appeales. 9.

Juſtices

Freeholders

Enquire

Void

Imꝓiſon

Erigend

Appeale Treaſons Lancaſter

Felons

¶ *Conſtable & Marſhall.*

TO ỹ cōſtable it perteineth to haue cogniſance of contracts touching dedes of armes and of warre out of ỹ realme, & alſo of thīgs ỹ touch warre wꝺin ỹ realm which may not be determined nor diſcuſſed by ỹ comon law, nor other vſages & cuſtoms to ỹ ſame matters perteyning, which other conſtables heretofore haue duely & reaſonably vſed in theyr tyme. Joyning to the ſame, that euerie playntyffe ſhall declare playnely hys matter

warre

in

in hys petition afore that any marme be sent for to answere therunto. And if any wyll complayne, that any plea be commenced before the constable & marshal, that might be tried by ẏ law of the lande, the same complaint shall haue a prity seale of the king without difficultie dyrected to the said constable & marshall, to succesde in that plea till it be discussed by the kinges counsell, if that matter ought and of right perteyneth to that court, or other wyse to be tried by the common law of the realme of Englād, and also that they sucesde in ẏ meane time, An. 13. R. 2. ca. 2.

Prity seale

¶ *Contra formam collationis.*

Abbots Priours.

IF Abbottes, priours, kepers of hospitalles, and other religious houses, foūded by him or by his progenitors, doe from henceforth alien the landes geuen to their houses by hym, or by his progenitors: the lande shalbe takē into the kinges handes and holden at his will, and the purchaser shall leese his recouerie as well of the landes as of the mony that he paied. And if the house were founded by an Erle, Baron, or other persons, for the landes so alienes, hee, from whom, or from whose auncestour the lande so alienes was gyuen, shal haue such a writte to recouer the landes in demeane: Precipe tali Abbati, quod iuste &c, reddat G. F. tale tenementum, quod eidem domui collatum fuit in liberā elemosinam per predictum G. vel an recessores suos, & quod ad dictum G, reuerti debet, per alienationem, quam predictus Abbas fecit de p̄dicto tenemēto, contra formā collationis p̄d, vt dicit. In like maner for lāds giuē for the maintenaunce of a chauntery, or of light in a churche, or chappel, or other almes to bee maintened, if ẏ lād geuen bee alienes. But if the lande so giuen for a chauntry, light, sustenance of pore people, or other almes, to be mayntened or done, be not alienes,

Alien.

Chauntry. Church Chappels.

Poore people.

but such almes is wythdrawen by the space of two yeres, an accion shal lie for the donour or hys heire to demaunde the land so geuen in demean, as it is ordeined in the statut of Glouc. for landes leased to do or to rendre the iiii. part of the value of the lād or more. W. 2. cap. 41. An. 13. E. 1.

Accion

¶ *Conusance.*

WHere as diuers people doth oftentymes sue assises of Nouell dysseysin or other writtes of plee of lande at the common lawe, the lands tenements and rents being within fraunchised Townes of auncient demean against certein persons, and doth to be named also in all their said assises and writtes, the mayre & bailiffes and comminaltie of the fraunchises, and the lordes and bayliffes within auncient demeane aforesaid, wheras of trouthe they be not disseisours nor tenauntes of the said lands tenementes or rents so being in plee, but named by collusion and fraud, to voyd and exclude ẏ sayd Maiors, Bayliffes and comminaltie, and the said lords and bayliffes of auncient demeane, of their fraunchises and liberties, conisaunce and iurisdiction of their Court e before them. It is ordeyned and stablished, that in such assises and writtes purchased or sued from henceforth or at thys present hangyng betwixt any parties before any such Justices at the commen lawe in which such mayre, bayliffes and comminaltie, or lordes or bayliffes of auncient demeane be named. That such Justices shall first enquier by the sayd assise in the countrey, whether the said Maior, Bayliffes, and comminaltie, or lordes or bayliffes of auncien demeane (if they that requier before suche Justices) bee disseisours or tenauntes in such case, or be named by collusion and fraude, as afore is said. And if it bee founde that they bee not disseisours nor te-

Nouel dis.

Auncient demesne

Maior. Bailie

Collusion

Assises

Justices

Disseisors

nauntes

nauntes of the sayd landes, tenementes, or rentes, but acquite before the same Justices and found that they bee named by collusion and defraude in the fourme aforesayd, that in such case the Justyces shall doe the sayd writtes of assises, or other writs purchased in ỳ fourme aforesaid, to be abated and annulled, and that the said plaintife or playntiffes shalbee greevously amerced by the king, notwithstanding that other tenaunts or disseysors be named or found in such assises or writtes. Anno nono Henrici 4. capitulo. 5.

Amerced

2 ¶ In all writs of assises and of actions personall, sued or to be sued before the king in his benche, Justices of the cõmon place, or anie other the kynges Justices for the time beeing, of anie landes or tenementes, or of anie thing beeing and rysing within any seignyorie, fraunchises, or auncien demeane, whereof the cognisãce or iurisdiction ought to pertaine to anie lordes, Mayors, baylifes, citizens or burgesses, or comynaltie of such seignyouries, fraunchises, or auncẽ demeane, that then if anie defendant in any such assise or other acciõs personall make anie default, to put out, exclude, and expell ỳ aforesaid lordes, Mayors, Baylifes, citizens, burgesses or cominaltie of their cognysãce, or fraunchise, that the Justices at the request of the said Lordes, Mayors, Baylifes, citizens, burgesses or cominaltie shall make enquirie by the assise wher such exception is alleged in assises, and in accions personalles by enquest to be takẽ before ỳ iustices if such defaultes shalbee found, as afore is sayd, or not: In which assise & enquest so to be taken, aswel ỳ plaintifes as the Lordes, Mayors, Baylifes, citizens, burgesses, and comynaltie may haue their challenge. And if it bee found by such assises, or enquestes so to bee taken, that such defaultes shalbee made by collusion, to put out and exclude the sayd Lordes, Mayors, Baylifes, Citizens, Burgesses, or comminaltie of their fraunchises, liberties, cognisaunces, or iurisdiction, that in such cases the sayd writtes shalbee abated, and the plaintifes shalbee in the kinges mercy, by consideration that is ordeined by the statute made the. 11. yeare of ỳ reigne of king Henry, graundfather to our soueraigne lord the king, that if anie Mayor, Baylif, comminalty or lord of auncient demeane, bee named in writtes of assises by collusion, to put them out of their cognisaunce or iurisdiction in this behalfe, that ỳ Justices first shall enquire by the assise of the countrey of such collusion, yf the said Lordes, Mayors, Baylifes or comminaltie the same require. And if it be found by such inquisition that they be so named by collusion, ỳ then the writ shal abate, An. 8. Henrici. 6. capitulo. 26.

Enquestes

Enquirie

## ¶ *Cordiners, Curriers, Tanners and Leather.*

SEe ỳ statuts which were collected into this title in ỳ. 1. 2. 3. 4. 5. 6. 7. 8. 9, 10. 11. 13. 16. 19. & 20. numbers al repelled, after. 22. 5. El. cap. 8. and therfore here omitted.

Repealed

11 ¶ No maner of estrãger or denyzen shall pack or cause to bee packed any maner of leather, to be conueied or shipped ouer ỳ sea out of thys realm, Wales or other ỳ kings dominiõs otherwise thẽ in this act is expressed, ỳ is to say: ỳ all such leather shall bee hereafter packed by a packer sworne in euerie such port, wher any leather shalbee shypped to be conueied out of this realm, Wales or other the kynges dominion, vppon payne

Stranger Denizen

Shipping

Wales

Packer Sworne Port

Forf. of forfaiture of al such lether as hereafter shalbe packed contrary to ẏ purport of this act, or the value thereof. And also that from henceforth euerie Denizen straunger and denizẽ which shal ship, send, or conuey any leather ouer the sea, out or from any part of thys realme, Wales, Chesshire or other the kings dominions shall pay like custome for the same, as is vsed to bee Custome London payed within the port of London, ẏ is to say, euery straunger to pay for euery dycker of leather for custome. fower shillings nine pence. And euery denizen fower shillinges ẽ a peny. And bee it also enacted, ẏ wtin euerie Hauen port, hauen ẽ creeke wtin this realm, Teller Wales ẽ other the kings dominions where noe teller or packers at thys present time be, nor before ẏ making of this act haue ben, ẏ frõhencefoorth the customers ẽ controllers of euerie such port, hauen ẽ creeke where such leather shalbe shipped to be conueied into the partyes beyond the sea, shall haue power by aucthoritie of this act to name, cõstitute ẽ appoint one able person to tel ẽ number all such lether Sworne as shalbe at any time there shipped, which person so named, shalbe sworn by the customer ẽ controller of euerie such port, hauen, ẽ creeke, truelie ẽ duely to execut his office in the presence of the customer, ẽ controller of euerie such port, creeke or hauẽ wher any such leather shalbee shipped or of his or their deputie or deputies, ẏ same teller taking of euerie straũger for ẏ telling of euery dicker of lether vi.d. whereof the same teller to haue for his labour. ij.d. ẽ iiij.d. to be to the Fee terme communaltie of the same towne and port, toward the payment of their fee farme and other their charges. And of euery denizen, not being a freemã of the said port ẽ hauẽ, for euery dicker. iiij.d. whereof the teller to haue ij.d. ẽ the other two pence to be to the communaltie of the same port or hauen, for the entent aboue declared. And of euery dicker by any plõ being a free man of such port ẽ hauen, but only two pence for his labour. And ẏ immediatly after such tale had, ẽ entre thereof made by the customer or his deputy, an other able person named, deputed, ẽ alligned by ẏ said customers and controllers of euery such port ẽ hauen, and before them sworn truely ẽ duely to doe ẽ execute his office shal pack al such leather so sold ẽ entred, euery pack to containe as ma Packs ny dicker, vnder ẏ number of seuen dicker, as it shal please the merchant or owner thereof to appoint, takyng for his labor for the packing of euery pack. iiij.d. And be it ẽc. ẏ if any packer take vpon him to pack any lether before it be told or numbred, ẽ entre thereof made by the customer or hys deputy or at anie time pack more lea then shalbe told and ẽtred accordyng to the purport of this act, that thẽ the same packer to forfayt ẽ lose for euery time doing the contrary x.pound. Forf. Imprisõ and to suffer therfore imprisonment at the kingz pleasure. And also that if the teller within any such port or hauen at any time hereafter take vpon him to tell or number any leather in Forf. the absence of the customer, controller, or of his or their deputy or deputies, then the same teller for euerie time so doing to lose and forfait fyue Forf. marke. And for as much as diuers estraungers carry and conuey their leather from one port to an other, ẽ by the way cause the same leather to be packed, which packes so conueied be not vndon nor opened at their arrival wtin the portes wherunto they be so transported, but there only entred by and vpon the report and in Merchãt formation of the merchaunt estraunger, or

ger, or of his factour, wherby much custome is concealed. Be it ꝛc. that yf any estraunger or other hys factour at any time hereafter do conuey and cary any leather from one port to an other, to the entent to shyp the same in such other port whereunto it shalbe so conueyed, ẏ same estraunger, or other his factor for him, before such trãsporting of the same leather, shall cause the said leather first to be tryed within the same port, from whẽce he will or entendeth to cary the same: & the same so told cause to be entred by the customer of the same port, or hys deputie: and cause to bee also packed by ẏ said packer of ẏ said port, where it shal be so told taking of ẏ customer or customers of ẏ same port or hauẽ, or their deputie or deputies, a certificat, expressing the number or quantitie of dickers of all the same leather, so to be caried and transported, directed to the customer of the other port or hauẽ, wherũto ẏ same lether shalbe so cõueyed, making mẽcion also in the same certificat, whether ẏ custom therof accordingly be truely payed or not. And in case any such leather bee carryed or conueied from one port to an other, there to be shipped, without hauing of such certificat, that then ẏ same leather or the value therof to be forfaited. And be it further enacted ẏ no tanner within this realme, walez or other ẏ kings dominions or other persones occupying or hauing a tãne house, shall from henceforth send, or cause to be conueyed ouer the sea, by way of merchaundise, or otherwise, any maner of leather, tanned or vntanned vppon paine of forfaiture of all such leather, or the value thereof. Nor that any person or persones at anie time hereafter shall cary or conuey ouer the sea out of this realme, Wales or other the kinges dominyons, anie salt or vntanned hydes or anie leather called back or sole lether the kinges speciall licence not obtayned for the same, vppon payne of forfaiture of al such hides and lether called backs or sole leather, or the value thereof. The one halfe of al the sayd forfaitures to bee to the kinges highnes, and the other half to any of hys subiects, that wil pursue for the same in any his courtes by accion of debt, bill, plaint or information, or otherwise, in which suit no essoine, protection or wager of lawe or other dilatorie plee for the defendaunt shall be admitted or allowed, Prouyded alwaies, that this act or any thing therin contained, shal not be hurtfull nor preiudiciall to any captayne of anie shippe in the time of warre being in the retinue and seruice of the kynges highnes. Nor to anie owner or master of anie shippe, beyng the kynges subiectes, goyng into the Iland, Danske, Norway, or Southwarde beyond the estraytes, but that euerie such captayne and master of euerie such shippe duryng the warre time and euerie master of such shippes passing into the places before named, may and shall at their pleasure haue and carrie salt hides in their shippes, so that euery of them shall not haue at such voyage, or duryng the warre at anie one time aboue the number of eight salt hydes: Thys act or anie thyng therein conteyned to the contrarie in anie wyse notwythstandyng. Prouyded alwayes that hides vntanned of anie beastes being killed within Wales, or the marches thereof, may be conueyed and caryed into outward partyes by any person or persones from tyme to tyme, except onelie by tanners, and such as haue tanne houses, in such and lyke manner as they myght haue beene

Licence
Forf.
Sole lether
Hides
Captains
Shipmaster
Warre
Salthides
Hydes
Tanners

before the makyng of this acte, anie thing in the same mencioned to ẏ contrary notwithstanding. Anno. 27. H. 8. capitulo. 14.

Tanning

¶ Anno. 2. E. 6. cap. 11. an act was made for true tannyng of leather to endure vnto the end of the nert parliament. And Anno 7. E. 6. cap. 11. it was continued, and after Anno. 1. M. 1. parliamento cap. 13. it was continued to endure to the end of the next parliament, & then it expired.

Expired

Artificers

¶ In An. 3. E. 6. ca. 6. it is enacted ẏ it shal be lawful to diuerz artificerz there named, to buy & sel tanned leather curried or not curried, so ẏ such should be cõuerted by the buyerz into wares wiṫin the kings dominions, to endure to the end of the next parliamẽt. And after. 7. E. 6. cap. 11. thys act was continued to the last day of ẏ nert parliamẽt. And after An. 1. M. 2. pliamento cap. 13. it was continued to endure to the end of the nert pliament, & then it expired.

Expired

¶ In An. 5. E. 6. ca. 15. ẏ beginyng of this act is restrayning all personez (except certaine persons named in ẏ act) fro buying of lether to sel again.

Repealed

But that part of ẏ act is repealed by 1. Ma. as hereafter appeareth. But ẏ rest of ẏ act in 5. E. 6. cap. 15. (which here followeth) stãdeth in force. Prouided also & be it &c. ẏ it shalbe lawful to or for every persõ or persõz, which now haue, or hereafter shal haue, the kings maiesties special lycence or licences to transport, carry or conuey ouer the seas, any kind of tanned leather, to buy for the furniture of their said licence or licences in open faire or market such & so much tanned leather, as he or they be, or shalbe licẽced to trãsport, cary, or conuey. So ẏ the same licence or licences be prselẽted & shewed vnto ẏ chief officer or officerz ẏ now haue or hereafter shall haue ẏ

Licence Transport

Officers

gouernance of any city, towne, faire, or market, wheras ẏ said leather, or any part therof, shalbe bought. And so that the said officer or officers, seing the same licence to be good & perfect, do iustly and truely wryt vpõ ẏ backside of every such licence or licẽz, how much tãned lether he or they shal there haue bought, & the certain day, time & place of buying ẏ same, ẏ thereby it may manifestly appeare how and when every such licence or licences bee or shalbee satisfyed, anie thing in this act to the contrary notwithstanding. And be it &c. that after the first day of May next commyng, no person or personnes shall shyp or cause to be shipped (to thintent to cary, transport or conuey ouer the seas as marchaundise to be sold or chaunged ther) any shoes, bootes, buskins, startops, or slyppers, vppon paine to forfait al & every such shoes, bootes, buskins, startops, or slippers, so shipped contrary to the true meaning of this act, or the value of the same. The one moity of the said forfaiture to be to the king &c. and the other moity to him or them that shall sease or sue for the same &c. Wherein no wager of lawe, essoigne, protection, or iniunction, shalbe admitted or allowed for the defendaunt. Prouyded alwayes and bee it &c. that thys acte ne anie thig therin cõteined, shall not in any wise extend to be prejudiciall or hurtfull to anie person or persons, beyng the kings subiects, for transporting or carrying ouer the seas vnto Caleis, or the marches of the same, & vnto ẏ Isle of Man, so much or as many of ẏ aforesaid made warez (as bootes, buskins, startoppes, & slippers, heretofore recited) as shalbe necessary & conuenient for the wearing and furniture of the kinges subiectes in thẽ, or any of them: And nothyng in thys

Shipped

Shoes
Boots
Buskins
Startops
Slippers
Forf.

Moitie

Calice

Man

Made wares

last

last act conteined to the cõtrary here of in any wise not withstanding. Pro uided alwaies, and be it &c. ẏ no sadler, girdler, corduainer, or other artificer dwelling within the Citie of London & the suburbes of the same, which shall cut the same tanned leather (as is aforesaid, to the intent to make wares thereof) shall currye or dresse anie of the aforesaid tãned leather, in his or their own house or houses, or by his or their seruant or seruãts, vpon pain of forfaiture all and euerie ẏ said tanned leather so to bee curried. The one moity &c. to ẏ king & the other moity to the party ẏ will sue for ẏ same &c. wherein no wager of laiwe, essoigne, protectiõ, or iniunction shalbe admitted or allowed for the defendãt. An. 5. E. 6. ca. 15. part of this act is repealed by 5. El. ca. 8.

Sadler Girdler Corduainer Artificer London

Currey

Forf.

Poitie

Repealed

18 ¶ Anno. 1. Eliz. cap. 11. an act was made to continue for certein yeares, that the carrying of leather, Tallow and rawe hydes out of this Realme for merchaundise should bee felonie. And it was reuiued, Anno. 14. Eliz. cap. 3. And repealed, Anno. 18. Eliz. capitulo. 9.

21 ¶ Be it enacted ẏ from & after the feast of Pentecost nert comming no Butcher or other person, shall gashe slaughter, or cut any hide of any Bul Ore, steere, or Cowe, in fleing therof or otherwise, wherby the same shall bee empaired or hurt. And that no Tanner or other person or persons vsing or occupying the craft or mystery of tanninge of leather, shal after the feast of Sainct Michaell the Archaungel nert comming, by him selfe, or any other person or psons, offer or put to sale any such hide or skinne so gashed, slaughtered or cut, vpõ payn of forfayture for euerie such hyde or skin so offred or put to sale. xx. s. And be it enacted by the authority afore-

Butcher Gash

Forf.

said, ẏ no Butcher or other person or persons after the said feast of Pentecost shal kill any calfe to sell, beyng vnder fiue weekes old, vpon payn to forfayt for euery calfe so to be killed and sold. vi. s. viij. d. And bee it enacted by authoritie aforesaid, ẏ no person or personꝭ occupying the craft or occupation of a butcher, shal after the feast of Pentecost nert comming, occupy or vse by himselfe or any other person or persons, the feate, craft or misterie of a tanner, during the time ẏ he shal so vse the craft or occupation of a Butcher, vpon pain of forfaiture of. vi. s. viij. d. for euery day ẏ hee shall so vse the feat, craft or mistery of a tãner. And bee it further enacted by the authoritie aforesaid, ẏ no person or persons which at the feast of Sainct Michael ẏ archangell whych was in the first yere of the Queenes Maiesties raigne ẏ nowe is, had not landes, tenements, rents, profites, or hereditamentes of estate of inheritaunce or for terme of life or liuez of the cleare yearely value of. xl. li. or aboue: or whose tanne house was not at the said feast, is, or shalbee hereafter in any citie, borough, town corporate or market town, where serchers and sealers of leather hath beene and shalbe vsually appointed (except such person and persons as then had ante tanne house, and did then occupie the mistery of tanning of leather, and except an apprentice or apprentices to a Tãner or Tãners, and except such as were then, or since, or hereafter shalbee brought vppe, instructed, or taught as coue naunt or hired seruãt for that purpose by the space of vij. yeares in the mistery or craft of tanning of leather, and except the wyfe and such sonne or sonnes of a tanner as hath been brought vp & hath vsed the mistery of tanning of leather by

Butcher

Calfe Forf.

Tanner

Forf.

Citie

Apprentice

the space of fower yeres aforesaid, or the sonne and daughter of a tãner, or such persõ who shal marry such wife or daughter to whom he hath or shall leaue a Tannehouse, and sales (shal tanne any leather, or shall vse, take, or haue any profit, gain, or commodity of or by the said misterie or cratt of tanning of leather, vpon payn of forfeiting of al such lether by him or them so tanned, or wherof he or they shal receiue any profit or commodity by tanning, or the iuil value therof. And be it further enacted by the auc thoritie aforesaid, that after the feast of Pentecost next comming, no person or persones whatsoeuer, which shal after the sayd feast of Pentecost, occupy or vse by him or them selt, or by anie other person or persones the craft or mistery of tãning of lether, shal suffer any hide or skinne to lie in the limes anie longer tyme then the hear falleth of, or may be takẽ of, nor in anie wise to bee put into the limes after the heare may bee taken of, nor shall vse, employ, occupie or put by themselues, or by any other persõ or personnes any thing in anie lycour, stuffe or workmanshippe in or about the tanning of lether but only lime, Culuer dung or Henne dung, & that in cold water onely, & wooles made of cold water and Oken barke onely without anie mixture of anie other thing or thinges, nor shal by him self, or by any other personne or persons put any hyde or skinne in any tanne wooles or licoure made whot or warmed in any latte or vessell, to be set or couered in any tannehill, or other wise, nor shall ouer lime any hydes or skines in the lyme pittes, nor shal put any hides or skinnes into anye tanne fattes or vessels beefore the lime be well and perfectly soken & wrought out of them & euery of the, nor shall suffer his or their lether to be laid, or to hang, or to lie wette in any frost vntil the same be frose, nor shall drie or parch the leather with ẏ heate of the fier, or of the sõmer sõne, nor shall tanne, or cause to be tanned, anye hyde or skinne beeing putrified, rotten or tainted, by long lying, eyther beefore the putting of it into the limes, or after in the water or licoure, or by any other meanes, nor shall negligently worke the hides in the wooles, nor shall not renue and make strong the wooles as often as shalbe requisite, nor shal suffer ẏ hidꝫ for vtter sole and cloute leather to lie in the wooles any lesse time then .xii. moneths at the least, & the hides for vpper lether in like wooles any lesse time then nine monethes at the least nor shal insufficiently or imperfectly tanne any hyde or skinne, nor shall tanne any Ore hides, Steere hides, or Colwhyds but whole, without cutting of any bellies commonly called wombes, or peeces from the same hydes for clouting leather, to be cut into three or fower bendes or peeces, ouerthwarte the whole hide only except) nor shall after the feast of saint Michael the Archaungel nexte comming put to sale any tanned hyde or skinne which is or shall be rayled in or by the tãning, workmanship or otherwise, or by vsing any other thing or stuffe, or in any other sort then by this statut is limitted and appointed vpon pain of forfeiture of euery ore hide, steere hyde, colwe hide or skinne tanned, vsed or put to sale contrarye to the true meaning of this present act, or the iuste value thereof. And be it further enacted by the auctoritie aforesaide, that from the feast of Pẽtecost nexte comming, noe personne or persons whatsoeuer shal put or cause to bee put to sale, exchãge, or otherwise

Tanhouse

Forf.

Rotten

Clout leth

xij. moneths

Forf.

Vncutt Wombes

Lyme
Culuerdũg

Oken barke

Tanhill

Forf.

wise depart with any kinde of tãned
Red lether leather, redde and vnwrought, but in
Faire Market open faire or market, in the places
therfore commonly accustomed, and
therefore prepared, nor before ỳ sãe
Sealed be searched and sealed, according to ỳ
lawes and order in this statut here-
after mẽcioned, nor shal after ỳ feast
of saint Michael the Archaũgel nert
comming, put to sale, exchaunge or
otherwise depart with anye tanned
leather red and vnwrought, but suf-
ficiently and wel tanned, & throughly
dryed, nor shall put or cause to bee
put to sale, exchaũge or otherwise de-
part wt any Dre hide, steere hide, or
cow hide, but onely whole wtout cut
ting any bellies called wombs, or o-
Clouting lether ther pieces from it (clowting leather
cut into bẽds as is aforesaid, only ex-
cepted) before the same bee searched &
Fell. sealed, vpon pain of forfaiture for eue
rie hide or peece of lether sold, exchã-
ged, or otherwise departed with, con-
trarie to the true meanyng of thys
act, vi. s, viij. d. & for euery dosẽ of cal
Calues skinnes. ues skins, iij. s. iiij. d. & ỳ hide or hidez,
skinne or skinnez, and leather in any
other wise sold, exchãged, or bought,
or the value thereof.

And be it further enacted by ỳ auc
thoritie aforesaid, that no persone or
persons vsing the mistery of tãning
of leather by himself or by any other
person or persõ, frõ & after the sayd
feast of Penterost, shall during that
time that he shal vse the said mistery
Shormaker occupy or vse the craft or mistery of a
Currier shormaker, currier, butcher or of any
Butcher artificer vsing or exercising, cutting
Artificer or working of lether, vpõ pain to for
Fell. fayt & lose all & euerie such hide and
hides, skinne & skinnes so by them or
any of them wrought or tanned, du-
ring the time that he shal vse ỳ miste
rie or craft of tãning aforesaid, or the
iust value therof, it is also enacted by
the authoritie aforesaid that no pson
vsing the mistery of tãning of lether
by himself, or by any pson or psons,
shal after the feast of ỳ Natiuitie of
S. John Baptist nert cõming tanne
any Bull hide, Horse hide, or sheepe Bullhyde
skin, or put to sale, exchãge, or other- Horsehyde
wise depart with any horse hide, bull Sheepskin
hide, or shepe skinne tanned, vppon
paine to forfait euery such bull hide,
horse hide, or sheepe skinne so tãned
or put to sale, or the iust value therof.
And be it further enacted by the auc
thoritie aforesaid, that no person or
persones after the feast of Pentecost
nert comming, shall bargayne, buy,
make any cõtract for, or bespeak any Roughhide
rough hide, or calues skins in ỳ here, Calues skins
but only such pson or persones as by
vertue of thys act may lawfully vse
the craft or mistery of tãning of lea-
ther & shal tãne the same, or such per-
son or persõs as shal take the same,
(except salt hides for ỳ necessary vse Salthides
of ships) vpon payn to forfait & lose
al & euery such hydes and skynnes so
bought, or the iust value thereof.

And be it further enacted by ỳ auc
thoritie aforesaid, that no person or
persones shall or may after the feast
of Pentecost nert cõming buy, bar-
gain, bespeake, or take promis to haue
anie tanned leather, not wrought & Unwrought
cõuerted into made wares, but only
such personne and personnes as wil
and shall worke & conuert the same
leather into made wares, vpon pain
of forfaiture of the lether so bought,
or the value thereof.

Prouided alwaies, & bee it enacted
ỳ all & euery artificer and other per-
son and persons vsing to conuert tan-
ned leather into made wares as wel
strãgers born as other, may lawful-
ly buy all kind of tanned leather, to
make or conuert the same into made
wares, at Leden hall in London vpõ Leden hall

L. iiij. euerie.

Sealed

euery Sunday, the same being first duely searched, sealed, and registred, as is hereafter limitted.

Sadlers Girdlers

Prouided also ỳ Sadlers & Girdlers may sell their neches and shreds of tanned leather redde, without incurring any paine or forfaiture for the same.

Barke

And forasmuch as barke is now become scant by ỳ vnreasonable selling of Oke out of ỳ barking time, & thereby the Tanners bee destitute of such barke as is necessary: Bee it further enacted by the auctoritie aforesayd, ỳ no person or personnes shall from & after the feast of saint Michaell the archaungell next, sell or cause to bee selled any Oken trees meete to bee barked, wher the barke is worth two shillings a cart loade, over & aboue ỳ charge of barking & pilling (tymber to be employed or bestowed in or about

Oke

Timber

Reparatiõs

building or reparatiõ of houses ships or mills, or any of them, only except) but betwixt ỳ first day of Aprill, and the last day of June, vpon pain of forfaiture of euery such Oken tree so selled or the double value thereof.

Oke Fork.

And for the better preseruation of timber, which by the takers of Timber is spoyled through the greedy desire of gaine of the loppes, toppes, or barke of timber trees: Bee it therefore enacted, that no taker or takers, purpesour, or purveyours of timber, or his or their deputie or deputies, shall sell or cause to be selled for ỳ vse of ỳ Queenes maiestie, her heyre or successoures, anie Oken Timber tree or trees, meete to bee barked, but in the barking time (trees to be selled for building or repairing of any her maiesties houses or ships only excepted) or shal in any wise take or receiue any maner of profit, gain or cõmodity by any lops, toppes, or barke of anie tree to be takẽ by them or any of the, or shal in any wise, take, carry away, geue, sell, or dispose from the owner anie more of any trees, to be taken as is aforesaid, thẽ only ỳ timber of the same tree or trees, to be vsed and bestowed, or employed only in, vpõ, or about the Queenes maiestyes buildings, or shippes, vppon paine of forfaiture to the party greued, for euery tree, and for the loppes, tops, or bark of euery tree taken cõtrary to ỳ meaning of this article, xl.s, and ỳ it shal bee lawfull to the party of whõ such tree or trees shalbee taken, or to anie other for and in his name, to retain, withhold, take and keepe to hymselfe all the bark, loppe and toppe, of such tree or trees; Anie commyssion or other matter whatsoeuer notwithstanding.

Timber

Loppes

Purueiors

Barke

Houses Shippes

xl.s.

And forasmuch as no leather can be so well tanned, but it may be marred in the currying. Bee it therefore enacted by the auctoritie aforesayd, ỳ from & after the feast of Saint Michael the archaungel next, no person or personnes shall currye anie kind of leather in the house of any Shoemaker or other personne, but onelie in hys owne house, situate in a corporate or market towne, nor shal curry anie kinde of leather except it be wel and perfectly tanned, nor shall after the feast of Pentecost next, currie any hide or skinne being not throughlie dryed after his wet season, in which wet season he shall not vse any stale hyne, or anie other deceiptful or subtill mixture, thyng, way, or meanes to corrupt or hurt the same, nor shal currie any leather meete for vtter sole leather, with anie other stuffe then with hard Tallowe, nor with anie lesse of that, thẽ ỳ leather wil receiue, nor shall curry any kinde of leather meete for ouer leather & inner soles, but with good and sufficient stuffe being

Curry

Stale drins

Soleleths

Tallow

Curry

being fresh and not salte, & thorough lye licoured till it canne not receaue no more, nor shall bourne nor scalde any hide or leather in the courringe, nor shal shaue any leather to thinne, or shall gashe or hurt any leather in the shauing, or by any other meanes, but shal worke the same sufficiently in al points and respects, vpon pain of forfaiture for euery such offence or act done contrary to the true meanig of this article (other then in gashing or hurting in shauing) vi.s. viii.d. & the value of euery such skine, or hide marred by his euel workmanshippe, and for euery offence to bee done against this article, in gashing or hurting, by shauing, double so much to ỳ partie greeued, as the leather shall be empaired therby, by the iudgment of the Wardens of the courriers, and the Wardens of the company where of the partie greued shalbee. And be it &c. that no Corde wayner, Shoemaker, or other personne or personnes dwellinge or inhabiting within the citie of London or the liberte of the same, nor any persone or personnes that now is or hereafter shalbee free of the citie of London dwelling wthin three miles of the said citte, and occupying wet curried lether in his art & occupation, shall put, or cause to bee put any leather to be curried, but to such person & personnes as be or shal be fre of the company of the curriers of the Citie of London, vpon paine of forfaiture of al such curried lether or the value therof. And be it further enacted, that no person or persones, shal by any meanes occupie or put in any mane wares, within the citie of London or three miles of the same city, any curried leather, before ỳ same shalbe searched, & allowed by ỳ Wardens of the curriers of London for ỳ tyme being, or such persons as they shall thereto assigne, and bee sealed with a seale therefore to be prepared, vpon paine that euery shoemaker, or other artificer cutter of lether, offending against this article, shal forfait for euerye hide or skinne otherwise curried or implayed as is aforesaid, vi.s. viii.d. and the value of euery such hide or skynne. And bee it &c. that no person occupying the feat or misterie of a currier, shal vse or exercise ỳ feat or mistery of a tãner, cordwainer, shomaker, butcher, or other artificer vsing cutting of leather during ỳ time ỳ he shal so vse or occupy the misterie of a curryer, vpon paine of forfaiture of vi.s. viii.d. for euerie hide or skin that hee shall curry during the time that he shal occuppye or vse any of the misteries aforesaid contrary to the meaning of this article. And further bee it &c. that no currier or curriers vsing the art of currying of leather shal after the feast of Pentecost next, refuse to curry any lether to him or the for the purpose brought by any such artificer as is or shalbe a cutter of lether, the same artificer or his seruant bringing with him or the good & sufficient stuffe, as is beefore mencioned, for the perfect licouringe of the same leather, and that the sayd leather in the presence of the said artificer cutters of leather, his seruaunt or seruaunts if he or they wil bee present, shalbe licoured and curried in al thinges and degrees perfectly, and if he or they wil not be present, it shal neuertheleffe bee likewise licoured & curried in his or their absence presently with as conuenient spede as may be, not exceading fyue daies in the Sommer, & x. daies in the winter, after he shal or may take it in hand, vpõ pain to forfait to ỳ party greued for euery hide & piece of leather not in this manor curried, and well and speedelye

Warns
Shaue
Forf.
Wardens
London
Forf.
Serched
Seals
Forf.
Butcher
Forf.
Artificer
Forf.

dzessed

wardens. dressed r.s. And be it further enacted by thauctho*r*itie afo*r*esaid, ẏ ẏ Wardens of the curriers fo*r* the time being, o*r* such persons as they shall assigne o*r* appoint, shall from tyme to time, searche and trie al such curried lether, as shalbee b*r*ought to anye of their companie to be curried, & shal

Seale with a seale therefo*r*e to be p*r*epared with convenient speede, not exceding one date after the curryng and request made, seale such leather as they shal finde sufficientlie curryed, takig fo*r* euery hide so sealed after the rate

Dicker of i.d. fo*r* the dyker, and fo*r* euery six dozen of Calues skynnes i.d. and not aboue, to be paide by the currier, vpon paine of fo*r*faiture fo*r* euery hide

Forf. which shal not be searched and sealed as is afo*r*esaid. vi.s. viii.d. And fo*r*asmuche as leather well tanned & curried, may by the negligence, disceipt o*r* euil wo*r*kmanshi*p* of the co*r*dwayner, o*r* shoemaker, be vsed deceiptfully, to ẏ hurt of the occupier o*r* wearer of it: Bee it further enacted by thauthozitie afo*r*esaid, that no persone o*r* persones which after the sayd feast of Pentecost shal occupie the mistery o*r* occupation of co*r*dwainer o*r* shomaker, shall make o*r* cause to bee made

Boots Shoes any bootes, buskynnes, shooes, startoppes, slippers, o*r* pantofles, o*r* any

Dereskins Goatskins parte of the of englishe leather wett curried (other then dereskins Calue skins, o*r* goteskis, made o*r* dressed o*r* to be made o*r* dressed like vnto Spanish lether) but of lether wel & truely tanned and curryed in manner and fo*r*me aboue specified, o*r* of lether wel & truely tanned onely, & wel & substancially sewed w̄ good threed, wel twisted and made, & sufficiencly wart lē ware well rasoned, & the stitches hard drawen with hand leathers as hath bene accustomed w̄out mingling o*r* mixing ouerlethers, that is to say parte of ẏ ouerleather being of neats lether, & pt of Calues lether, no*r* shal put into any pt of any shoes bootes buskens, startoppes, slippers, o*r* pantoffles, any lether made of a Shepe skinne, bul hide, o*r* horse hide, no*r* into the vpper lether of any shoes startuppes, slippers, o*r* pantofles, o*r* into ẏ nether part of any bootes (thinner sole & breie of the shoe only except) any parte of any hide from which the sole lether is cutte called the wombe necke, shank, flank, pol, o*r* cheek, no*r* shal put into the vtter sole any other lether then ẏ best of the Ore o*r* steere hide no*r* into ẏ inner sole any other lether then the wombes, necks, poll, o*r* cheeke, no*r* in the tresselles of ẏ double soled shoes, other thē ẏ flanks of any the hides afo*r*esaid, no*r* shall make o*r* put to sale in anypere betwē the last of September & ẏ rr. of Ap. any shoes, boots, buskins, startuppes, slippers, o*r* pantofles, mete fo*r* any pson to weare exceadinge ẏ age of iiii. yeres wherin shalbe any dry english

Dry lethe lether (other then Calues o*r* Goates skins, made o*r* dressed, o*r* to be made & dressed like vnto Spanish lether, o*r* any part therof) no*r* shal shew to the intent to put to sale any shoes, bootes buskins, startups, slippers, o*r* pantofles vpon ẏ sunday before the denine sernice, vsed in the forenoone be don & ended, vpō pain of fo*r*faiture fo*r* e-

Sunday

Forf. uery paire of shoes, bootes, buskins, startuppes, slippers & pātoffles made sold, shewed o*r* put to sale cōtrarye to ẏ true meaning of this act iii.s. iiii.d. & ẏ iust & ful value of ẏ same.

And be it further enacted fo*r* ẏ treiue execution of this estatute, ẏ ẏ Maire of the City of London, and the aldermen of ẏ same fo*r* ẏ time being o*r* the moze part of them vppon payne to fo*r*fait. xl.li. fo*r* euerie yere that they make default (the one halfe whereof

to bee

Maior London

Forf.

to be to ẏ Queens maiestie, her heirz and succeſſours, and the other haike to him or them that wil sue for ẏ sãe) shal yearely appoint fower or moze expert persons by their discretions to be searchers, who shalbe swozne bezore the said Maioz and aldermen for the time being to do their office truly. Which said serchers shal by vertue of this act fower times in the yere at ẏ least, ẏ is to say, once euery quarter of ẏ yere or oftener if neede require, as they shal thincke good, make true search & viewe of and for all bootes, shoes buskins, and other wares and thinges whatsoeuer made of tanned lether, in al and euery house & houses place and places aswel within ẏ sayd citie and suburbs thereof as in euery other place within iii. miles of ẏ sãe citie where any shoemaker, Sadler, Girdler or other artificer vsing cutting of lether, doth or shal dwel or occupie any of thoccupations of cutting of lether, and after euery such search and viewe, to make true presentment in writing bezore the said Maioz and aldermen for the time being, of euery default that they or any of them shal find in the making, selling, or putting to sale of any boots, buskins, startups shoes, bzioles, saddles, or other thigs, stuffe, or ware made of lether contrary to the true meaning of this estatut. And be it further enacted, that ẏ said Maioz of the said citie of Londõ & the Aldermen for the time being, vpon the paine likewise to be leuyed & imploied, shal likewise yerely appoint 4. or moze other skilfull expert & honest personnes, whereof one shalbee a sealer and keepe a seale for the sealing of lether to bee prepared, who shal also bee swozne bezore the sayd Maioz, and Aldermen for the tyme being, to do their office truely, which said searchers and sealer, shal viewe and search al and euery tanned hyde skin, or lether, which shalbe brought aswel to the market at Leaden hall, as to any other lawful saire or market therefore vsually appointed, within three miles of the said citie, whether the same be wel & sufficiently tanned according to the purport & true meanig of this statut, or no. And finding it sufficiẽtly and wel tanned in such maner and sourme as by this estatut is appointed and as it ought to bee, shall seale the same wt the said seale for that purpose to be prouided and prepared.

And bee it further enacted by the authoritie afozesaid, that all other Maiozs Bailifes, and other head officers for the time beinge, in al other Cities, Bozoughs & market townes of this Realme, & al Lordes of liberties, saires and markets, out of the circuite or compasse of the sayd three miles, shal vppon like paine of xl. li. likewise to bee leuied & eploied euery yeare that they make default herein, appoint & swere yerely ii. iii. or moze personnes, of the most honest & skilfull men within their seueral offices or liberties, by their discretiõ to serch and viewe within ẏ precinct of theire said offices, liberties, and authorities, which shal as often as need shal bee or they thincke good, make like search within their limmits, and shal haue a marke or seale prepared for that purpose, and that the sayd searchers or one of them shall keepe the same seale or marke, & with the same shal seale or mark such lether as they shal find sufficient, and no other. And if the sayd searchers or any of thẽ do find anie leather sold, or offred to be sold or bought, to be searched or marked, insufficiently tanned, or insufficiẽtly curried, or any bootes, buskins, shoes, startuppes, slippers, bzyoles, saddlez

Leadẽ hall Faire Market

Maiozs Bailifes Officers

Foꝛf.

Serch

Seale

sadles, or any thing made of tanned or curried lether, insufficiently tãned curried, or wrought, contrarie to the true meaning of this statut it shalbe lawful to the searchers or any of thẽ to sease as forfaited, al such leather, shoes, and wares made of lether, and to retaine the same in their custoody vntil the same be tried by sixe expert men, appointed by such Maior, Bailife, or other hed officer, or lord of liberte, or his sufficient deputye, wtin whose precincts or liberties such seasure shall happen to be, the sãe triall to be wtin fifteen daies after such seysour at ẏ furthest, vpon ẏ othes of the said triers.

Forf.

Seisour

And be it further enacted by the auctheritie aforesaid, that al red tanned lether which shalbe brought into the Citie of London (whether it bee solde, or bought before hand or no,) shalbe brought to Leaden hall before it be housed in his or theire houses, & there vewed, whether it hath beene searched or sealed, or no, and shal also be registred by the searchers to be appoited as is aforesaid, wt half such fee therfore to be paid as is hereafter expressed for leather to be sold in leaden hall, vpon paine that euery perso housing or not bringing his lether to leaden hall as is aforesaid, shall forfait for euery hyd or skinne vi.s. viii. d. Prouided that this article shal not extend to any lether to be bought in bartilmew faire, or southwarke market, being serched, sealed & registred according to ẏ true meaning of this act. And also be it further enacted, ẏ if anye personne wyll after the sayd feast wilfully withstand or deny any such serche to be made according to the tenour of this act as is aforesaid, or will not suffer the said serchers so appointed to enter into his or theire house or houses, or other place to viewe and serch at their will and pleasure al manner of tanned lether, and al maner of shoes, bootes, males sadles, & al manner of wares wrought and made, or to be wrought & made of lether, and to sease and carry away al such leather, shoes, and wares as they shal find insufficientlye tanned curried or wrought or made of euill stuffe, that then al and euery such person and personnes so denying & withstanding, and not suffering the sayd searchers or any of them so sworne & appointed for the time being, to enter and make search, and sease as is aforesaid, shal lose, and forfait for euery time so denying and withstanding v.li. And be it further enacted by auctheritie aforesaid, that if ẏ persones so to be appointed for the seuer al searchers of lether, & wares made of lether, as is aforesaid, do refuse wt conuenient spede to seale lether sufficiently tanned or doe make default in their search, or doo allowe, ẏ which shalbe insufficiẽtly tãned, curried, or wrought, contrarie to the true meaning of this act, or shall either for affectiõ or corruption conceale ẏ faults of any of them found in that behalfe, that then the Maior Bailifes, Lordes of liberties, and other persons which by vertue of this act shal appoint such searchers and sealers, shal forfait & lose for every such default & offent xl.s. the one moity of which forfaitur shalbe to our soueraign lady ẏ Quen her heires and successours, and the other moitye to him or them that will sue for the same in ante of ẏ Queens Maiesties courtes of recorde, by bill, playnt, information, or otherwise.

Style

Forf.

Cutt

Refuse

Forf.

Concele

Maior Bailife Lords

Forf.

Moitie

And for asmuch as heretofore great deceipt haue ben vsed in cutting of ẏ wombes from the backes for that the tanner did not cut of so much as was mete, but left more to the back, wher of

Red lether London

Leaden hal

Registred

Forf.

Bartholmew faire Southwark

Refuse

of vtter sole leather was made, then was conuenient and meete. And for asmuch also as if the currier shoulde curry the whole hide together, ẏ shoo maker might then put that part of ẏ hids called the wombs into vtter sole lether, which is mete but for iner sole lether, to the great deceipt & damage of ẏ wearer of shoes, bootes, or other stuffe made by ẏ shoemaker, or cordewainer. Be it &c. by the authoritie aforesaid, that such persons as shalbee so appointed searchers or sealers as is aforesaide, shall after the true tanning and before the currying of any leather brought to be searched & sealed as is aforesayd, by their discretiõs cut of so much of the hide truely tanned, to bee sold to a shoemaker, cordwainer, or cobler into wõbes as they shal by their othes think vnmete to make vtter sole lether of, vpon pain that the shoemaker, cordwainer, or cobler, shall forfaite for euerye such hyde not cutte as is aforesayd. iii.s. iiii.d.

Cutt

Forf.

¶ And be it &c. that such personne and personnes as hereafter shalbee assigned and appointed serchers and sealers of tanned leather by vertue of this acte, shall within the limits and precincts of euery of theire searches, keepe one booke, or register, wherein they shal entre all such bargaines as shalbe made for lether, hydes or skinnes, by any personne or persons during and by al the time of the faire or market, being thereto required by the buyer or seller, & also the prices of such lether bought and solde with the names and dwellinge places of the buyer and seller, taking for his and their pain and trauel therin to bee taken aswell for the sealing of such lether, and cutting of ẏ wõbes as is aforesaid, as for registring therof, of ẏ seller of euery diker of lether so entred ii.d. and so after the rate, and for euery vi. dossin of calues skins ii.d. & of ẏ buier after ẏ sãe rate & no more or greater sume or summes of money to be paied for ẏ string of ẏ sãe vppon paine of forfaiture for not entring and registring, or not cutting of, of the wombes as is aforesayde, for euery diker of leather three s. iiii. d. and for euerye dosen of Calues skins. iii. s. iiii. d. & so after that rate.

Wooke Regist

Faire Markett

Seller

Buyer

Forf.

¶ And be it &c. that by the authoritie aforesaid, that no personne or persons, shal after the first day of March next comming, sell, exchange, or put awaye, or cause to bee sold exchanged or put away any manner of tanned lether, redde and vnwrought, except bee or they registre or cause to bee registred the sayd tanned leather, and euerie part and parcell therof, and the price therof vppon paine of forfaiture of the value of the leather so sold, exchanged, and put away, & not registred. And be it &c. that by ẏ authoritie aforesaid that it shall not bee lawful to or for any persone or persons to buy any tanned lether before ẏ same shalbe serched and sealed nor to cary or cause to bee caried out of ẏ faire or market, any leather til it bee registred as is aforesaide vpon paine to forfayt the sayd leather or value therof, so boughte and not searched and sealed, or caryed awaye not registred.

Tanned lether Register

Forf.

Serched Sealed

Forf.

And be it further enacted, that no cordwainer, shomaker or cobler, shal cary or cause to bee carried any Dre or steere hydes tanned whereof any sole lether shalbe cut, out of any faire or market whole before the wombes be cut of as is aforesaid, vppon paine of forfaiture for euery hide otherwise carried out of the same faire or market vi.s. viii.d. and the hide or the value therof.

Cobler

Forf.

And

And be it further enacted by ẏ auc-
thoꝛity afoꝛesaid, ẏ if any currier wiṫin
London ẏ said city of London, oꝛ thꝛee miles
compasse, after ẏ feast of saint Mich-
el tharchangel nert, do curry any lea
ther insufficiently tanned, oꝛ after ẏ
said feast next doo not curry such lea-
ther as hee doth oꝛ shal curry, substan
cially & wel accoꝛding to ẏ meaninge
and purpoꝛt of this act, oꝛ if any shoe
London maker, coꝛdwainer, oꝛ cobler, wiṫin ẏ
citie of London oꝛ thꝛee miles cõpasse
of the same, after the said feast of saint
Michael tharchangel next, put any tã
ned leather, any shooes, bootes, bus-
kins, startuppes, slippers, pantofles,
oꝛ other thinges made of tanned lea-
ther, which shal not bee wel & perfect
ly tanned, accoꝛding to the purpoꝛt &
true meaning of this act, oꝛ after the
said feast doo put any curried leather
in any bootes buskins, startups shoes
slippers, pantoffles, oꝛ other thinges
made of lether, which shal not be wel
and sufficiently tanned & curried, &
also sealed as is afoꝛesaid, oꝛ do make
bootes buskins, shooes, startuppes,
slippers, pantoffles oꝛ other thinges
made of Englishe tanned leather, in
other maner then is aboue specified &
oꝛdeined, oꝛ if any Shomaker, sadoler
oꝛ other artificer vsinge cuttinge oꝛ
wooꝛking of leather, doe make anie
wares of any tanned leather insuffi-
ciently tanned, and of tanned oꝛ cur-
ried lether being not sufficiently tan
ned, & curried as is afoꝛesaide, oꝛ doo
not make their wares belonginge to
their seueral occupations sufficiently
Wardens and substancially, that the the Wa-
dens of euery of the said companies
of sadolers, curriers, shomakers and
other artificers vsing & exercising cut
ting of tanned lether, foꝛ the time be
Foꝛf. ing, shal foꝛfait & lose, foꝛ euery such
default and offence to bee committed
oꝛ done by any personne oꝛ persones
vnder their oꝛder, surney and search
v. li.

Prouided alway, & be it enacted
that no maner of person oꝛ personnes
shal after the said feast of S. Michael
vtter oꝛ sell, oꝛ cause to be vttered oꝛ
solde within the said citie of London
London oꝛ within the said thꝛee miles cõpasse
of the same, any maner of wares ap
pertainig to ẏ craft oꝛ misterie of any
artificer, vsing cutting of leather but
Open the Faire Market only in open shopp, common faire oꝛ
market where by the said Wardeins
may haue the true search of ẏ same in
auoidinge the penalties vppon them
Foꝛf. by this act set, vpon pain of foꝛfaiture
of al such wares so sold, vj. s. foꝛ eue-
ry time.

Prouided alway & bee it enacted
Artificer ẏ al and euery artificer dwellig oꝛ in
habitig, oꝛ which hereafter shal dwell
oꝛ inhabite within the citie of Londõ
London oꝛ thꝛee miles compasse of the same,
vsing oꝛ exercising any manuel occu-
pation of cutting oꝛ wooꝛkig of lether
into made wares, shal contribut pay
& be vnder the surney & search of the
wardens of such companies of ẏ sayd
wardens citie of London, as ẏ artificers com-
monly vsing the like occupatiõ being
freemen of the same city of London &
of the same company be, touchinge &
concerning only their wares & stuffe
made of oꝛ with lether in like maner
& foꝛme as other freemen of ẏ sãe cõ-
pany doth to the wardẽs of their cõ-
pany wiṫin ẏ said city. Al which pains
Foꝛf. penalties, & foꝛfaitures afoꝛesaid, of
sũmes of money afoꝛesaid except such
pains penalties & foꝛfaitures as are
befoꝛe oꝛ hereafter by this act shal o-
therwise be disposed, shal be deuided in
iij. Parts to thꝛee equal pts, one pte wherof shal
be to our soueraign lady the Queene
her heires and succeſſours, & an other
pte to him oꝛ thẽ that shall firſte sue
foꝛ the same in any of the courtes of

recoꝛdes

recordes of the Queenes maiestie her heirs or successors, by accion of det, bil plaint, informacion, or otherwise, in which suit no wager of law or essoin shalbe admitted or allowed, & the iii. parte therof shal go to the citie, Borough, town, or lord or lords of liberties wher the offence shalbe committed or done. And al such leather, shoes, bootes, buskins, startups slippers, pantoffles, wares, stuffe, & other thinges whatsoeuer, made of tanned leather, or curried lether, which shalbe sealed by vertue of this act, or shalbe founde insufficiently wrought, tãned or curried & declared by this act, to be forfaited, & shalbe sealed by ỳ said serchers, or any other plõ finding ỳ fault therof shalbe distributed, as hereafter ensueth. That is to say, such lether or stuff so sealed within the citie of London or within iii. miles compas of ỳ same to bee brought to the Guild hall in London, there to be praised by indifferent persons, and the value therof to be deuided into iii. partes, wher of ons pt to be to the first sealer & sealers of the said vnlawful stuffe, and an other part to the vse of the chãber of London, and ỳ other part to be distributed to the poore folkes as well being within the newe Hospital of Saint Bartholmewes in London, as to such poore housholders as shalbee inhabiting within the Citie of London, or the circuit aforesaid, at the discretions of such persõs as the Maior of the same citie, & foure alderme of the same for the time beinge shall appointe for the same. And that al such leather bootes, shoes, saddls, warres stuff and thinges made of or with leather as is aforesaid, which shalbe found wtin any other citie, borough, towne, or place, within this Realme out of the said Citie of Londõ & three miles compasse, vnsufficiently wrought tanned, or curried, as is aforesaid, & shal be sealed & taken as forfaited, shalbee brought to the comon hall of euerie such citie borough, and towne, or to some conuenient and opẽ place to be apponted by the lord of the libertie, or his deputie, where no comon hall is, there to bee praised as is aforesaid, one part of the said value therof to bee disposed vnto the poore, and in other dedes of charitie in those partes after the discretion of the Maiors, bailifes, headboroughs, and lords of liberties, an other parte to bee deliuered to the Maiors, bailifs & other head officers of any citie borough, or towne, corporat to the vse of ỳ cõminaltie, of such citie borough or towne corporat, and where no such officers bee, then to the lord or lords of ỳ libertie where any such forfaiture shalbe committed or seasoure had, and the thirde parte to the first sealer or sealers of such lether stuffe or wares insufficientlye tanned, curried or wrought, as is aforesaide for his and their paines.

Poore people

Cominalty

Lord of liberties

Distribution of lether forf.

Chamber of London

Poore people

Maior

Prouided alwaies, that no person to whom any such vnlawful lether or stuffe shalbe geuen by this acte, shall gene or sel any such lether or stuff to any person or persones that shal sell the same, vpon pain that ỳ buier shal forfait for euery parcel of such vnlawful lether or stuffe to be solde contrarye to the true meaninge of this last clause, three shillings fower pence, Prouyded alway, ỳ this acte nor any thing therin cõteined, shal not in any wise be preiudicial or hurtfull to the Chauncellors, vicechancellors, proctors, readers, & schollers, their officers ministers, assignes, or fermours of ỳ vniuersities of Oxford or Cãbridge or any of them, of, for, or concerning the authoritie of search of tãned lether, or any of the forfaitures of the same which they lawfully hadde or might

Forf.

Chancellors, Vicechancellors Proctors Oxford Cambridge

might haue had before the making of this ꝑsent act, so as they do in al thigs obserue such order in, & about, or for searching sealing & registringe of leather, as by this act is ꝓscribed & appointed vppon the pains herin cõteined, any thing therin cõteined to the contrary herof notwithstandinge. And it is ꝛc. ꝙ ꝙ hides & skinns of ore, steere, bul, cowe, calfe, deere, red & fallow, goates, and sheep, being tanned or tawed, and euery salts hide, is shal be, and euer hath ben reputed & taken for leather. And be it ꝛc. that al iustices of assise Justices of gaole deliuerye, Justices of peace, and stewardes of fraunchises, leetes and lawdaies, with in their seuerall ꝓcincts iurisdictions, & liberties, and Maior of London for the time being within the said citie and within three miles compasse of the same citie, & al other Maiors bailifes, & other head officers of cities, boroughs, & townes, within their seuerall iurisdictions, liberties, ꝓcincts, offices & auctho̅rities, shall enquire of al the ꝑmisses in theire sessions, leet or lawdaye, and here & determine the same, & also by their discretions examine al persons suspected to offende this act, or any parcell therof. And be it ꝛc. that where any manour, libertie, or franchises, immediatly apptaineth or shal appertain to the Queenes Maiestie, her heires or successours, the steward for ꝙ time being of euery such manour, libertie and fraunchise shal haue the like auctho̅rities powers iurisdictions & aduantages, and also shal beare & pay al the like paines, penalties & forfaitures as are geuin appointed, limitted, or laied, by this statut, to or vpon the lords and liberties and franchises as in this statut is expressed. And be it ꝛc. ꝙ al curr ying & dressing of leather commonly called dry curr ying and

What skins be called leather

Just. of ass. Just. of g. Just. of p. Stewards of L. Maior of London

Bailifes Officers

Enquier

Examin

dressing, shalbe construed to be dressing and currying after the manner of spanishe leather, of what colour so euer it be, and that to al artificers, other then shomakers perely betwene the last of Sep. & the xx. of Ap. it shalbe lawful to vse al kind of lether dressed & curried in ꝙ maner of dry curr ying & dressing, as they lawfully might before the making of this act, so ꝙ ꝙ same leather so to be vsed be well and sufficiently tanned according to the form ꝓscribed in this act, & also wel and substãcially dressed, curried & dressed, in the kind of dry curr ying, & dressing aboue said. And be it ꝛc. that this act & euery pt therof shalbe cõstrued & adiudged to extẽd to Wales as amplye as it doth in this realme of Engl and to al intents, cõstructions, and purposes. Be it ꝛc. that if any leather wrought, cutt, or vnwrought, to the intent to be sold or battred, shal hereafter vnlawfully bee transported or purposed to bee transported into the parts beyond the sea from & out of any port hauen or creke, of this realm or Wales, euery comptroller, customer, surueyour, collectour of tonnage & pondage, & searcher & deputy or any of thẽ, or any other person bearing or knowig by any wales of any lether ment to bee transported, from ante place within his office, and do not his best endeuour to seale the same, or being trãsported do not disclose or cause to be disclosed that same within 40. daies next after such knowledge or hearinge the same in some court of recorde, so as the offendour may bee punished according to the lawes in ꝙ case ꝓuided shall for euery the first offence comitted against this article forfait C.li. and for the second offece shal forfait his office. And bee it ꝛc. ꝙ euery customer, officer or officers deputy shal make any false certificat

Dry curr

Wales

Trãsporte

Cõptrolle Customer

Fork.

of

Fol.

of the arrual of any lether in any port
creke or place of this realme, shall also
forfait for euery such offence C.li. Pro
vided alway ỳ neither this act nor any
article, exposition, or thing therin con
teined, shall extend to any scottish hi-
des to be brought into ỳ towne of Ber
wike, out of the realme of Scotland,
being registred in a booke therefore to
bee kept, by such person and personnes
as the Maior of the said towne for the
time being shall therunto name and ap
point with the name and surname of
the buier & seller, to ỳ intent the Eng-
lish hides may bee knowen from the
scottish, but that the inhabitantes of ỳ
said towne of Berwike may send cary
and transport such scottish hids, as thei
lawfully might transport beefore the
making of this act. Be it &c. that ỳ sta
tutes hereafter mencioned, that is to
say. One statute made in 25. E. 3. ca.
4. before 1. And one other statut made
in 13. R. 2. ca. 12. before. 2. And one o-
ther act or statute made in 4. H. 4. ca.
35. before 3. And one other act made
2. H. 6. ca. 7, beefore 4. And an other
act made an. 4. E. 4. intituled, Cord-
wainers & Coblers before 5. And one
other act mad. 1. H. 7, intituled, an act
against taners and Cordwainers bee-
fore 6. And one other act made in the
19. yere of the raigne of the said kyng
Henry the seuenth, intituled for Curri
ers and Cordwayners before 7. And
one other act made in the third yere of
the raigne of our late soueraigne lorde
king Henry the eyght, intituled an act
for Curriers, to haue search of lether,
before 8. One other act made in 5. H. 8
intituled an act for strangers for buy-
ing of lether in open market, before 9.
One other act made in the viii. or ix.
yeres of our said late soueraigne lorde
intituled an act concerning the libertie
of Cordwayners and shomakers, bee-
fore. 5. And one other act made in 22.
H. 8. intituled, an act concerning tan-
ners and Bouchers before 10. And
one other act made in 24. H. 8. in

Scottish hydes Berwike

tituled, an act concerning true Tan-
ning and curryng of lether, before. 11
And one other act made in the. ii. and
3. yeres of the raigne of our late sou-
eraigne lorde king Edward the first, ỳ
ix. chapiter, and renued in the first yere
of our soueraigne lady the Queens ma
iestie, intituled, an act for true curying
of lether, beefore 13. One other acte
made in the 3. and 4, yeare of our said
soueraigne lord king Edward the first,
intituled, an act for buyig of rough hids
and calues skins beefore 16. And as
much of an act made in the v. and first
yere of our said late souerain lord king
Edward the first, intituled, an act a-
gainst regrating of tanned leather, be-
fore. 17. as doth proude or giue liberty
to any person or personnes to cary out
any shoes, bootes, buskins, startupes
slippers, and other made wares to the
towne of Calyce. And one other act
made in ỳ first yeare of our soueraigne
lady the Queenes maiestie intituled,
an act touching shomakers & curriers,
before. 19. And one other act made in
the said first yere, intituled, an act tou-
ching selling of tanned leather, beefore
20. shall from and after the said feast
of S, Michaell nert comming be vtter
ly repealed. An. 5. Eliz. cap. 8. parte of
this act is repealed by 18. Elizabeth Repealed
cap. 9.

22 ¶ Be it enacted by the Queene
our Soueraign lady, & by thauctoritie
of this present Parliament, that the
said act against transporting of lether
before 18, & made in the said first yere,
and continued in the first Session of
this present Parliament, shalbe repea Repeale
led, and that so much of the said act con
cerning Tanners &c. before 21. made
in the said fifth yere, and the prouisoes
therein contained, as don or doth con
cerne the transporting of Leather or
Hydes, shalbe continued, & duely put
in execution. And bee it further enac-
ted, ỳ it shall not be lawfull for any per
son or persons, to lade, shipp, or cary in
any vessel, or ship, or otherwise, any

Transport

Scotland
Scottish hydes

Forf.

Treble value

Owner Forf.

Maisters Mariners Forf.
Goods
Imprison

Holy

Owner

Informatiõ

Barons Exchequer
L. Presidēt

Oth

Leather, Tallow, or raw Hides, of intent to transport or carry the same into any place or places of the partes beeyond the Seas, or into the Realme of Scotland, by land or by Seas, other then Scottish Hides, according to the sayd prouiso in the said act made in the said fifth yeare, vppon the paines and forfeitures hereafter ensuyng: that is to say, vppon the paine of the forfaiture of the said Leather, Tallow, or raive Hides, so laden or transported, and treble the value thereof, to bee forfaited by the owner or owners, and also the owners of the said shipps or vessels, knowing of such offence, to forfait the said shipps or vesseles, with all their apparell and furniture to them and euery of them belonging, and the maisters and Mariners knowing of such offence, to forfait all their goodes and cattels, and to haue imprisonment by the space of one yeare, without baile or mainprise: the one moitie of al which forfaitures to be to the Queens Maiestie, her heires and successours, the other moitie to him or them that will sue for the same, by action of debt, or informatiõ, in any court of record, in which suite, no protection nor wager of law shalbe admitted, prouided alwaies, that if any owner of any such shippe or vessell, or any Maister or Mariner knowing any such transportatiõ of Leather Tallowe, or raiue Hydes, shall within three monethes next after his knowledg thereof, or after his retourne in to this realme, geue good informatiõ bona fide, before any of Barõs of the Queenes maiesties Court of Therchequer, or before the Lord President or counsell in the North, or in the Marches of Wales, or before the head officer of any Port where he shall fyrst arriue, vpon his or their othe, of the number and quantitie of Leather, Tallow and raiue Hides, so caried, conueyed, and trãsported, and by whom, where & in what ship or vessel, & afterwardes shalbe redy vpon reasonable warning by processe, to iustifie and prooue the same for the Queenes Maiestie, that then such owner or owners, Maister, mariner or Mariners, shall not forfait his or their shippe, vessel or vesselis, nor incurre the forfaitures aforesaid: any thing herein conteyned to the contrary, notwithstanding.

Proces

And be it further enacted by the auctoritie aforesaid, that euery persone or personnes whatsoeuer, that shal shippe or cary any Leather, tallowe, or raiue Hides, other wise then by force of the said prouiso made in the said fyfth yere into the parts of beyond the Seas from henceforth, shal pay to the Queens maiestie, her heires and successours, for euery Hide so to be caried, by the name of Subsidie, the summe of v.s. and for euery dozen of Calues skinnes. iii.s. iiii.d. and for euery Hundred pounde weight of Tallow .vi.s. viii.d. And further, that all Customers, Comptrollers, Farmours, & superuisours of customs and Subsidie, shalbe accomptant to the Queenes Maiestie her heires, and successours, to pay the said custome and Subsidie for al such goods entred and laden, vpon the paynes and penalties cõteyned in the statut made for false concealementes of customes and Subsidie, in the third yeare of the raign of king Henry the sixth. An. 18 Eliz. ca. 9.

Pay

Subsidy

Customers Cõptrollers

Goods

*Corne & graine*

IT is accorded, that the passage of corne shall be defended in all the portes of Englãd, so that none haue licẽce nor warrãt to passe with such corne in any wise, vnles it be to Calois or Gascoyne, or to other speciall places, which it behoueth the king do to be warned of the corne of England, & that at his owne ordinaunce. Anno 34. E. 3. cap 20.

Corne

Calice

2 The malte which shalbee made in the counties of Huntington, Cãbridg Northãpton, & Bedford, which shalbe sold and brought to the citie of Lõdon, to vitaile the kinges houshold and other lords houshold and gentils there direct-

Malt

dwelling and repayring. And also for sustenaunce of all the people of the said citie, shall be well and couenably sifted inclensed, and purified before the sale of the same, from dust & all other filth, so that the buyers may haue viii. bushels of cleane Mault for the quarter. And that the Mayres, Baylifs, & Wardens of Towns & places where such Mault shalbee sold, shall haue power at euery mannes suite that will complain to see and serche the sayde Mault. And if defaut bee found thereof to make due redzesse. An. 17. R. 2. ca. 4.

Clensed

Quarter

3 ¶ The king at the request of the cõmons to him made in this present parlement, hath granted licence to all hys lyege people of his realme of England to shippe and carry corne out of the said realme, to what parties that pleaseth them, except to his enemies, paying ỳ subsidies and denoyers therof due: notwithstanding anye ordinaunce proclamation or any defence made before this time to ỳ contrary: Neuertheleese hee will, that his councell may restrayne ỳ saide passage when they shall thinke best for the profitte of the realme. An. 17. R. 2. cap. 7. Quere if this statut expired by the death of R. 2.

Ship corne

4 ¶ The said statut (that is to saye An. 17. R. 2. cap. 7. before 3.) so that his counsayle may restraine the sayde passage when to them shall seeme necessary for the profit of the realme. An. 4. H. 6. cap 5. Quere if this statut expired by the death of H. 6.

Passage

5 ¶ An. 15, H. 6. ca. 2. it was enacted to endure to the next parlement, ỳ corne might be carried out of England when it was at certain prices expressed in the statute. And after. an. 20. H. 6. ca. 6. this act was cõtinued for 7. yers. And after. Anno. 23. H. 6. cap. 6. it is made perpetual. See these thre statutes at large.

Transport corne

Prices

6 ¶ No person from the feast of S. John the Baptist next comming shall bring nor convey into any place or port of this realme, by way of marchãdise, nor other wise any wheate, rye, or barly, which is not of the growing of this land, or of any Isle pertayninge to the same, or of the growing of the countrie of Irelãd or Wales, at any tyme that the quarter of wheate doth not excede the price of. vi. s. viii. d. The quarter of rye doth not excede the price of. iiii. s. And the quarter of barlye. iii. s. of lawfull money of England within ỳ place or port where such wheat rye or barly shall happen to be brought, vpon paine of forfaiture of the said wheat, rye & barlie. The one halfe to the vse of our souerain Lord ỳ king, & the other half to him, which shall happen to seaze such wheat, rie, or barly. Prouided alwaies that this act extend not to any wheat, rye, or barly, taken by any of the kings liege people vpon the sea without fraud or couin. An. 3. E. 4. cap. 2.

Bring in

Price

Forf.

Mouie

Merchãdise

7 ¶ Be it enacted that no drouer of Cattell, Badger, lader, kidder, carier, buier or transporter of corne or graine, butter and cheese, bee from and after the feast of Easter next after the first day of this present Parliament, licenced, admitted, assigned, or allowed, to those offices or doings, or to any of thẽ but onelye in the generall and open quarter Session of the peace, to be holden in the shyre where such person or persons so to be admitted, assigned, or allowed, doth or shall dwell, and hath or shal haue dwelled there by the space of three yeares next before the Feste of this said licence. And that noe person or persones after the first daye of May next comming, be admitted to ỳ said offices or doings, or to any of thẽ, but such onlye as bee or haue been maried men, and shalbee married, at the time of suche licence to bee graunted, householders, and not houlholde seruauntes, not retayners to any person or persons, and of the age of xxi. years at the least. And that all licences being made & graunted as is aboueſaid, shal haue continuance and bee good onelye for one yere next after the date ther of &

Drouer

Badger

Butter

Cheese

Licence

Quarter sessions

Maried mẽ

Householders

Not one yeare

for no more nor longer time, which said licences euery of the, shall beare date of the day & place where the said sessions shalbe holden, & shalbe signed and sealed with the proper hands and seales of three of the said Justices of the peace beeing present at the same Sessions at the least, whereof one to be of the Quorum, vpon paine, that euery person or personns that shal take any licence contrarie to this ordinance to lose and forfait to our soueraign lady the Queene her heires, and successours fiue poundes sterling. And that all licẽces made and graunted, or hereafter to be made & graunted, otherwise then is afore expressed, shall from and after the said first day of May next commig be voyd & of non effect.

Justices of the peace

Forf.

¶ And further bee it enacted by the auctoritie aforesaid, that the Justices of the peace, in the said generall & open sessions, shall or may by their discretions, take bonde and suerty from time to time, by Recognisances, of such as shalbe admitted or allowed hereafter a common drouer of cattell, badger, larder, kydder, & carrier, or buyer of Corne graine, butter or cheese, that they, nor any of them, shall by colour of his, or their licence forestall or in grosse, or otherwise practise or do any act or thig contrary to the tenour and true meaning, or in defrauding the said former estatut, or of any matter or thing therin contemed. All which licences, and euery of them, and the said Recognisaunces, shall be made and written by the clerke of the peace in euery county where such licence shalbe graunted, or by his lawfull deputie, and by none other persoune or persones. And euery person that shall haue any such licence shall pay to the Clerke of the peace, or his deputy for making thereof .vii. d. at the most, and for euery Recognisance in fourme aboue said to bee made and knowledged, viii. d. at the most, & for registringe of the same licence and recognisance iiii. d. at the most. For

Justices of the peace

Recognisans

Drouer
Badger
Carier
Butter
Cheese
Forestall
Ingrosse

Clerk of the peace

Registring

whiche laide fee, the laide Clerke or his deputie, shall haue and keepe one regiſter booke, and therein shall register and write all the names, surnames, and dwelling places of such as shalbe licensed as aforesaid, with a briefe declaration or entry of the said licence, and of the day time, & place, where such a licence, or licences shalbe graunted. Which booke or Regiſter, the said Clerke of the peace, or his deputie, shall haue and bring to euery sessions, to the intent that it may appeare what number of licences be and shall bee from time to tyme graunted wherby the better consideration may be had therof.

Regiſter booke

Sessions

Prouided alwaies, and bee it further enacted by thauctoritie aforesaid, that no person or persons, shall or may by auctoritie of any such licẽce aboue mencioned, buy any corne, or graine, out of open fayre or market to sell agayne, vnles such person and persons shalbe thereunto licẽced, and shal haue speciall and expresse wordes contemed in such licence or licẽces ẏ hee or they may so doe, vpon paine to forfait for euery such time that any such person or persons shall do to the contrary .x.li. The one moitie of all which forfaitures afore rehersed, shalbe to ẏ Queene our soueraign Lady hir heires and successours, and the other moitie, to him or them that will sue for ẏ same in any of ẏ Queens courts of Record, by bill, plaint, accion of debt or informatiõ, in ẏ which bill, plaint, acciõ or information no wager of law, essoigne or protection shall be admitted. Be it also enacted by the auctoritie aforesaid, that the Justices of the peace in euery county within this realme or Wales, at ẏ quarter Sessions, shall haue full power & auctoritie by vertue of this act, to enquire, heare & determine al and euery the defaults and offences, perpetrated, comitted or done contrary to this act, within the county where any such Sessions shalbe kept, by inquisition, pre-

Buy to sell againe

Forf.

Moitie

Justices of Wales

Oier & ter.

Examin

Proces

Extretis

Execution

Fieri fac. Capias.

Citie

Purueiors

presentment, bill or information before them exhibited, and by examination of twoe lawfull witnesses, or by any of the same waies or meanes by the discretion of ỳ said Justices, and to make processe therupō, as though they were conducted before them by inquisition, or by verdict of twelue men or mo. And vpon the conuiction of the offender, by information or suit of any other then ỳ Quéene to make extracts of the moitie of the forfaitures to be leuyed to the Queens vse as they vse to doe of other fines and amerciaments growen in ỳ Sessions of peace, and to awarde execution of the other moitie for the complainant or informer against the offender by Fieri facias or Capias, as the Queens iustices at Westminster may doe & vse to do. And if any such conuiction or attainder shall hereafter happē to be at the Queenes suite onely, ỳ the whole forfaitures to bee extracted and leuyed to the Quéenes vse onely. Prouided alwaies, that this act or any thing therein contened shal not in any wise extend to the prejudice of the liberty of any citie or towne corporat, but ỳ they and euery of them shal and may lawfully assign and licence Purueyors for the prouision of the same Citie or Towne corporate, in such maner and fourme as they might lawfully haue done before the making of this act. Prouided further that this act nor any thing therein conteyned, shalbe in any wise hurtfull or preiudiciall vnto any ỳ inhabitantes within the Counties of Westmerland, Cumberland, Lancaster, Chester, & Yorke, or any of them, but ỳ they may doe as heretofore they haue lawfully vsed to doe: Any thyng in this present act to the contrary notwithstanding, An. 5. Elizabeth. chapter. 12.

8 ¶ Be it enacted, ỳ from and after the feast of the Natiuitie of S. Iohn baptist next comig, it shalbe lawful to al and euery persone and persons, beig Subiects of the Queens Natelly, her heires and successours, and inhabiting within her highnesse Realmes and dominions, only out of such ports & creekes where are or shalbe resident a customer, or collector of subsidie, of Tonnage and Poundage, or one of their deputies, and not else vher, to loade, carry, or transport any Wheat, Rye, Barly, Maulte, pease, or Beanes, into any parties beyonde the Seas being in amitie with this Realme, and not prohibited by any restraint or proclamation only to sell as a marchandize in Ships craiers, or other vessels bearing crosse sailes, whereof any English borne subiectes inhabiting within her highnesse realmes and dominions, then shalbee ỳ only owners, at al such times as the seuerall prices thereof shalbe so reasonable and moderate in the seuerall countries where any such transportatiō shall bee intended, as ỳ no prohibition shal be made either by ỳ Queens Natelly, her heires or successours, by proclamation to be made in ỳ shire towne, or in any port townes of ỳ county, or els by ỳe order of the lord President & coūsel in ỳ North, or ỳ lord Presidēt coūsel in Wales, vpon their seuerall iurisdictiōs, or of the Justices of Assise at their sessions in other shires out of the iurisdiccion of the said two Presidents & counselles, or by the more part of the Justices of the peace of the county, at their quarter Sessions, in this maner folowing: that is, The said lord Presidents and counselles for ỳ shires within their iurisdictions, the Justices of assise at their seuerall Sessions in other shires out of the said iurisdiccions belonging to the said counsels in the North, and in Wales, yearely shall vppon conference had with the inhabitantes of the countrie, of the cheapnesse and dearth of any the said kindes of graine, within the counties within the iurisdictiōs of the said counselles, or in other ỳ coūtries within the limittes of the said iustices of assise, by their discretion determine whether it shalbee meete at any

Transport

Merchādis

Prices

L. Presidēt. Wales

Just. of all.

Just. of y.

time to permitte any graine to be carried out of the realme, by any port with in the seuerall iurisdiction or limittes, & so shall in writing vnder their handes and seales, cause and make a determination either for permission or prohibition, and ẏ same cause to bee by the shrifes of the counties published, and affixed in as many accustomed market townes and portes within the said shire as they shall thinke conuenient, & in such maner as ẏ Queens Maiestys proclamations are vsually published & affixed: which determination of the saide Presidentes and Counselles in their iurisdiccions, & of the Justices of Assise in their limittes, shall continue in force for the tyme, place, and maner therein expressed, vntill the said Presidentes and Counsels shal otherwise order, or vntill the Justices of Assise, at their beeing in their said circuites, in euery of the said counties, shall alter or otherwise order the same, except the same shall bee otherwise in the meane time altered or countermaunded by the Quenes Maiestie her heires or successours, or by some order of the Justices of peace in the counties situated out of the iurisdiccions of the said two counselles in their quarter Sessions to be holden in the meane tyme, or ẏ greater part of them, shall fynde the same determination of the Justices of Assise to bee hurtfull to the county by meanes of dearth, or to bee a great hinderance to tyllage by meanes of two much cheapnesse, and shal by their writinges vnder their handes and seales make any determinations to the contrary, either for permission or prohibition of cariage of any kynde of graine out of the realme, and the same determination shall cause to bee in like maner published and affixed, as aboue is said: which determination shall also continue in force, except the same shalbee altered by the Quenes Maiestie, her heires and successours, or vntill the Justices of Assise, at their beeing in their said circuites, in euery of the said Counties afore to them limitted, shal alter or otherwise ordein the same, who shall and may vppon new conference had, by their discretions from time to tyme alter and chaunge the said determinations in the whole, or in part, as to their discretions shall seeme meete, and the same shall also cause to be published, as is before prescribed.

Publish

Alter

¶ Prouided nevertheless that neyther any of the said Presidentes and Counselles, nor the said Justices of Assise, nor the said Justices of peace aboue mencioned, shall publishe any their determinations aboue mencioned vntill the same shall bee first by writing notified to the Quenes Maiestie or to her prime counsel, & by her Maiestie or her prime counsel shalbe liked & allowed.

Counsels Allowed

¶ Prouided also that the Quenes Maiestie, her heires and successours, shall haue and receiue by the Customers and officers of her portes, for ẏ custome or pondage of euery quarter of wheat to be transported by force of this statut .xii. d. and of euery quarter of any other grain .8. d. & of euery quarter of wheate that shalbe by any speciall license hereafter to bee graunted transported out of the Realme, and not by force of this statute, two shillinges, and euery quarter of other grain .vi. d. notwithstanding any maner of words that shalbe conteyned or inserted in any licences to the contrary: which said seuerall summes so to bee had or taken as custome or pondage, to bee in full satisfaccion of al maner of custome or pondage for ẏ said corne or grayne, by any constitution, order, statute, law, or customs, heretofore made vsed, or taken for transporting of any such manner of Corne & Graine.

Custom

Iust. of p.

Dearth Tillage

License

¶ Prouided also, and be it enacted by thauctorite of this present Parliament that the Quenes Maiestie, her heires and successours, may at all tymes by

Proclaime

by her writte of Proclamation to be publyshed generally in the whole Realme, or in the Countyes of the Realme where any port townes are, commaund that no persone shall by vertue of this act, transport or cary out any maner of graine to any partes out of her dominions, or other generally out of any port in the realme, or particularly out of any speciall portes, to be in ỹ same proclamation named, and that it shall not be lawfull for any persone to cary out any such graine, contrary to ỹ tenour of the same proclamation, vpon such paines as by the lawes of this realme are and hath bene prouided. An. 13. El. ca. 13.

9 ¶ An 13. El. ca. 25, the Statutes made 5. & 6. Edw. 6. which is in Forestallers 5. is reuyued and made perpetuall, and the statutes made 3. and 4. Edward. 6. which are in Butter and Cheese. 3. and in Calues. 3. are reuyued, and continued to the end of the next Parliament, and in thende it is prouyded alwayes, and be it enacted by the authoritie aforesaid, that no person or persons, shalbe a buyer, badger, hadder, or cayer of corne, tattell, butter, cheese and such lyke kind of victuall, in none other maner, nor fourme then is conteyned in a statute made in the fifth yeare of the raygne of our Soueraygne Lady Queene Elizabeth heretofore 7. nor shalbee any other wayes admitted or licensed to bee buyer, badger, hadder, or cayer as is afore said, then is mentioned and appointed by the said statute any thing in this or any other acte heretofore to the contrary notwithstanding.

Forestallers

Badger
Carier
Butter
Cheese

Licence

## ¶ Coroners.

FOr asmuch as meane persones and indiscrete, yonge of lande are commonly chose to the office of coroners, where it is requisite that persons wise, lawful and discrete should occupie such offices: It is prouided, that thorough all shires sufficient men shalbee chosen to bee cozoners, of the most wise and discrete knightes, which knowe, will and may best attend vpon such offices, and which lawfully shal attache and present pleas of the Cozone. And the shiriffes shall haue counterpaines with the cozoners, as well of the appeales as of enquestes of attachementes, and of other thinges, which to that office do belong. And that no cozoner demaunde nothing, nor take nothing of any manner to do his office, vpon paine of great forfaiture to the king. Cliell miller. 1. cap. 10. Anno. 3. E. 1.

Knights

Shiriles. Appeales.

Fort.

2 ¶ A Cozoner ought to enquire these thinges if he be certified by the kinges bailifes or other honest meane of the countrey.

Bailifes.

¶ First he shal go to ỹ places where any man is slayne, or lodenly dead, or wounded, or where houses are broken, or where treasure is said to be founde, and shall forthwith commaund force of the next townes or fire, to appere before him in such a place, and when they are come thither, the cozoner vpon ỹ othe of the shal enquire in this maner. That is to wite, if they know where ỹ person was first slain, whether it were in any house, field, bedde, mantr, or in company, & who were those, Like wise it is to be enquired who were culpable, either of ỹ act, or of ỹ force, & who prest, either men or women, & of what age & estate they be (if they can speak, or haue any witte or) & how many be found culpable by the enquest in any of ỹ said maners, whereupon they shal be take & deliuered to ỹ shiriff, & shalbe cõmitted to the gayle, & such as bee found any and bee not culpable, shall bee attached vntyll the comming of the Justices, and then names shalbee written in rolles. If it fortune any man be slain sodenly, which is found in the fields, or in the woodes, first it is to be seene, whether he were slayne in the same place or not. And he-

Oth

Enquire.

Shiriles.

Attach.

were brought and laide there, they shal do so much as they can, to folow the steppes that brought him thither whether he were brought upon a horse or in a carte. It shall bee enquired also if the dead persone were knowen, or else a stranger, & where he lay the night before. And if any be found culpable of ỹ murder, the coroners shall immediately goe unto his house, and shal enquire what goodes he hath, and what corne he hath in his grainge: and if hee be a free manne, they shall enquire howe much land he hath, & what it is worth yerely, and further what croppe hee hath upon the grounde. And whē they have thus enquired upon every thing, they shall cause al the land, corne, and goodes to be valued, in like maner as if they should be sold incontinently, & thereupon they shall be delivered to the whole towneshippe, which shalbe answerable before ỹ Justices for al. And likewise of his freehold howe much it is worth yerely over and above the services due to the lordes of the fee, and the land shall remaine in the kings hands untill that the lordes of the fee have made fyne for it. And immediatly upon these thinges being enquired, the bodis of such persōs being dead or slain shalbe buried. In lyke maner it is to be inquired of them that be drowned, or so beinly slayne or strangled by ỹ signe of a corde tied streits about their nekis or about any of their membres, or by on any other harte founde upon their bodies, whereupon they shall procede in ỹ fourm above said: and if they were not slayne, then ought the coroner to attach the finders and all other in the company. A coroner also ought to enquire of treasure that is founden, who were the finders, and like wise who is suspected therof, & that may be well perceived when one liveth riotously having fyneryes, & hath not of long time hereupon he may be attached for this suspicion by 4. or 6. sureties pledges, if he may be found. Further if any be appealed of rape, he must be attached, if the appeale be fresh, and they must lie an apparant signe of truth by effusion of blood, or an cpē cry made, and such shalbe by 4. or 6. pledges, if they may be found. If the appeale were wonte cris or wonte any manifest signe or token two pledges shalbe sufficient. Upon an peale of woundes, specially if ỹ woundes be mortall, the parties appealed shalbe taken immediately, and kept untyll it be knowen perfectly, whether he ỹ is hurt shall recouer or not. And if hee die, the defendaunt shalbe kept. And if he recouer helth, they shalbee attached by 4. or 6. pledges, after as the wounde is great or small. If it be for a maime, he shal finde no lesse then viii. pledges, if it be for a small wounde 2. pledges shall suffice. Also all woundes ought to be viewed the lenigth, breath and depenes, and with what weapons and in what part of the body the wound or hurt is, and how many be culpable, and how many woundes there be, and who gave the wounde, all which things must be inrolled in the roll of the coroners. Moreover if any be appealed of an act done as principall, they that bee appealed of the fore shalbe attached al so, and surely kept in warde, untill the principals be attainted. Concerning horses, boates, cartes, &c. whereby any are slaigne, that property are called deodandes, they shalbe valued & delivered unto the townis as before is sayd.

Concerning wrethe of the sea, where soeuer it be found, if any laye hands on it, he shalbe attached by sufficient pledges ỹ price of ỹ which shal be valued & delivred to ỹ townis. If any be suspected of ỹ death of any man being in danger of life, he shal be taken and imprisoned as before is said. In like maner hue shal be levied for al murders, burglaries, & fourmen flame, open peril to be flame as other where is used in England. & al that hold ỹ hue & steppes, as nere as can bee. And hee that doth not, and is convict therupon, shall bee attached to be



Culpable

Goods Corne Freeman

Valued

Townshyp Justices Freehold

Fine

Drowned Strangled

Treasure

Rape

Appeale

Pledges

Imprison Principal

Horses Boats Deodand

Wrecks

Imprison

Hue & cry Burglary

to be afore Justices of ỳ gayle &c. Officium corronatoris, An. 4, E. 1.

3 ¶ It is prouided and ordeined that the Enquerors shall comaund the Shiriffe of the place, that he cause to appere at a certain day, and at a certain place, (which to him shalbee assigned by the foresaid Enquirours) al the bayliffes of wapentakes hundreds and franchises which bee or haue bene Beadells (if they be lyuig) in the time that P. of C. was corroner to our lord ỳ king in those countries, and he shall geue knowledge therof to all the Bailiffes & Beadelles which ar or haue byne within the precinct of his Bailywike & apertaining to ỳ same corroner, and to others also if nede bee. And that hee also cause to come before them the Coroner, of whom they shall take the enquestes, with all the Roules of his time whyle he was Corroner to our lord the king, and the enquirours shal put their sealez to the roules of the sayd Corroner, and being so sealed shall redeliuer thē to ỳ Corroner, so that he may haue them in a redines when ỳ Justices in eyre shal come to sitt in that county, or that the king shall ordeine otherwise for the sāe And if the Corroner bee dead, the same order shalbee vsed with his heire for the time of his father, so that neyther ỳ corroner nor his heir nor their clerkes may not forge their roules: before the comming of the Justices, nor otherwise to do any thing against the crown in preiudice of the king, in damage of his people, and to the hinderāce of right as before this tyme hath beene vsed. And then the said Inquirours, shall cause ỳ bayliffes aforesaid to sweare, that wel & trewly they shal do those things wher with the shalbee charged by the kinge and his councell, and they shall not conceale any thing, and after that they are all sworne, eache Baylife of wapentake hundred and franchise shal bee particularly charged that he bring before the said Inquirours, at a day and place certen (which to hym shalbe assigned) the names of all the Townes villages and hamletts, within his wapentake hundred or franchise written in rolles, & at that day & at ỳ same place shall deliuer them to the foresaid Enquirours, and then shall the said Enquirours geue charge to the sayd bayliffes that they shall cause to come before them at a certain day and certen place which they shal appoint, out of euery towne viij. men, out of euery village vi. & out of euery hamlet iii. mē of the wyleest & honestest their Inhabiting (except the lords of ỳ said townes villages and hamletts aforesaid) Out of which nomber, the foresaid Enquirours shal chuse the graunde Enquest, iii. out of euery wapentake hundred & franches, & townes shal answer by vii. if there be so many within ỳ precincte, And eache of the aforesaid viii, vi, and iiii. mē shal haue a seale, and if default be found in the aforesaid townes villages or hamlettes for that they haue not so many Free men, then shall they be chosen of the most honestest & wyleest bondmen, and eache of thē shal haue a seale, and then shall the enquirours chuse out of euery viii. vi. of the best, & out of vi. iiij. & out of iiii. ii. of ỳ honestest as nere as they may, thē shal they charge thē wt this othe folowing for ỳ king. This heare you A. & B. enquirors assigned for the king, That I shall say the trothe, and nothing shall conceale, nor suffer to be concealed before you, for promise, nor for gift, for terrour nor for doubt, nor for affinitie alliance nor for loue, for hatred nor for abetting, nor for procurement: neither shall any thing els bind me from saying the truthe and trew presentmēt to make of ỳ which you shal geue me in charg in thys inquest for ỳ kinge so god me helpe and his saintes, and thys othe shall euery towne village and hālet make seuerally, And likewise with this othe the Enquerours shall charge the afore named iii. and then shall deliuer to the Juries of each towne, village

Shiriffes

Bailiffes

Enquest Roles

Justices in eyre

Heire

Othe

Graund inquest

Townes

Oth

burgh and hamlet, and to eche wapentake hundred and fraunchises within the precinct aforesaid, or without, if need bee, these Articles under written, and commaund them in the behalfe of the king, that the free men upon payne of their Inheritance, and the bond men upon paine of perpetuall Imprisonment, shall not any thinge conceale &c. Statut de Eron. de inquisitions faciendis super Coronatores.

Articles

Freemen
Bondmen

The Articles made upon the foresaid statut bere the date at Dreeller upon the xviii. daye of September in ye 14. yeare of kinge Edward. See the booke at large.

4 ¶ That no Coroner be chosen unles he have land in fee sufficient in the same countie whereof he maie answer to all maner people, Anno. 14. E. 3. cap. 7.

Fee land.

5 ¶ All Coroners of ye cōties shall be chosen in the full counties, by the commons of the same counties of the most conuenient and most lawfull people that shall be found in the said counties to do the office, stand alwaies to the kinge and other lordes, which owe to make such Coroners their seigniories and fraunchises, Anno. 28. E. 3. cap. 6.

Chosen.

Fraunchises

6 ¶ Se murder 2. what a Coroner shall do when one is slayn, & what his fee is.

Fee.

7 ¶ Uppon a request made to a coroner to come & enquire upon ye view of any person slayn, drowned, or otherwise dead by misaduenture, the said coroner shal diligently do his office upon the view of the body of euery such person & persons without any thing therfore: upon payne to euery Coroner that will not endaūger himself to do his office (as afore is saide) or that he taketh any thinge for doing of his Office upon euery person dead by misaduenture, for euery tyme fourty .s. And that the Justices of assises, Justices of peace within the county where any such default of the Coroners bee, haue authoritie and power to enquire therof and determine the same, as well by examination, as by presentment. An. 1. H. 8. ca. 7.

Misdemeanor

Without fee

Payne.

Iust. of assi.
Iust. of p.

¶ Corporations.

An. 15. H. 6. ca. 6. an act was made to endure at the kinges pleasure against corporations, for making of ordinaunces.

2 ¶ No Maister, wardens, and fellowships of crafts or misteries, nor any of them, nor any rulers of guides or fraternities, take upon them to make any actes or ordinances, ne to execute any actes or ordinances by the here afore made in derogation or diminution of ye prerogatiue of ye king, nor of other, nor against the common profite of the people, but if the same actes or ordinaunces be examined and approued by the Chaunceller, Treasurer of England, or chiefe Justices of ye other benches, or three of them, or before both the Justices of assises in their circuit or progresse in the shere where such actes or ordinaunces be made, upon payne of forfaiture of xl. poundes for euery time that they doe the contrary. And ouer that is enacted, that none of the same bodies corporate take upon them to make any actes, or ordinaunces to restraine any person or persons to sue to ye kings highnesse or to any of his courts for due remedy to be had in their causes. Ne put ne execute any penaltie or punishment upon any of them for any such sute to be made, upon paine of forfaiture of xl. li. for euery time that they doe the contrary. An. 19. H. 7. cap. 7.

Wardens
Fraternities
Ordinances

Prerog.

Chancellor

Iust. of b.
Iust. of ass.

Forf.

Ordinance

Forf.

3 ¶ No maister, wardens, or fellowships of crafts or misteries, or any of the not any rulers of fraternities take from henceforth of any apprentice or of any other person or persons for the entry of any prentice into their said fellowship aboue the summe of ii. s. viii. pence. For for hys entre when he shall

wardens
Crafts.

Apprentice

yeares and terme is expired and ended aboue iii.s. foure pence vpon paine of forfaiture of xl. pound for euery time that they do the contrary: ỳ one halfe to the king our soueraigne lord, the other halfe to ỳ partie that therfore shall sue by accion of Debt, information or otherwise: & that in the accion aforesaid, no protection nor essoin shalbe allowed. An. 22. H. 8. ca. 4.

Forf.

Moitie

4 ¶ No Master wardes of felowships of crafftes, nor any of them nor any rulers of fraternities, guilbes, or brotherheddes from henceforth compel or cause any prentice or tourneté by othe or bonde heretofore made, or hereafter to be made or otherwise that hee after his apprentishipp or terme expired, shall not sett vp nor keepe any shopp, house or seller, nor occupie as a free man without licēce of the master wardens or felowshipp of hys or their occupation for and concerning the saē, nor by any mean exact, or take of any such prentice or tourneman, nor any other occuppying for them selues, nor of any other personnes for them, after his or their said yeares expired, any summe of money or other thinges, for or concerning his or their fredom or occupation, otherwise or in any other manner then before is recited, limitted and appointed in the said former acte made in the said xxii. yere of the raigne of king Henry the eight vppon ỳ paine to forfait for euery time ỳ they or any of them shall offend contrary to this act xx.li. The one halfe therof to the kinge &c. and the other halfe to the partie that wyll sue &c. in whiche &c. no protection nor essoine &c. An[illegible]. H. 8. cap. 5.

wardens Crafts

Prentice Othe Bond Iourneims

Licence

Prentice

Forf.

Moitie

5 ¶ All and euery peculier act order rule, and statut heretofore made or hereafter to be made by any founder or founders of any hospitall, colledge, deanry, or other corporation, at or vpon the foundation of any such hospitall, colledge, deanrie, or corporation, whereby the graunt, lease, gift or election of the gouernour or ruler of such hospitall, colledge, deanry or other corporation with the assent of the more parte of such of the same hospitall, colledge, deanry, or corporation, as haue or shall haue voice or assent to the same at the time of such graunt, lease gifte, or election hereafter to be made vnto her in any wise hindred or lett by any one or moe, being ỳ lesser number of such corporation contrary to ỳ fourme order and course of the common lawe of this realme of England, shalbe frō henceforth clerely inuallidate, void and of none effect. And that all othes here tofore taken by any person or persons of such hospitall, colledge, deanry & other corporation shalbe for ane concerning the obseruance of any such order statut or rule, deemed voide, & of none effect. And that from henceforth no manner person or persons of any such hospitall, colledg, or deanry or other corporation shalbee in any wise compelled to take any othe for the obseruing of any such order, estatute or rule vppon the payne of euery personne geuing such othe to forfeit for euery time so offending xl. li. the one moitie therof to ỳ king &c, and ỳ other moitie therof to any &c. wherin &c. An. 33. H. 8. cap. 17.

Founder Colledge Hospitall Corporatiō Lease

Othe

Order

Forf. Moitie

¶ *Corpus cum causa* and *habeas corpus*.

IF any such writ of Certiorari, or corpus cum causa, be graunted or shalbe graunted at any time hereafter, & vpon the said writ, ỳ the prisoner, which is so holden in prison, be condēpned by iudgment geuen against him, that incontinent he shalbee remaunded where he shal remaine continually in prison, after the lawe & custome of ỳ lāde, without bieng let to go by bayle or by mainprise against the will of the said plaintiffes, vntill gree be made to them of the summes so adiudged. An. 2. H. 5. cap. 2. statuto primo.

Certiorare

writt Prisoner

Mainprise

¶ *Cosinage, Ayle & besaile.*

Mordaunceſter — WHer as the Justicers in a plea of Mordaunceſtre, haue vſed to admit ỳ answer of ỳ tenant, that the plaintife is not next heyre of the same auncestour, by whose death he demaundeth ỳ land, and is redy to enquier the same by assise: It is agreed, that in writtes of cosinage, ayel and besaile, which be of the same nature, his answer shall bee admitted and unquired, & according to ỳ same inquisition, they shall procede to iudgement. Wil. 2. cap. 20.

Heire

Iudgement

¶ *Counterfaytinge of letters or priuie tokens.*

FOr as much as many lyght & euill disposed persons, not mindinge to get their thinges by truth according to the lawes of this realme, but compassing and deuising daylye how they may vnlawfully obtaine and gett into their handes and possessions, goodes cattells & iewels of other persons for the maintenaunce of their vnthriftie liuing. And also knowing that if they come to any of the same goodes cattales and iewels by stealth, that then they being therof lawfully conuicted according to the lawes of this realme shal dye therfore, haue now of late falsely & deceiptfully contriued, deuised, & imagined priuie tokens & coūterfait letters in other mēs names, vnto dyuerse personnes their especiall frindes and acquaintāces for the obteyninge of money, goodes, cattells and iewels of the same persons their frinds and acquaintances, by colour wherof, the said light and euill disposed persones, haue disceiptfully and vnlawfully obteyned and gotten great substaunce of money, goods, cattels, and iewels, into their handes and possessions, contrary to right & conscyence. For reformation wherof, be it ordayned and enacted by auctheritie of this present Parliament, that if any person or persons, of what estate or degree soeuer he or they bee, at any time after the first day of Aprill next comming, falsely and deceiptfully obteyne or gett into his or their handes or possession any money, goodes, cattelles, iewels, or other thinges of any other person or persones by colour and meanes of any such false token or counterfayt Letter made in any other mans name as is aforesaid, that then euery such personne and personnes so offendyng, & being therof lawfully conuict by witnesse taken before the Chauncelour of England for the time being, or by examination of witnesses or confession taken in the starre chamber at westminster before the kinges most honorable Counsell, or before the Justices of assise in their circuites for the time being or before the Justices of peace within any parte of ỳ kings dominion in their generall sessions, or by accion in any of the kynges Courtes of record, shal haue and suffer such correccion and punishment by emprisonment of hys bodye, setting vppon the Pillorie or otherwise by any corporall payne (except paynes of deathe) as shall be inacte of the sayde offences or of any of them. And be it &c. that aswell the Justices of Assise for the time beinge as also two Justices of peace in euery Countye whereof one to bee of the Quorum, shal haue ful power and auctho̅itie to call or conuent by proces or otherwise to the said assises or generall sessions, any personne or persons, being suspected of any the offences aforesaid, and to committ hym or them to ward, or lette hym or them to bayle tyll the next assyses or generall Sessions, there to bee examyned and further to be ordered by their discretions as is aboue said.

Money Goods Cattels Iewels

Conuict Conuicted

Starre chamber

Iust. of Assi. Iustice of p.

Accion

Imprison Pillory

Iust. of Assi. Iust. of p.

Proces Sessions

Bayle

Prouided alwaies, and bee it &c. that Justices of the peace within euery cytie, borough, towne, and franchyses within this Realme or other ỳ kings do-

dominions, shall haue lyke iurysdiction power and auctho*ri*tie, at their Auctho*ri*ty
generall sessions, and otherwise to doe and execute all & euery thing & thinges in all pointes, as other Justices of assises in their circuites, or Justices of the peace in the counties by vertue of this act be limitted and appointed to doe, & execute, for the punishement and correction of lyke offendors, as by this aforesaid acte is specified and declared. Sauing to the partie greued by such deceit, such remedy by waye of action Action
or otherwise of and for the same money, goodes, cattals, iewels, or other things so obtayned, as he might haue had if this act had neuer been had ne made, any thing in the same contayned to the contrary, in any wise notwithstanding. Prouided alwaies and be it &c, that the kinges highnes counsell of his towne of Calleis, or three of them for the time being shall haue such and like auctho*ri*tie for the examination, baylement and punishement of such offendour or offendours, & for such offences hereafter to be committed and done within the town and marches of Callice Guysnes
Calleys and county of Guysnes, as the foresaid Justices of assise, or Justices of peace haue by force of this acte Justic.p.
win their iurisdictions & auctho*ri*ties. Anno. 33. H. 8. cap. 1.

¶ *Countie and tourne.*

NO countie from henceforth shall be holden, but fro moneth to moneth, & where greater tyme hath been vsed, it shalbe kept so still, nor no sheriffe nor his bailiffys, shall kepe their Shirife Bailife Hundred
tourne in the hundred but twise in a yere And no where but in due place and accustomed, that is to say, once after Easter and agayne after Michelmas. And the viewe of frankepledge shalbe likewise at ỳ feast of Michelmas, without occasion. So that euery man may haue his libertiez, which he had or vsed to haue in ỳ tyme of king H. our grand



father or which he hath purchased since the viewe of frankpledge shalbee so don Frãkpledg
that our peace may be kept. And that ỳ leeth be wholly kept as it hath ben accustomed. And that the sheriffe seeke no occasions, and that he be content wt so much as ỳ sheriff was wont to haue for his viewe making in the time of K. Henry our graundfather. Magna car. cap. 35.

2 ¶ For the turnes of sheriffes it is Shirifes
prouided, that archbishops, bishops, abbottes, priours, earels, barons, nor Archbishops
any religious men or women shal not Bishops
nede to come thither, except their ap- Abbots
paraunce bee specially required therat Earles
for some other cause, but ỳ turne shalbe kept as it hath ben vsed in the times of the kinges noble progenitours. And they that haue diuerz hundredez of their Hundreds
owne to be kept, shall not be bound to appere at any such turnes, but in ỳ baili wykes where they be dwellyng. And the turnes shall be kept after ỳ fourme of the great charter, & as they were vsed in the times of King. R. and kynge John. Marlborough cap. 10. Anno. 52. H. 3.

3 ¶ No sheriffe shal suffer any bar- Shirife
rettours or maintenours of quarelles Barrettors
in their sheres, neyther stuardes of Maintenors
great lordes nor other (vnlesse hee bee Stewards
attourney for his lord) to make suite, nor to giue iudgem*en*ts in ỳ cõties, nor to pronounce the iudgements, if he bee Judgemẽts
not specially required and prayed of all the suitours, and attournies of the suitours which shalbe at the courte. And if any doe, the king shall punishe grieuously both the sheriffe & him that so doth. W. 1, ca, 32. An. 3. E. 1. Punish

4 ¶ Euery sheriffe from henceforth Shirifes
shall make his turne yearely one time within the moneth after Easter: and another time within the moneth after the feast of sainct Michel. & if they hold thẽ in other maner, that then they shal lose their turne for the time. An. 31. E. 3. ca. 4. it at. primo.

5 ¶ See Iurors. 12. of Iurors in Iurors
turnez

Indictmẽtz

in turnes & what indictmẽts in turnes be voide.

6 ¶ The Sheriffes 31. of plaintes, suites, Amercementes in County Courts.

Chichester Lewes

7 ¶ The shire Court for that shyre (s. of Sussex) shalbee holden and kept one time at Chichester aforesaid, and next time at the Borough of Lewes, which borough is in the middes of the shere & so to bee kept alternis vicibus, for euer. And euery shere court holden to the contrary hereof and all thinges therin done, to be voide. Anno. 19. H. 7. cap. 24.

Lloyd

8 ¶ See chester. 4. 5. concerning the keping of the countie daies in the shere of the county Palantine of Chester.

9 ¶ No county court or courts hereafter to bee kept w̄in this realme shall be lōger deferred but one moneth from court to court, and so the said courtes from henceforth shalbe kept euery moneth and none otherwise: Any vsage custome, statut or law heretofore had or made to ỹ contrary in any wise not withstãding. And be it &c. that ỹ sheriff of Northumberland, from henceforth shall kepe the county court of the shire in the towne or castel of Alnwicke and in none other place. Any later vse late began, and brought into the contrary not withstanding. An. 2. E. 6. ca. 25.

Sheriffe Northumberland

Alnwicke

*Coupers.*

Beere brewer Ale brewer Beere Ale

THat no Beere brewer, nor Ale brewer, that shal brew to sale Beere or Ale, shal from henceforth occupie by himself, nor by any other to his vse in his house, nor els where, the mistery or craft of Coupers, nor make any barels, kilderkins, firkins, or other vessels by him selfe, nor by his or their owne seruantes, wherby they shall put their beere or ale to sale, but that all such barels kilderkins, & other vessels of wood wherwith they shall put their beere or ale to sale, shal from hereforth be made & marked according as hereafter shalbe

Barrels Kilderkins Firkins

Marke

Coupers

expressed by the common artificers of Coupers exercised and practised in the said occupation, vpon pain to forfaite & pay for euery such barrel, kilderkin firkin, or other vessels hereafter to be made contrary to the tenor of this acte three shillings sower pence. And be it also enacted, that euery artificer of the craft or mistery of Coupers, ỹ will exercise or practise to make any of the said vessels for beere or Ale to be put to sale, shal make the same vesselles and euery of them of good and seasonable woode, and put his proper marke vppon euery of thē. And that euery barrell for beere shall containe xxxvi. gallons, euery kilderkine for beere xviii. gallons, & euery firkin for beere ix. gallons of the kings standerd gallon. And that euery barrell for Ale shall containe xxxii. gallons, & euery kilderkin for ale xvi. gallons, & euery firkin for ale viii. gallons of the kinges standarde gallon. So that they shalbee of good and iust measure, or els aboue and not vnder. And that no couper shal make any other vessel for beere or Ale to be sold within this Realme, of any greater or lesser number of gallons then is aboue said, vnlesse he shal cause to bee marked vppon euery such vessell that hee shall so make of greater or lesser number of gallons, the trewe and certain number of as many gallons as euery such other vessell shall containe, to the entent that euery person maye knowe the content therof. And ỹ no such artificer of coupers bar shall enhaunce the prices of any such vessels kilderkins firkins, or other vessels in the sale of them to any Ale brewer, or Beere brewer or other persons, but keepe the rates of such prices as hereafter ensueth, and not aboue, vppon payne to forfayt for euery barrell, kilderkyn and firkyn, defective or enhaunced in price in any poynt contrary to thys Acte iii. s. iiii. d. That is to say, for euery Beere barrell ix. pence For euery Beere kilderkyn v. pence, and for euery beere firkyn three pence

Seasonable wood

Marke

Barrel. 36. Kilderkin 18. Firkin. 9.

Barrel. 32. Kilderk. 16. Firkin. 8. Standerd

Prices

Forf.

Price.

And

And the Ale barrell xvi. pence, the ale kilderkin ix. pence, the Ale firkin fiue pence. And be it further enacted by the sayd auctho*ri*tie, that no Beere brewer no*r* Ale brewer at any time after the feast of Lammas nowe next comming shall put their beere o*r* ale to sale to any person o*r* persons to bee spent & occupied within thys Realme, in any other barrels, kilderkins, firkins, o*r* other vessels of woode, other then shalbe made and marked by an artificer of Coupers aboue sayd whereof euery barrell for beere shall contayne and holde xxxvi. gallons, euery halfe barrell o*r* kilderkin xviii. gallons, and euery firkin ix. gallons. And euery barrell for ale shall contayne xxxii. gallons, euery kilderkin xvi. gallons, and euery firkin. viij. gallons of full and iust measure o*r* aboue, and not vnder the measure. And that euery beere brewer and Ale brewer shall not take ouer and aboue for euery such Barrell, kilderkin, o*r* firkin of ale and beere, but after such prices & rates as shalbee thought conuenient and sufficient by the discrecions of the Justices of peace within euery shere where such Beere brewer & Ale brewer shall dwell wythout any Citie Borough, o*r* towne corporate where no hed officers, as Maires, bailiffes, sheriffes, and other head officers haue none auctho*ri*tie no*r* rule, & in euery citie, borough & towne where their bee Maiors, sheriffes, o*r* other hed officers, the same rates and prices to be named and ceassed by them and euery of thē by their discretions. And ẏ ẏ said ale brewers o*r* beere brewers at any time hereafter shal not sel their beer no*r* ale at any higher rates o*r* prices then shalbee to them assigned after the fourme aboue rehersed, vppon payne to lose and forfayt for euery barrell so put to sale contrary to this estatute vi. s. for euery halfe barrell o*r* kilderkyn iii. s. four pence, and for euery firkin ii. s. and for euery vessel cōtayning greater number of gallons x. s. and for euery other vessell contayning lesser nūber of gallons xii. d. The one halfe of all the which penalties and forfaitures to be to the kynge our soueraigne lorde and the other halfe to him that will sue for the same by accion of debt, bill, plaint o*r* informatiō in any of ẏ kings courts in which accion and suit, the defendant shall not wage hys lawe, no*r* any essoine, protection, o*r* pryuiledge to be admitted. Be it &c. that all maner of Sope makers within thys Realme of Englād which shall put to sale any Sope by barrell, halfe barrell, firkin o*r* other vessel shal from Lammas now nert comming, make o*r* cause to bee made their barrels, halfe barrels, firkins and other vessels, according to the rates, contentes, weightes and assises of olde time vsed and accustomed that is to say, euery empty barrell to holde and containe xxxii. gallons o*r* aboue, and to bee in weight xxvi. poūde and not aboue, of full and iust measure and euery halfe barrell empty to bee in weight xiii. li. & not aboue and to holde and containe xvi. gallons o*r* aboue, and euery firkin empty to way vi. pounde and a halfe and not aboue, and to holde and containe viii. gallons o*r* aboue, vppon payn of forfaiture for euery such barrell o*r* halfe barrell, firkin, o*r* other vessell hereafter to bee made, had o*r* vsed contrary to this act iii. s. iiii. pēce. And also bee it &c. that the wardens of the occupation o*r* misterie of coupers within the Citie of London from hēce forth at all times here after when they shall thinke conuenient and expedyent takinge wyth them an officer of the Mayres, shall haue full power and auctho*ri*tie by vertue of thys act, to search, viewe and gauge al maner of such barrels, kilderkyns, firkins, and other vessels to bee made o*r* occupied for Ale, Beere o*r* Sope to bee put to sale within the Citie of London and suburbes of the same, and within two miles compasse without the same suburbes, to viewe and se that ẏ same barrels

Mottie

Sopemakers

Sope

Content & weight of sope vessels

Prices

Iust. of ẏ

Forf.

Maiors Shirifes

Wardens

London

Beere Ale

Forf.

Auctho*ri*tie Serch Gage

barrels, kilderkins, firkins and other vessels, aswell within the liberties as without bee made & marked well and sufficiently & beare and conteine theyr trewe contentes rates & measures according to the effect of thys estatute. And also to marke euery such barrel, kilderkin, firkin, and other vessell by them so viewed and gauged bearynge and containing their trewe contentes, with the sygne and token of a Saint Anthonies crosse, the same wardeyns to haue for ẏ serch & gauging of euery such barell, kilderkin, firkin, & other vessell by them so serched viewed, gauged and marked one farthing and not aboue of the owners or makers of the sayd vessels. And shall and maye haue auctheritie by vertue of this acte to retayne euery such vessell as they shall so gauge, serche and marke, vnto such tyme as they shalbee satisfied therof. And in case the shall fynde any of the sayd vessels defective not bearing their contents, that then by auctheritie of thys acte they may sease, take and retaine euery such vessell and cause the same to be marked or amended, according to ẏ trewe contents, or else cause the same to be burned. And also ẏ partie owner of such vessels to lose & forfait for euery such vessell not being of the full contentes after the rate aboue expressed xii.d. to bee recouered & employed as is aboue sayd. And bee it &c. ẏ in al other Cities, boroughes & townes wherin no such wardeins of cowpers be, ẏ the Maiors, sheriffes, bailifs cõstables or other head officers in such Cities, boroughes and townes, shall haue power and auctheritie to serche, viewe & gauge all such barrels, kylderkins, firkins and other vessels to bee made hereafter in any such City, borough, or towne, and to haue and take all such auauntage therby & in lyke maner & fourme as ẏ wardens of cowpers wõin the citie of London, or other persons by this act should or may haue or take on euery behalf. Prouided alwais ẏ euery bere brewer may keepe in his house, one or two seruantes of the mistery or craft of Cowpers, to hoope & amend his barrels, kilderkins, firkins or other vessels wherin they shal put their beere to sale from tyme to tyme, thys act or any thing therin contayned to ẏ contrary in any wise notwithstãding. And be it &c. ẏ if any persõ at any time after the said feast of Lãmas next comming do minish or cause to be minished any maner barrel, kilderkin, or firkin, to ẏ deceite of any the kinges subiects, by reason of taking out of ẏ head of any such vessell or taking out of any staffe out from any such vessell, ẏ then euery such vessel, to be brente, & the offendour to forfait for euery such offece iij.s.iiij.d. ẏ one moitie therof to bee to the king our sourraigne lord, & ẏ other moitie therof to him or thẽ of the kigs subiects that will sue for the sãe to bee recouered in maner & forme aboue rehersed. And the partie so offending to be further punished by ẏ discretion of ẏ head officer or officers before whome such defaut shall be presented. Yt is &c. ẏ notwithstanding any thing contayned in this act of brewers & cowpers wherunto thys Cedule is annexed, it shalbe lawful to euery Ale brewer mẽcioned in the same act, to haue & retain in his seruice one person of ẏ mistery or craft of Cowpers to exercise in hys seruice ẏ craft of a couper, only in bynding, hooping & pinnig his maisters ale vessels recyted by ẏ said acte, & in nõe other wise to vse or exercise any makig of vessels cõcerning ẏ craft or mistery of a cowper whiles that he is in ẏ seruice of any Ale brewer. Also it is enacted that euery couper, which hereafter shall make any Ale vessell specified in the said act shal from the feast of ẏ Ẽ tecost next comming make euery such vessell according to the assise specified in ẏ treatise called Compositio mensurarum, ẏ is to say euery barrel for Ale shall contain xxxij. gallons of ẏ said assise or aboue, of the which viij. gallons

make

Marke

Wytnesse

Forf.

Wyttis

Punish

Brewer

Contents

make the cõmon buſhel to be vſed in this realme of Englãd euery kilderkin for Ale.xvi. gallons of the ſaid aſſiſe or aboue, & euery firkin xviij. gallons of aſſiſe or aboue vpon paine of forfaiture of.iij.s.iiij.d. for euery of ỳ ſame veſſels by him vntruely made contrarie to this act, thone half of the ſame forfeiture to be to the king & ỳ other to him ỳ will ſue for the ſãe by action of debt, bill, plaint, writ or otherwiſe: In which actiõ none eſſoin protectiõ, or wager of lawe ſhalbe allowed. And be it alſo enacted ỳ euery couper marke his veſſel wt̃ his owne marke, vppon paine of.iij.s. iiij.d. to be leuied & recouered after lyke maner & fourme as is aboueſayd. And ỳ no maner of perſone in the ſearche making for the true gawging of any ſuch veſſels, ſhall put out the Ale of any ſuch veſſell, whereby the ſame ale ſhalbe the woorſe. And ỳ it ſhalbe lawful to euery ale brewer to bring cary and cauſe to be brought and caried their ale to the houſholds of our ſoueraign lord the king, the Queene the princes and to euery archbyſhop Biſhops, Dukes, Marqueſſes, Earles, Barons or other honorable mẽs houſes in tunnes, buts, ppes, hogſheddes or other veſſelles of greater & larger quantitie then is erpreſſed in this preſent act as beefore time hath been vſed in that behalfe. And alſo it ſhalbe lawful to the ſaid ale brewers to bring, cary or cauſe to be brought conueied or caried their ale to euerie mans houſe in barelles, kilderkins, & firkins bearyng and holdyng their true contentes accordyng to the purport and effect of this preſent act, any thing contained in the ſame acte, to the contrary hereof notwithſtãding. Anno.23.H.8.cap.4. Se Anno.35.H.8.capitol.8. that this act is altered in the prices, & ſame other clauſes ther concerning theſe matters, but that act of 35.H.8. was made to endure to the end of the next parliament & thẽ it is erpired. See weightes and meaſures almoſt in al for the contents of veſſels.

Forf.

Ydelle

Marke

Forf.

Tunns
Butts
Ppes
Hoggſhedz

Altered

2 ¶ Be it enacted &c. that as much of euery article, clauſe and ſentence cõprized in the ſaid eſtatut, made in the ſaid.xviij. yere of the raigne of ỳ ſaid late king, as doth touche or concerne the prices of barels, kilderkins, firkins, and other veſſels, and al & euerie paine and forfaiture erpreſſed & declared in the ſaid act, for ſelling of anie of the ſaid kind of veſſels, aboue the prices beefore ſpecified, frõ ỳ time of new prices to be ſet in fourm here after erpreſſed, for ſuch places onely as ỳ ſame new prices ſhalbe ſet, ſhalbe clerely repealed, fruſtrate, & made void. And ỳ from henceforth ỳ prycez of all barels, kilderkings, firkins, & other veſſels to be ſold, for ale, beere, or Sope, to be vttered therin, ſhalbe rated and taxed by Maiors, bailifs, & other head officer or officers of euery citie and towne corporate, wher anie ſuch veſſels ſhalbe made or offered to be ſold: And wher ſuch veſſelz ſhalbe made or ſold out of any citty, borough or towne corporate, the prices therof ſhalbe rated and taxed by ỳ Juſtices of the peace, or the more part of thẽ, being preſent in the generall or quarter ſeſſions, yerely next after Eaſter at ſuch reaſonable prices, as they ſhal think reaſonable by their diſcreciõns. The ſaid ſtatute made in the ſayd xviij. yere of the raign of the ſaid late king Hẽry ỳ eight, or anie other law, cuſtome or vſage to the cõtrarie therof, in any wiſe not withſtanding.

Prices

Forf.

Repealed

Ale
Beere
Sope
Maiors
Bailifes

Juſt. of p.

And be it further enacted, that if ỳ ſayd Coupers or anie of them, ſhall not make ſale accordig to ſuch prices as ſhalbe rated, as is aforeſayd, after

Prices

Proclamation

proclamation therof made: that then euerie persōne and persons so offendyng, shal for the same, incurre the paines and forfaitures mencioned in the sayd statut made the saide .xxiij. yere of the reigne of ỳ said late king: That is to wete, for euery barell, kilderkin, and firkin, which shalbe sold at greater price then shalbee rated & taxed, as is aforesaid, the sūme of .iij. s. iiij. d. of lawful money of England whereof the one moytie to bee to the Queenes highnesse, her heires and successours, and the other moytie to such persōne or persōnes as wyll sue for the same, by accyon of debt, in anie court of record, wherin no protecyon, essoygne or wager of lawe shalbee allowed or admytted. Anno 8. El. capitule. 9.

Forf.

Moitie

¶ *Courtes*

ANno. 7. H. 8. ca. 8. a long act was made concerning a certain manner and forme for the reuenues and accomptes of dyuers of the kynges lands, authorising certain persōs to be surueyours of the same landes reuenues and accomptes with dyuers articles concernyng those matters to endure to the dissolution of the next parliament. And An. 14. H. 8. ỳ sayd act of 7. H. 8. expired, & then in. 14. H. 8. There was an other act made of much lyke effect as the former act ỳ was made An. 7. H. 8. ca. 8. which act made An. 14. H. 8. was made to ẽdure to thend of the next parliament and after An. 27. H. 8. cap. 27. a great acte was made for the execution & authoritie of the court of Augmẽtations & ỳ the Abbey landes should bee in the suruey of ỳ court. And Anñ. 27. H. 8. cap. 28. the said acts made An. 14. H. 8 was made perpetual with som other clauses adioyned. And after. Anñ. 32. Hen. 8. capit. 45. the court of the first fruites and tenths was erected & by ỳ act, the officers appointed, and the composition for the first fruitz should be made by the officers of the court, & that the obligations taken therefore shal bee of lyke force as statutes staple and like execution therupon, and ther be dyuers artycles for these matters and for the accomptes of these debts. And after Anñ. 33. H. 8. cap. 39. the said actz made Anno. 14. H. 8. and An. 27. H. 8. cap. 28. were made voyd and repelled. And by the act of. 33. H. 8. cap. 39. is made an erection of the court of general surueyours of diuerz of the kings landes with auctho'itie to them to make leases for. xxi. yeres, and to take recognisaunce, & to make woodsale, and there bee many artyclez cõcerning that court, and for the leuying and true payment of the reuenues of the landes appointed to the court and dyuers officers made and appointed for the court and after in An. 7. Ed. 6. cap. 2. it appeareth that H. 8. by his letters patentes had dissolued as well the sayd court of the Augmentations erected by pliamẽt Anno. 27. H. 8. cap. 27. as ỳ said court of general surueyours of the kinges lands, erected by parliament. 33. H. 8. cap. 39. And that after H. 8. by letters patents erected a court called ỳ court of Augmentatiõs & reuenues of his crowne. And after An. 7. Ed. 6. ca. 2. the said letters patents were confirmed & auctho'itie geuẽ to king E. 6. during his life to alter, vnit or dissolue by his letters patents ỳ said last erected court & also the court of the first fruites & tenths, the court of ỳ kings wards & the court of ỳ duchy of Lancaster wt̃ diuers articles concernyng those matters, but Ed. 6. dyed before any such alteration vniting or dissoluing. And after Queene Mary dissolued the said courtz of the Augmentations

First fruits

Obligatiõs Sta. Staple

Repealed

Surueyors

Leases Recognisaūce Woodsale

Letters patents

Wardes

Augmentations

tions & firſt fruits & tenths as appeareth in this title. 13.

¶ Note that in the ſaid act of. 33. H. 8 capit. 39. bee diuers matters enacted which yet remaine in force as heareafter followeth.

Obligatiõs 2. ¶ All obligations and ſpecialties, which after the firſt day of May nert cõming ſhalbe made for any cauſe or cauſes touching or in any wiſe concerning ỹ kings moſt royall maieſtie or his heires, or to his or their vſe cõmodity or behoofe ſhalbe made to his highnes and to his heirs kings in his or their name or names by theſe wordes. Domino regi, and to none other pſõ or perſons to his vſe, & to be paid to his highnes by theſe wordes. Solvẽd eiũ dño regi, hered̃ vel executorib⁹ ſuis w̃ other wordes vſed & accuſtomed in cõmon obligations. And ỹ all ſuch obligatiõs & ſpecialtyes ſo to be made, ſhalbee good and effectuall in the law to al purpoſes and intentes, and ſhalbe of the ſame nature, kinde qualitie, force and effect to al intents & purpoſes, as the writinges obligatory taken & knowledged according to the ſtatut of ỹ ſtaple at weſtminſter hath at any time before the making of this preſent act, ben taken, vſed, exerciſed and executed againſt any lay pſon or pſons, any law, vſage or cuſtome to the contrary therof notwithſtanding. And ỹ all ſuch obligations & ſpecialties, the debt whereof beyng not payd nor cõtented in ỹ life of the king, ſhall come, remaine & be to the heires or executors of the king at the free libertie, diſpoſition aſſignemẽt & appointment of ỹ ſame king, to whõ ſuch obligations or ſpecialties ſhalbe made as is afore. And if any pſon or pſons in his or their own proper perſon or perſons, after the ſaid firſt day of May make or take any obligation or obligatiõs to the vſe of the kinges maieſtie, or of his heirs kinges, otherwiſe then is before expreſſed, that thẽ ſuch perſon or pſons onely that ſhall ſo offend contrary to this preſent act for his or their ſo doyng, ſhall haue & ſuffer ſuch impriſonmẽt as ſhalbe aſſeſſed & adiudged by ỹ kig or his moſt honorable counſel, daily attẽdant vpon his highnes moſt royal perſone. And ỹ all ſuites to be made after the firſt day of April nert cõming for the recouery of or for any ỹ kings debts in anie the kinges courtes mencioned in this act (as Eſchequer, Dutchy of Lancaſter, Augmentations, ſurueiours general) of or vpon any obligatiõ or ſpecialty, dated, or deliuered before the making of this preſent act, or which ſhalbe dated and deliuered to the king or to his vſe, afore the ſecond day of May nert cõming, ſhalbe taken, ſued, & purſued in the name of the kyng, and in the name of none other perſon or perſõs to whatſoeuer perſon or perſons ỹ ſaid obligatiõs or ſpecialties or any of thẽ be, haue been or ſhalbe made, to the kings vſe. And ỹ all ſuites, proceſſe, iudgemẽts, decrees & executions here after to be taken, purſued or genẽ for the king in anie the kinges courtes, mencioned in this act, of, for or vpon any of the ſame obligatiõs laſt afore mencioned, ſhalbe of the ſame or like ſtrength, force & effect, intent in the law to al purpoſes onely againſt all & al maner ſuch perſon & perſons as been bounden in ſuch obligations or ſpecialties, as wel ſpiritual as temporal, as againſt their heires, ſucceſſors executors and adminiſtrators & euerie of thẽ, and againſt none other, as writings obligatories taken & knowledged according to the ſtatute of the ſtaple of Wynchester at anie tyme before the making of this preſent act haue ben vſed to be taken, exerciſed & executed againſt anie lay perſon or

M. y. perſons

Impriſon

Counſel

Suits

Suits Proceſs Iudgmẽts

Obligatiõs

Sta. ſtaple

Heires Executors

Heires Succeſſors Executors Adminiſtrators

Sta. ſtaple

Suits

persons, And that the king in al suits hereafter to be taken or vpon any obligation or specialties made or herafter to be made to the king, or ante to his vse, shal haue and recouer the suit costes & damages as other common persons vse to do in suites & pursuits for there debtes. And ẏ al such suites as now be depending in the name of any common pson to his graces vse, wherof no verdict is, or before ẏ feast of Easter next comming shalbe geuē or passed, or no exigēt awarded, shall abate, be void & of none effect. And nuertheles the king by the authority aforesaid, shal haue his suite & remedy for the said debt so being in actiō & proces, in fourme as is aforesaide, in any of the courtes in this act mencioned, any thing in this act to the cōtrary therof notwithstanding. And it is &c. that all & euery suite & suites which hereafter shal be had made or taken of for or vpon any debt or duties which heretofore hath growē or bee due, or that hereafter shall grow or be due to the king, in the seuerall offices & courts of his Eschequer, duchy of Lancaster, Augmentations of the reuennes of his crowne, Surueyours generall of his manours, lands, and tenements, Maister of the wardes & liueries, & court of the first fruites & tenthes, or in ante of them, or by reason or authorite of ante of thē shalbe seuerally sued in such one of ẏ said courtes & offices, in ẏ which court & office, or by any reason of the which court and office, the same debt or duitie did first grow or become to bee due, or hereafter shall growe or become due, or in the which office or court the recognisance obligation or specialties is or shalbe or remal. And euery such seueral suit & suites shall be made in euery of the said seuerall offices & courts vnder ẏ seueral seals of the said seuerall courtes, by Capias Ertendi factas, Sub pena, Attachement, and proclamation of allegeāce if nede shal require, or any of them, or otherwise as vnto the said seuerall courtes shall be thought by their discretions expedient for the speedy recouery of the kings debts. And that the said court of eschequer, and all & euery of the said courts, shall haue whole and full authority, & power to heare and determyne all and euerie such suite and suites as hereafter shall be taken commenced and pursued for ẏ intent aboue specified, and therupō to awards make and doe execution by and vpon the body, landes, and goodes, of the partye or parties that so shal bee condemned accordinglye. And also shall haue full power & authorite, to heare and determine all & al māer of debts, detinues, trespasses accompts, reconings walls diceipts negligences defaultes contempts cō plaints, riots, quarelles, suites, strifs controuerslies forfaitures, offences & other thigs whatsoeuer they shalbe, which hereafter shall growe bee moued stirred procured or arysle in for, or vpō any matter cause or other thing assigned committed or appointed or hereafter to bee assigned committed or appointed to the seuerall directiōs orders and gouernances of the same courts or any of them, or for or vpon any maner of thing or things, which may or shall touch or in anie wyse concerne the same wherein the king shall bee onely party. And also al maner of states for terme of yeares betwene party and party concerning ẏ premisses, and to correct and punishe by their discretions al and euery person and personnes, whych beefore them shall bee conuicted of any of ẏ premisses, according to the nature qualitie and quantytie of hys or their offence

Costes Damages

Verdict

Exigend Voyd

Debt

Iuries Eschequer

Recognisās Obligation

Writtes

Eschequr

Execution Body Landes Goodes

Debts Trespalls

Riots

King

Punish

Treason Murder Felonies

Letters patents

Claime

Great se

Rents

offence or offences, cause or causes, matter or matters all & al manner of treasons, murders, felonies, estates, rights, titles & interests, as wel of inheritaunce as of freehold, other then ioinders for terme of lyfe only excepted & alwaies reserued. And be it &c. ẏ if any person or psons shall make or pretend any clayme, right, title, interest or possessiõ, in or to any manors, lands, tenements or hereditaments, bargained, sold or exchaũged, or hereafter to be bargained, sold or exchanged by the king our soueraigne lord, to any person or persõs in fee simple or fee tayle, by his highnes letters patents made or to be made thereof vnder his great seale of England vpon which letters patents there is or shal be reserued any annual rents or fermes payable to ẏ kings highnes hys heires or successors in hys sayd court of augmentation, or demaund or aske any rents, annuities, offices, fees or other profites, in, out of, any such manors, lands, tenements, or hereditaments, contained or to be comprysed in any such letters patents, made or hereafter to bee made as is aforesaid: Or if our sayd soueraigne lord his heires or successors, shal make or pretend any claime, right, title, interest or possessiõ, in or to any manors lãds, tenements, or hereditamentes, bargained, sold or exchãged, or to bee bargained, sold, or exchanged, by the king his heires or successors, to anie pson or psons in fee simple or fee tail, by his or their letters patents, therof made or hereafter to be made vnder his or their great seal of Englãd vpon which letterz patents is or shal be reserued any annuel rẽtz or ferme payable or which shalbe patable to ẏ king, his heires or successors in hys sayd court of augmentation: Or if ẏ king his heires or successors, demaũd or aske any rẽtes, annuitiez, or other profits or hereditamẽtz, of any estate of inheritance, in, of or out of any manors, lands, tenements, or hereditaments, conteyned or comprysed, or to bee conteyned or compriſed, appoynted or to be appointed or assigned, to the sayd court of Augmentations, in anie letters patentes made or hereafter to bee made, as is aforesayd: That then the Chauncellor of ẏ said court of Augmentations by the assẽt of the counsaile of the sayd court, or the more part of them shal haue power and authoritie by authoritie of this act, to examine al such demaũdz, rights, titles, interests, and possessyons, rents, annuities, offices, fees, & other profits & hereditaments, whatsoeuer they shalbe, and euery of them so to be demaunded, presented, claymed or asked, as is aforesaid, and by witnes, proofes & other waies & mesnes by their discretions to heare & determine ẏ same. And in case ẏ kinges patentees in any such letters patẽts as is aforesaid, or any of them, their heires, successors or assignes shalbee compelled by thauctoritie of ẏ sayd court of Augmentatiõs by decree or iudgement of the same court, to render and yeld to anie person or personnes in fee simple or fee taile, the lãdz, tenements, or hereditaments comprysed or specified in any such letterz patentz, or any parcel of them, or to suffer anie person or personnes to haue and enioy any officez, rentz, ãnuities or other profits or hereditaments, in fee simple or in fee taile, out of ẏ sãe, or out of any parcel thereof. And that it shal appeare in the said letters patents, ẏ the kinge, his heirz or successorz, is or shalbe bound, or of right & equitie ought to recõpence & satisfy ẏ said patents, their heirz or successors executorz or assignez, or any of them.

Treasons Murders Felonies

Letters patents

Claime

Great seale

Rents

Chauncellor

Examin

Patentees

Decrees Iudgement

Offices

of and for such manors, landes, tenements, or hereditaments, annuities, rētz, offices, fees, or other profitz recouered in fee simple or fee taile by decree or iudgemēt of the said court as is aforesaid, or els to discharge & acquite the said patentees, their heires successors, executors & assignes, of, or for any rēts, annuities, offices, fees, or other profits aforesaid, recouered by decree or iudgement in fee simple or fee taile, as is aboue said. Or if it shal appeare vnto the sayd court of Augmentations or vnto the more part of thē ỳ the king, his heirz or successors of right & equitie ought to haue, recouer or ēioy in fee simple or fee tail, any manors, lands, tenēmts, or hereditaments, in any such letters patētz comprised, or any rentes, annuities, offices, fees, or other profits, in, out, or of the same: That then in al & euerie such case & cases the said Chauncellor of Augmentatiōs for the time being wt ỳ assent of three or more such psons as hereafter shalbe named by the king, his heires or successors, shal haue ful power & auctoritie wout any bill or warrāt to be signed or sued from the king, his heirz or successors for the same, as wel to recompence & satisfy the party or parties greued, so much in money of the kingz treasure remaining in the said court of augmentations, as the said manors, lāds tenements, rentes, annuities, offices fees or other profits or hereditamētz lost or recouered by decree or iudgmēt of the said court of Augmentatiōz, as is aforesaid shalbe worth to be soloe, or other wise discharge & acquite such person or persōs therof according to his or their letters patentz, as also to make & take order, direccion decree & iudgement for the king, his heires & successors, for ỳ recouery attaynyng and hauing of all and singuler such manors, lands, tenementz, rēts, annuities, offices, fees, profits and hereditamens & al & euery other thing & things which ỳ king, his heirz & successors by & vpon such examination & eraminatiōs, ought, should & shalbee iustly intiled to haue, recouer, possede or emoy in fee simple or in fee tayle. And the same decree direccion, order & iudgemt to be good & effectual in ỳ law, to bind al parties & pties to the same to al intents & purposes. And where any decree or iudgemēt which shalbe geuē in the said court of Augmētatiōs for any the premisses, extēd to the losse of ỳ kingz patēt or patēts their heirz, successorz, executorz or administratorz, but for terme of life or linez of the demādāt or demāndants plaintif or plaintifes, or for terme of yerz, the losse wherof the kig is boūden & ought to recōpēce discharge or acquite by his letters patents, then ỳ said Chaūcellour of the augmētatyōs shal haue full power & auctoritie to recōpence or discharge the same in money as is aforesaid, or els to recōpence the same of the lāds, tenemtz, hereditaments & possessions limitted to the surney & gouernāce of the said court of augmentationz, to be grāted vnder the seal of the same court by ỳ discretion of the said Chauncellour, as shal seeme to him best for ỳ kings profit, wout any bill or warrant to bee sued or signed by or frō the king for the same. And ỳ euery such recompence satisfaccion & discharge to bee made by auctoritie of this act to any pson or persons by the said Chaūcellour as is aforesaid, shalbe good and effectual against the king, his heires & sucessours, any lawe, vsage or custome to the contrary therof notwithstanding. And it is &c. ỳ euery of the said courts shal haue full power and auctoritie by force of this act, to sett such

Fee simple
Fee taile
Augmentations
Rents
Annuities
Offices
Chauncellor
Warrant
Recompēce
Discharge
Examination
Decree
Judgemt
Demaundt
Plaintif
Seale
Writ out warrant
King

Fines Penalties Amercemẽtz Shirifes Officers

such fines, penalties & amerciamẽtes vppon parties, sherifes, officers, and other personnes, for his and their defaultes, contemptes, negligences or misdemeanors, as vnto ỳ said courts or vnto anie of them shalbe reasonably considered and thought expediẽt.

Acquitãces

Triall

And ỳ al and euery triall & trialls of all and all manner of suittes, billes, plaints, informatiõs, declaratyons, complaintes, aũswers, replications, allegations, causez, matterz & issues, or any of thẽ, to bee pursued, made or tried in the said seueral courtes or any of them shalbe made and tried by due examination of witnes, writingz proues or by such other waies or meanes as by the said seueral courtes, or by any of thẽ shalbe thought expediẽt And ỳ all and euery such iudgement & iudgements, decree or decreez, examination and examinations, shalbee good, perfect & in ful strength, force & effect in the law to al intents, cõstructions & purposes. And where diuers & sundry personnes stand bounden to the kings highnes in dyuers great & notable sũmes of money, by recognisance or other bondz, in the said seuerall courts for debts due to the kings highnes, as well for the purchase of lands and goods and performance of cõditions, as also for diuers & sundry other causes. And albeit the same plons haue wel & truely satisfied contented and payd the same debtes, or plourmed the cõditiõs of the same recognisãcez or other bonds, yet ỳ same recognisaunces or other bondz cãnot be made void without the kings especial warrant, which should bee much vnquietnes to the kingz maiestie, and also very chargeable to hys graces subiects to sue to his highnesse from time to time for the same. In consideration whereof, & for as much as ỳ sayd personnez being so bounden by recognisance, or in other bõdes, may by diuers casualties, lose their acquitances, whereby great danger & peril may growe to thẽ, their heires, executourz & successors: Be it &c, ỳ vpõ the sight of the acquitãces, made or to be made for the paiment of the said debt or debts, or sũme or sũmes of money growen or to be growen, or due & sufficiẽt proofe made or hereafter to bee made before the said seueral head officers for the time being of the said seueral courts as the case shall ryse or growe, or if the condition of the same recognisance or bond be performed or kept: That then euery such seueral head officer, for the recognisance taken or to be takẽ by him or any of his predecessors, or for any other bõd for time being within his charge & cure, shal haue ful power and authority to cancel & make voyd the said recognisaunce or other bond, calling to him such of the same court as to hym or them shal seeme most conuenient for the cancellation of the same recognisaunce or other bond. And be it &c. ỳ ỳ sãe cancellatiõ so made, shal be a sure & sufficient discharge of the same recognisance or other bond, to al and euery such person or personnes, as do or shal stand bouñden in the same recognisaunce or bond, so cancelled against the kings highnes, his heires, executourz and successours for euer. And bee it &c. that the same seuerall head officers for the time beeing, in euery of their said seueral courtz, shal haue full power & authoritie to discharge, cancell or make void by hys or their discretion, all and singuler recognisance now made or herafter to be made in the said court, for anie apparance or other contempt. And ỳ the same head officer or officers, & ỳ parties so bouñden and to be bouñden, to be discharged against the king our

Iudgemẽt

Cancel

Recognisãs Debts

Discharge

Discharge Cancel

Warrant

N. lie. sou-

soueraigne lord his heires executors & successors for the cancellation of the same recognisance. And wher ỳ kings maiesty sithen the making of ỳ same estatut in the said .xxvij. yere of hys noble reigne (*s.ca.27.before.1*) of hys own meere motiõ liberalitie & benignitie hath freely geuen & graũted by his sundry letters patents vnder his great seale of England, vnto diuers & sundry of the nobles, & lords as wel spirituall as tẽporall of thiz his realm, & also vnto diuers & many other plõz & bodies politique, to their heirz & successors, & to ỳ heirez of their bodies or for terme of life or liues, diuerz & many sundry honors, castelz, mannourz, lands, tenements, rectories, pensiõs portions & other hereditamẽts which then were in the order, gouernãce & survey of the same court of ỳ augmẽtations of the reuenues of his graces Crown, or out of any other of ỳ said seueral courtes, reseruing vnto hys maiesty, his heires & successours by the same letters patentes, one yerely rent in the name of one tenth, or the tenth part of the yearely value of the same premisses or any other rent payable & to be payd in the same courtes or to the officers of the same courtes deputed & assigned for ỳ same, at one certain feast or day in ỳ same letters patentez mẽcioned & declared, whych said plõs so aduaũced notwithstanding they haue sithẽ & after the making of the same letters patẽts peaceably enioyed the same manors, lands, tenements & hereditamẽts so geuẽ, & ther of haue quietly perceyued & takẽ the issues, reuenues & profitz therof, yet neuertheless diuerz of the same plõz haue not at the daies and feasts assigned, and limitted vnto thẽ in the sãe letters patents, nor yet in long tyme after ỳ same daies & feastz of paimẽt therof, contented & payd in the same courtes, or to the officers of the same courts assigned & deputed for ỳ same, the said yerely rent or rents so reserued to the kingz highnes, contrary to their duities against al reason & good cõscience. In consideration whereof bee it et. ỳ if any plon, of what estate degree or condicion soeuer hee be, or body politique, to whõ the kings maiesty hath by his letters patẽts vnder his great seale of England, or vnder the great seal of ỳ same court of augmentations, geuẽ or graũted, or here after shal geue or grãt, lỏ like reseruation of rent or rents, any manors, lands, tenementes, rectories or other hereditaments whatsoeuer, whych were or hereafter shal bee in ỳ order gouernaunce and survey of the same courtes, or anie of them, to be had to them and to their heires or successors or for any other estate of inheritance of or for term of life or liues, yelding & reseruing to the same our said soueraigne lord the king his heirz and successors, one yerely rẽt at one certain day or feast in the sãe letters patentz expressed, mencioned & declared, and to be payed in the same courtes, that if the same persons bodies politique their heires, successours or assignes, or anie of them do not truely contẽt or pay or cause to be cõtented or paid vnto the treasorer of the said seueral courtz, or to the general or perticuler receiuor of the same seueral courtes, deputed & assigned for ỳ same for the time being, to ỳ vse of the kingz highnes, at the day or feast limitted by ỳ same letters patents, or within three monethes nert immediatly after the same day or feast of payment therof, all such summes of money which ben or hereafter shalbe due, reserued to ỳ kings maiesty his heirs & successours by the same letters patẽts, or by any of thẽ or make sufficient tender ther-

Letters patents

Honors Castels

Rent Tenth

Profits

Rents

Letters patents

Doe not pay

Receiuor

3. monethz after

Tender

of to

of to ẏ ſaid treſozer oz general oz per-
ticuler receiuer: ẏ then euery of the
ſame pſons bodies politik their heirs
oz ſucceſſours oz aſſignes, foz lacke, ꝛ
default of paiment of the ſame rent,
Forf. to foꝛfait ꝛ loſe to ẏ kinges maieſtie
his heirs ꝛ ſucceſſoꝛs as much money
as the foꝛtieth part of the ſame rent
ſo reſerued oz hereafter to be reſerued
Paynis foꝛ one yere doth oz ſhal amount vn-
to, foz ꝛ in the name of one pain ouer
ꝛ aboue the ſame rent reſerued oz her
after to be reſerued. And if it happen
the ſame perſons bodies politik their
heires ſucceſſours oz aſſignes oz any
Hall a yere of them do not within one halfe yere
nert after the day oz feaſt expꝛeſſed in
ẏ ſame letters patents content oz pay
oz lawfully tender vnto the ſãe treaſo-
ꝛer oz general oz particuler receyu-
uer, to the vſe of ẏ kings maieſty his
heires oz ſucceſſours, aſwel the ſayd
yearely rent ſo reſerued, oz hereafter
to be reſerued, as alſo the ſaid ſũme of
money foꝛfaited foꝛ ꝛ in ẏ name of a
pein, that then the ſame pſons bodies
politike, their heirs ſucceſſours oz aſ-
ſignes, ſo offending ſhall foꝛfait and
Forf. loſe to ẏ kinges maieſtie his heires ꝛ
ſucceſſoꝛs ſo much money as ẏ moity
Hall the rẽt oz halfe deale of the ſame rent reſer-
ued oz to be reſerued foꝛ õe yere doth
oz ſhal amount vnto, ouer ꝛ aboue ẏ
ſaid rent reſerued oz to be reſerued, ꝛ
Forf. ſo to foꝛfait ꝛ loſe foꝛ euery halfe yere
after ſo much money as the whole rẽt
reſerued oz to bee reſerued, foꝛ one
whole yere, doth oz ſhal amount vn-
to, vntil ẏ ſame rent ſo reſerued, oz to
be reſerued, ꝛ ẏ arrerages of ẏ ſame, ꝛ
alſo the ſaid ſummes of money ſo foꝛ
faited and loſt foꝛ a pain, ben vnto ẏ
ſame treaſoꝛer oz general oz perticu-
ler receiuour truly ſatiſfied cõtented
Vſe and payed, to the vſe of ẏ kings high
nes, his heires ꝛ ſucceſſours. And bee
it ꝛc. that it ſhalbee lawful to ẏ ſame

treaſoꝛer and generall oz particuler
receiuer, to diſtreine as wel foꝛ ẏ ſãe Diſtraine
rent ſo reſerued oz to bee reſerued, ꝛ
foꝛ the arrerages of ẏ ſãe, as alſo foꝛ
ẏ ſaid ſũmes of money ſo foꝛfaited oz
to be foꝛfaited ꝛ loſt, foꝛ ꝛ in ẏ name
of the pein afoꝛeſaid. And alſo ẏ head
officer oz officers of either of ẏ ſame
courts foꝛ the time being, vpõ certifi-
cat to him made oz to bee made of the
ſame default and contempt, ſhall and
may award ſuch pꝛoces out of ẏ ſame Pꝛoces
courts againſt ẏ ſame offẽder foꝛ not
paying of the ſaid rent ſo reſerued oz
to bee reſerued, and alſo foꝛ the ſame
ſummes of money foꝛfaited and to be
foꝛfaited by this act, as by his oz their
diſcretion ſhal ſeeme conueniẽt. And
be it ꝛc. that if any perſon oz pſõs her
after make lawful paiment to any of
the ſaid treaſoꝛers oz general oz par-
ticuler receiuer of any of ẏ ſãe courts
deputed and aſſigned foꝛ the ſame, of
anie ſumme oz ſũmes of money due
to the kings highnes his heirs oz ſuc-
ceſſours, oz any yerely rent oz tenth,
ꝛ vppon oz after ſuch payment offer
vnto ẏ ſame treaſoꝛer oz generall oz
particuler receiuer, one lawful ꝛ ſuf-
ficient acquitance redy made to be aſ- Acquitance
ſigned by the ſame treaſoꝛer oz gene
ral oz perticuler receiuer, witneſſing
the receit of ẏ ſaid ſũme oz ſummes
of money ſo payd, that then the ſayd
treaſoꝛer general oz ꝑticuler recey- Signe
uour, ſhal with his own hand aſſigne
the ſame acquitance without taking
any fee oz reward foꝛ making of the
ſame acquitance, vppon paine to foꝛ- Foꝛf.
fait and loſe foꝛ euery time offendig
contrarie to this act vl.s. one moytie
wherof to be to the kings highnes, ꝛ Moitie
the other moytie to the partie ẏ will
purſue foꝛ the ſame. And if ẏ parties
which hereafter ſhal happen to pay to
the ſame treaſoꝛer oz general oz per
ticuler receiuer, any ſuch ſumme oz

ſũmes

Acquitãce

summes of money, and do not bring an acquitãce with him to bee signed as is aforesaid, that then if the same treasorer or general or particuler receiuer, vpõ request to him made shal make & deliuer vnto the same party one sufficient acquitance, testifiinge the same receipt, ẏ then the sãe treasorer or general or particuler receyuour or any of his clerkes shal not receiue or take of the same partie for ẏ making of ẏ said acquitaunce not aboue fower pence, vpon paine to forfait for euery such acquitãce. rr.s. for which he or they shal happẽ to take aboue the said summe of iiii.ȳ. to be recouered as is before said, ẏ is to say, ẏ one moitie therof to the vse of ẏ kigs highnes or his heires and successours and the other moitie therof to ẏ party that wil pursue for the same. And bee it also enacted, that the same acquitance shalbe a sufficient discharge according to ẏ tenor & effect of ẏ sãe. And bee it &c. that if any of the same generall or ẏticuler receiuers, which nowe be or hereafter shalbee within any of the said courts, happen to pay to any person or persons any annuity pencion or other rent, that then if the same person or persons vpon the receipt thereof deliuer vnto the same general or ẏticuler receiuer one sufficient & lawful acquitaunce sealed & signed testifying the same receipt, ẏ then the same generall or perticuler receiuour, shall receiue the same acquitance, wont taking or receiuinge any fee or reward for the making of the same. And if ẏ same partie to whõ ẏ said general or perticuler receiuer hath so contented and payd anie such annuitie pencõ or rent, do not bring w̃ him one such sufficient acquitance signed and sealed, testifiing ẏ receipt of the same money, by reason whereof the same general or perticuler receiuour by him selfe or his clerk maketh one acquitance for the receipt of the same annuitie pencion or rent, ẏ thẽ the sãe receiuour or his clerk shal not receiue or take for the making of any such acquitaunce, which he shal so happen to make, not aboue iiii.ȳ. vpõ peine to forfait for euery such acquitance which hee shall happẽ to refuse beig redy made & offered to be deliuered to him as is aboue said. rr.s. And for euery acquitance which hee shall hereafter happen to make for any of ẏ payments aforesaid, & to receiue for the making of the sãe acquitaunce aboue the said sũme of fower pence, to forfait rr.s. the one moity to be to the king & the other moitie to the party ẏ will sue for the same. And also ẏ the same general or perticuler receiuors or their deputies, which hereafter shal happen to pay any such annuitie pencion or rent shal not retein or take of the partie to whom hee shall happen to pay the same in ẏ way of reward or otherwise, not aboue the summe of fower pence of euery pounde, which the same general or perticuler receyuer shal so happen to pay, vpon paine to forfait vi.s. viii.ȳ. for euerie penie which hee or they shall happen to receiue aboue ẏ said summe of iiii.pẽce for euery pound which he or they shal so happẽ to pay, the one moity of the same forfaiture to be to the king & the other moytie to the partie ẏ will sue for the sãe. And ẏ al ẏ said suites, concerning the said forfaitures, may be cõmenced & pursued by bil, information or accion in which suit non essoin protection or wager of law to be admitted. And bee it further enacted, ẏ if any plõ or plons hereafter happẽ to tẽder or offer vnto any of ẏ auditors of the said seuerall courts for the time being any of the kings letters patẽts decrees of any of ẏ sãe seuerall courts

Foyl.

Moitie

Discharge

Pay Annuitie

Acquitance

Receiuer

Foyl.

Moity

Reward

Moitie

Suits

Letters patents

graunles

Leases

graūtes, indentures of leases alwel for the terme of yeres, as for terme of life or liues, to bee enrolled beefore the same auditour according to his office, that then the same auditour vpō the same tender or offer, shall enroll the same, or as much of ỳ same letters patents decrees graūtes or indentures, as shal appertaine to hys sayd office. And if any of the sayd auditors or any of theire clarkes, or any other to their vse, or to the vse of ante of them, receiue, and take for the enrolment of ante of the same letters patents, decrees, grauntes or indentures, or for the allowaunce of the same aboue the sume of three shillings, viii pence, ỳ thē the same auditour or his clerke so offending shall forfait vi. s. viii. pence for euery peny, which the same auditour or any of thē shal happen any time hereafter to receiue cōtrary to the fourme aforesayd, ỳ one moitie of the same forfaiture to be to the kings highnes, and the other moitie to him that will sue for the same by such manner ⁊ forme as is aforesayd And be it ⁊c. that euery auditour of euery of the said seuerall courts, yerely in euery countie within their said seuerall limities, by the space of xx. daies or more before their audit, shal proclaime and declare in sawer seuerall markets or other places, the place and daies where and when they will keepe their seuerall audites, in ỳ same shere, vppon paine to forfait for euery tyme doinge the contrarie fiue pound, the one moitie wherof to bee to the kinges highnes and the other moity to the partie that will sue for ỳ same in forme aforesaid. And ỳ also euery of the auditours of the sayd seuerall courts being seuerally assigned to theire seuerall limitties, and euerie of the particuler receiuour of ỳ same seuerall courtes, beinge also seuerally assigned and ioined with the same seuerall auditours in their said seuerall limits, after and betweene euerie of the feasts of saint Michel the archangel ⁊ Christmas, shal direct ⁊ award their seuerall warrantes and precepts vnder their seales, to euery of the receiuours bailifes reeues ⁊ other officers whatsoeuer accōptable before ỳ sāe auditors, ⁊ by the same warrante or precept to charge and cōmaund in the name of our said soueraigne lord the king, euery of ỳ sayd receiuours bailifs reeues ⁊ other officers to appeare before them at one certain day ⁊ place in ỳ sāe warrant or precept to thē prescribed, ther to declare ⁊ make a iust and true accompt of al such receiptes wherof they bee accomptable and owe to accompt. And after if the same auditours and particuler receiuours do repaire vnto the same place and there keepe their audite according to the same proclamations precept ⁊ warrant, that then if any receiuour bailife reeue or other officer, being accomptable of or for any of ỳ manors lands tenemēts or other whatsoeuer hereditaments, now remayninge or which hereafter shalbe ⁊ remain in ỳ order gouernance or survey of any of the same seuerall courts, be lawfully warned, as well by the same proclamation or by precept or warrant in writting and sealed ⁊ in the name of any of ỳ auditors of the said seuerall courtes, personally to appeare by him self, or by his sufficient and lawfull deputy before the same auditour and receiuour at one certaine daye ⁊ place in the same warraunt or precept prescribed, their to make and declare a iust and a true accompt of all the receipts of hys sayd office. And if the same receiuour reeue, Baylife and other officer so beinge lawfully warned doe not appeare before

Warrants
Precepts
Receiuors
Bailifes
Accompt

Warned

Doe not appeare

the

the same auditour and receiuour at ẏ same day and place in the said warrant expressed: Or if ẏ same receiuor bailife, reeue, or officer, doe at ẏ sãe day and place to them prescribed, appeare & will not accompt before ẏ sãe auditour, according to the tenor and effect of the same precept or warrãt, or if the same receiuour Bailife reeue or other officer accomptable, doo by him selfe or by his sufficient and lawful deputy appeare before ẏ same auditour or receiuour & thẽ & ther enter into his or their accõpt beefore ẏ said auditour & after the sãe accompt finished & ended, if ẏ same receiuour bailife, reeue, or other officer do not content & pay vnto ẏ treasorer of the sãe seuerall courtes, or to the generall or particuler receiuour of the same countie for the time being, as the case shal require, within three weekes next & immediatly after the same accõpt fully finished & ended, al such summes of money, which vpon the determinatiõ of his sayd accompt hee shall happen to be found in arrerages, & the same default & contempt being duely prooued before the head officer or officers of ẏ sayd seuerall courts for the tyme being, that then euery such receiuour bailife reeue or officer, so offendinge to forfait & lose his said office, & also his fee which hee or they had and perteined for the exercising of ẏ same office. And be it also further enacted by authoritie of this present parliamẽt that if any of the said receiuours bailifes, reeues or other officers, vpõ the declaration of their sayd accompts do willingly conceale and withdraw any rent, reuenue, fine, heriot or other casualtie whatsoeuer it be, of ẏ which hee ought to haue made accompt, & ẏ same duely approued before the sayd head officer or officers for the time being: ẏ then euerie such receiuour bayliffe reeue or other officer so offeding to forfait and lose his sayd office and fee which he had for the exercising of the same, and also three tymes as much as hee hath so concealed & withdrawen. And that the sayd head officer, or officers of the same seuerall court for the time being immediatly vpon certificat to him made of the same default contempt or offẽce, shal awarde proces in nature of attachment against the same receiuour bailife reeue or other officer aswel for ẏ same arrerages remaining in ẏ hãds of the same receiuour, bailife, reeue or officer, as also for the penaltie of their recognisance or bonde in which the same receiuour bailife reeue or officer standeth bounden to our said soueraigne lord the king, as also for ẏ contempt and paine limitted and appointed by this act. And be it further enacted by authoritie aforesaid ẏ in al actions and suites to bee taken or pursued in any the courts aforesayd, for the recouerie of any debt or debts which nowe bee or that heraster shal happen to appertaine accrue remain or bee to the king by reason of attein dour outlawrie forfeiture gift of the partie or by any other collateral way or meanes, it shal be sufficient in the law to shewe and alledge in the said suite generally, that the ptie to whõ the said debt or debts were due or did belong such yere and day ẏd greue the same debt or debts vnto ẏ kinge, or was attainted outlawed or other offence forfaiture deede act or thinge committed or done, by reason wherof the said debt or debts did accrue and ought to remaine come and be to the king. And that the same matter so to bee shewed alledged or declared in a generalitie, without shewing and declaring the circumstaunce therof shal bee of as good force and effect in the

will not accompt

Pay

10. weekes

Arrerages

Forf.

Receiuors Officers

Conceale Fine Heriot

Certificat

Proces

Arrerages Penaltie

Contempt

Accions

King Attainder Outlawry Forf.

Debt

laive

law to al intents constructions and purposes as if the whole matter ther of hadde beene or were alledged and declared at large in euery point according to the due order of the common lawes of this realme. And be it further enacted &c. that if anie suite bee commenced or taken, or anie proces bee hereafter awarded for ỳ king for the recouerie of anie the kinges debts, that then the same suit and proces shalbe preferred before the suit of any other personne or persons. And that our said soueraigne Lorde hys heirs & successors shal haue first execution against any defendant or defendaunts of and for his said debts, before any other personne or persons so alwayes that the kinges said suite bee taken and commenced, or proces awarded for the sayd debt, at the suit of our sayd soueraigne lorde ỳ kinge his heires or successours before iudgment geeuen for the said other personne or personnes. And be it further &c. that al manours, landes, tenemts possessions, and hereditamentes, the which nowe bee or that herafter shal come or bee in or to the handes possession occupation or seasin of any personne or personnes, to whom the same mannours, landes tenements or hereditaments, haue heretofore or herafter shall descend reuert, or remaine in fee simple or in fee taile general or speciall, by, from or after ỳ death of anie hys or their auncester or auncesters, as heire, or by gifte of hys auncesters whose heire hee is which said auncester or auncesters was is or shalbee indebted to ỳ kinge or to any other persone or personnes to his vse, by iudgment recognisance obligation or other specialtye, ỳ debt whereof is or shall not be contented and paid, that then in euery such case the same mannours, landes, tenements, possessions, and hereditamẽts shalbee and stand by auctoritie of thys act from hẽceforth charged and chargeable to and for the paiment of the same debt, and of euery part ther of. And that our said soueraigne lorde his heirs and successours at any time hereafter shal not be barred delayed forclosed or excluded to demaũd, haue and receiue his or theire iust due and lawful debts and duetiez against any of his subiects, as heire or heires to any person or personnes endebted to his highnes, or to other personnes to his vse, or which shalbee endebted to his highnes his heirs or successors, al be it this woord heire be not or shal not bee cõprised in such recognysãce obligation or specialty, or to any such person or persons, shal say or alledge that he or they haue not any manors landes, tenementes, or hereditamẽts to them discended, but onely such manours landes, tenements, or hereditaments, as bee or shalbe entailed or geeuen to them by any their auncestours to whom they bee heires, anie law vses or custome before this time vsed or had to ỳ contrary notwithstanding. Prouided alwaies ỳ the kinges maiesty his heirs or successours may at his or their libertie and pleasure, demaund haue and recouer his or their said debt or debtes, of and against any executour or executours, administratour or administratoures of anie such persõ or personnes, which is, hath been, or shalbe endebted in manner & fourme aboue said, if the same executour or executours, administratoure or administratours, shal haue assetes in his or their hands in dede or in lawe, any thing before mencioned to ỳ contrary notwithstanding. Prouided also that if the said mannours, lands, and hereditaments or any of thẽ, shal hereafter be recouered or euicted out of or from

Suit Proces

Debts

First execution

Heire

Recognisãs Obligation

Debts Executor Administrator

Assets

Judgement

Fee simple Fee taile

from the possession of any such persō or persons by any iust or former title without fraud, or couin, whose mannours lands, tenements, or hereditaments ben or shalbe charged or chargeable as is aboue said, ẏ then al and euery such manors lands & hereditaments shalbee clercly acquited & discharged, of and for the payment of ẏ said debts and of euery parte thereof any thing mencioned to the contrary notwithstanding. Prouided also and be it &c. that if any person or persons of whom any such debt or duties is, or at any time herafter shalbe demaūded or required, allege, plead declare or shewe in any of ẏ said courts, good perfit, sufficient cause and matter in lawe, reason, or good conscience in barre or discharge of the said debt or dutie, or why such person or persons ought not to be charged or chargeable to or with the same & ẏ same cause or matter so alledged, pleaded, declared or shewed sufficiently proued in such one of ẏ said courts as he or they shal be impleaded sued vered or troubled for the sāe: ẏ thē ẏ said courts & euery of thē, shal haue ful power & authority to except, & iudge & allow ẏ same prooke & wholy & clerely to acquite & discharge al & euery person & persons that shalbe so pleaded, sued, vered or troubled for ẏ same, any thing in thiz present act before mencioned to ẏ contrary notwithstanding. Prouided also & be it &c. ẏ if any manors lands, tenementes, or hereditamentes, which bee or at any time hereafter shal bee charged or chargeable to or with the debt of our said soueraigne lord hys heires or successours and be or at any time hereafter shalbe in the season & possession of diuers and sundry persons other then the obligour or obligours, that then al & singuler the said manours, lands, tenemēts & hereditaments & euery pcel of them shalbe wholy & entierly and in no wise seuerally, lyable & chargeable to and with the paiment or paiments of the sayd debt & dueties, any thing before rehersed to the contrary notwithstanding. Prouided also ẏ this act nor any thig therin cōtained shal in any wise extēd to minish abrogat, or take away any realties, liberties, priuileges, frāchises prehemynences, iurisdicciōs, fines issues or amerciamentes apptaining or belonging to the said duchy of Lancaster & county palātine of Lancaster or any of thē, but ẏ the same liberties realties priuileges, frāchises prehemynences iurisdiccions, fines issues and amerciaments & euery of them, shall stil continue, remaine & be to the said duchy of Lancaster & county palantine & to euery of them, as fully wholly and plenarlie as they were before ẏ making of this present act, any thig in the same cōteined to ẏ cōtrary notwithstandig. Prouided alway & be it &c. ẏ al manner of proces processes, & executions for debts, onely comming or growing in the court of the eschequer, shalbee made in the same courte of the Eschequer by such officer & officers clerk or minister of ẏ sāe court, as hath ben afore this time vsed to be made after & ī such kind of pces, processes, & executions, as by this act is limitted & declared, Any thing in this act conteined to ẏ cōtrary notwithstanding. Anno. 33. Henrici octaui capitulo. 39.

3 ¶ The Queens highnes shall or may at any time hereafter during her natural life, by her graces letters patents vnder her great seal of Englād at her most gracious will & pleasure, alter, change vnite, trāspose, dissolue or determin, al or any of ẏ said courte or courtes, (s. the court of ẏ augmentations of the reuenues of the kings crowne

Manors Lands

Discharge

Manors Lands Tenemēts

Possession Obligor

Realties Liberties Priuiledges

Lancaster

Proces

Eschequer

Proces Executions

Letters patents

Titer.

Augmentation

Multis

Queene

Letters patents

crowne the court of the firste fruites and tenthes the court of the kinges wardes, the court of the general surueiour of the kinges landes, and the court of the duchy of Lancaster, And to reduce the same courtes or any of them into one, two, or more court or courts, or to unite and annere ẏ sayd courts or any two or mo of thē together or to anie other of her maiesties courts of recorde, or to erecte of the same any other new court or courts, as to her highnes shalbe thought most conuenient, and best, for the better, surer, and more speedie aunswering of her yearely reuenewes, casualties or profites nowe aunswerable in the sayd courtes or in any of them. And that al and singuler such alterations chaungings, unitings, transposings dissolutings, or determinations of ẏ sayd courtes or of any of thē so to be altered, chaunged united, annered, trāspoled, dissolued, or determined or otherwise newly to bee erected as is aforesaid. and concerning all and euery order for the true payment of the reuenues rents, issues, casualties and profites of our said soueraigne Lady the Queene nowe answerable in the said courtes or in any of them, as shalbee set forth, and declared in any such letters patents or writings vnder her highnes great seale of eng land, hereafter to bee made, set forth and declared shalbee of such like and of the same force and strength to al intentes, constructions, and purposes, as though the sāe were or should haue beene set forth or declared by thauthoritie of plement, ẏ said seueral executiōs or any other thing here tofore had or made, to ẏ cōtrary here of in any wise notwithstāding. Prouided alway & bee it &c. ẏ any thinge conteined or to be conteined in ẏ said letters patents, hereafter to bee made by the Queens highnes that now is concerninge any paynes penalties rules or orders, made or to bee made for the leuying of the Queenes reuenues, rēts, issues, casualties, or profites, shall not in anywise ertende to charge any of the Queens subiects in any other manner or forme thē they or any of thē ought lawfully to haue been charged by the lawes of this realme before the second day of this present semiō of parlement. Prouided also and bee it &c. that any letters patentes hereafter to bee made by the Queenes highnes or any thinge or matter cōtained in this act, shal not in anywise ertēd to geue any power or authoritie to the Chauncellour, & general surueiors of ẏ court of thaugmentations & reuenues of ẏ Queens crowne or to any other officer or officers of the same court, or of any other court or courts, herafter to be erected by the Queens maiestie, as is afore said or to any other officer or officers, to be appointed in any of ẏ sāe courts herafter to be erected by the Queens highnes, as is aforesaid, or to any officer or officers, of any court whereunto any of ẏ foresaid courts shalbee by her highnes united to heare or determin any ple matter or cause but only where her highnes is onely ẏ mere & sole pty against any of her subiects of, for, or concerning the speedy aunswering, leuying or payment of her maiesties rents, reuennes, issues, casualties, profits & debts being within the suruey of any the said courts. Prouided allwaies, ẏ if her highnes hereafter shall annex any of ẏ said courts vnto her court of the eschequer, ẏ then al things within the suruey of the sayd court so annexed shalbe ordered in like maner to al intents as the said court of the eschequer is or ought to be, by ẏ cōmon lawes & statuts of this realm,

Penalties

Chancelor Surueiors

Officers

Rents

Inner Eschequer

saueing

sauing to al and euery person & per-
sons bodies politike and corporat, &
to euery of them such offyces of Ste-
wardshippes, offices of maistershipes
of any game or games keepers of fo-
rests, chases, parkes, houses, and cas-
tels, and the profits thereunto belon-
ging, and al rents annuities & fees,
as they or any of them haue or ought
to haue, if this act had neuer ben had
ne made. Prouided alwaies, & bee it
&c. that this act nor any thing therin
conteined shal in any wise extēd or be
construed to take away, extinct or de-
termine from any person or persons
their heires successours, or assignes,
or from any of them, any fees, annui
ties pencions, stipendes, or annuall
paiments of any summes of money
whych they or ante of them of right
might, or ought lawfullye to haue by
any letters pattentes, or other suf-
ficyent wrytyng, vnder the seale of
the sayd court of Thaugmentations
made beefore the viii. daye July last
past, but that all and euery person &
persons theire heires, successours exe
cutors, and assignes, and euery of thē
which of right haue, or ought to haue
or hereafter shall haue any fee annui
tie stipende pencion, or annuel pay-
ment of any summe or sūmes of mo
ney, vnder the said seale of the court
of thaugmentatiōs, or being lawful-
ly allowed, and paid in the sāe court,
shal and maye according to ỳ tenure
of the same graunt perceiue, take, &
receiue the same, and shal yerely ther
of be paid of the Queens treasure her
heires and successours at the daies &
tymes compryzed in such letters pa-
tents or other writings, in any such
court or courts, whereunto the same
court, where the same annuities or
yerely sūmes of money was paid shal
bee so vnited and annexed, or in such
court or courts, as shalbe by autho-
ritie of thys act of parliament newly
erected and made in the place of anie
of the said courts so beinge dissolued,
as long as the sāe court shal remain,
and haue any being and after in such
court or courts as please the Queene
newly to erect by the handes of thof-
ficers of the same court in anie of the
Queenes courtes, wherein sufficient
reuenues shalbe to aunswere ỳ same
of the Queenes treasure there, by the
hands of thofficers of the same court
in such like manner and fourme as ỳ
same person and persons, their heirs
executours, & assignes, or any of thē,
should or might haue done, or beene
payd in any other place or court, if
this act had neuer ben had, or made,
any thing in this act cōteined or any
other thing hereafter to bee done by
reason, colour, or authoritie of thys
act, to the contrary thereof notwith-
standing. Prouided alwaies and bee
it &c. that this act nor any thing there
in contained shal in any wise extēd to
bee construed to take away, extinct or
determine from any personne or per
sons their heires successours or assig
nes, or from any of them, any fees,
annuities pencions stipendes, or an-
nual paiments of any summes of mo
ney, which they or any of them, law-
fully haue, or of right might or ought
lawfully to haue by any letters pat-
tents, or other sufficient writting,
made beefore the seuenth day of July
last past, but that al & euery personne
and persones, their heires successors
executours, and assignes and euerie
of them which haue or hereafter shal
haue any fee, annuitie stipend, pen-
cio, or ānuel paiment of any summe
or summes of money payable yerely
in any of the said courts, or by the
handes of any officer or officers of a-
ny the same courts, shall and may
perceiue take and receiue the same, &

shall

Stewardships
Forests
Parkes
Chases
Castels
Determin
Heires
Successors
Executors
Assignes
Annuitie
Pencion
Letters patents
Fees
Annuities
Pencions
Receiue

shall yerely therof be payed of the quenes treasure at the dates and times cõpised in such letters patentes for other writinges in any of the said courtes where now the same is or ought to bee payable, as long as the said court or courts shal remaine & haue any being, & after in such court or courts as shall please the Queene newly to erect by ẏ handes of the officers of the sãe court or courts and for default therof in any of the Queenes courtes wherein sufficient reuenewe shalbe to answere ẏ sãe of ẏ Queens treasor there by thandes of ẏ officers of ẏ sãe court or courts in such like maner and fourme, as the same person or persons their heires, executors & assignes or any of thẽ should & might haue don, & ben payd in any other place or court, if this act had neuer ben had or made, any thing in this act conteyned or any other thing hereafter to be done by reason colour or auctoritie of this act to the contrary therof notwithstanding. An. 1. Ph. 1. parliamento. ca. 10.

¶ After this statut made, Quẽn Mary dissolued ẏ court of augmentatiõs & first fruites & tenthe.

Dissolued

¶ *Crosse bowes & handgunes.*

A No. 19. H. 7. ca. 4. & An. 3. H. 8. ca. 13. were two seuerall acts made against shooting in crosse bowes. And an. 6. H. 8. ca. 13. an act was made against shooting and keeping of crossebowes and handgunes, And an. 14. H 8. ca. 7. an act was made against shoting in crossebowes & hãguns, And an. 25 H. 8. 17. an other act was made against shooting and keeping of crossebowes & hangunes, and repealing ẏ former statutes made in 19. H. 7. & 3. H. 8. and 6. H. 8. & 14. H. 8. And after an. 33. H. 8. ca. 6. all these former statuts were repealed as here following appeareth.

Shooting

Repealed

2 ¶ No person or persones, of what estate or degree he or they be, except he or they in their owne right, or in the right of his or their wyues, to his or their owen vses or any other to the vse of any such person or persons, haue landes tenementes fees annuities or offices to the yerely value of one hundred pounds, from or after the last day of June next comming, shal shote in any crossebowe, handgunne, hagbut or demy hake, or vse or keepe in his or their houses or elsewhere any crosse bowe, hangune, hagbut or demy hake, other wise, or in any other maner thã is hereafter in this present act declared, vpon paine to forfait for euery time that hee or they so offend contrary to this act. x. pounde. And further be it enacted &c. ẏ no person nor personnes, of what estate or degree soeuer he or they be from and after ẏ said last day of June, shall shote in, cary, keepe vse, or haue in his house or elsewhere, any hangun, other then such as shalbe in ẏ stock and gũn of the length of one whole yard, or any hagbut or demy hake, other then such as shalbe in the stock and gunne of the length of three quarters of a yard, vpon paine to forfait for euery time that hee or they shall shote in, cary vse or haue any such gun being not of the length of one whole yard, or hagbut or demy hake, being not of the length of three quarters of a yard. x. li. sterling. And ẏ it shalbe lawfull to euery person & persons which haue landes, tenementes, fees, annuities, or offices, to the yerely value of one hundreth pounds as is aboue said, to take and seaze euery such crossebowe, and also euery handgunne being in stocke and gunne shorter in length thẽ one whole yard, and euery hagbut and demy hake, being shorter in length then three quarters of a yard or any of thẽ frõ ẏ keping or possessiõ of euery such offender contrary to the forme of this act, and the same crossebowe or crossebowes to kepe and retain to his or their owne vse. And also the same handgunnes, hagbutes & demy hakes so seased & taken wtin. xx. daies next after the same seisure or taking

Fore. x. li.

One yard long

iij. quarters of a yard. Fore.

Seaze

king, to breake and distroy vpon paine of xl.s. for euery gunne so shaled & not broke & distroyed, & the same so broken & distroyed to keepe and retaine to his or their owne vse. And be it &c. ỳ no person or persones, other then such as haue landes tenements, rentes fees, annuities or offices, to ỳ yerely valu of one hundreth poundes as is aforesaid from or after the said last day of June, shall carry or haue in his or their iourney going or ryding in the kinges highwaies or els where, any crossebowe bent or gunne charged or furnished w̄ pouder, fier or touch for the same except it be in time and seruice of warre, vpon pain to forfait for euery such offence x.li. this present act, or any thing therein conteined to the cōtrary notwithstanding. And be it &c. that no person or persons from ỳ said last day of June shal in any wise shote in, or w̄ any handgunne, demy hake or hagbut at any thing at large, w̄in any citie borough or market towne, nor w̄in one quart of a mile of any citie borough or market towne, except it be at a but or bank of earth in place conuenient, as for the defence of his p̄son or house, vpō pain to forfait for euery such shote x.li. this present act or any thing therein conteined to the contrary notwithstanding. And be it &c. that no person or persons of what estat or degree so euer he or they be, shal fro or aft ỳ said last day of Jũe, cōmand any of his or their seruāts to shote in any crossebow handgun, hagbut, or demy hake, of his or their said masters, or of any other persones to any deere, foule, or other thing, except it be onely at a but or bāk of earth, or in the time of warre, as is a boue said, vpon paine to forfait for euery such offence, x.li. ỳ one moity of al which forfaitures & penalties in this present act aboue specified, shalbe to ỳ king &c. & ỳ other moitie thereof to the partie ỳ will sue &c. in which suit &c. prouided al way & be it &c. ỳ it shalbe lawful vnto all gētlemē yomē, & seruig men of euery lord or lords spirituall or tēporall, & of al knights, esquires & gētlemē, & to all ỳ inhabitantes of cities, boroughs, & market townes of this realm of England to shote w̄ any hādgun, demy hake or hagbut at any but or bank of earth, onely in place conuenient for the same so ỳ euery such hādgū, demy hake, & hagbut be of ỳ seuerall legths aforesaid & not vnder. And ỳ it shalbe lawful to euery of the sayd lord & lordes, knights, esquiers & gentlemen, & the inhabitants of euery citty borough & market towne, to haue and kepe in euery of their houses any such handgū or handgūs of the legth of one whole yard, or any hagbut or demy hake of the legth of three quarters of a yard, as is aforesaid & not vnder, to the entēt to vse & shoote in the same at a butte or banke of earth, onely as is aboue said, whereby they & euery of thē by ỳ exercise thereof in forme aboue said, may the better aide & assist to the defence of this realme when nede shall require, this p̄sent act or any thig therin contained to the contrary notwithstāding. And be it &c: that it shalbe lawfull to euery person & persones which dwelleth & inhabiteth in any house standing & being set distant two furlongs from any citty borough, or towne, to keepe & to haue in his said house, for the onely defence of ỳ same handguns, hagbuts, and demy hakes, being of the seuerall lengths aforesaid & not vnder, & to vse & exercise to shote in the same at any but or bank of earth neere to his house, & not otherwise, any thing contained in this act to the contrary notwithstanding. And be it &c. that all letters patentes, fraternities, & also al other placards, licences & billes, assigned, heretofore had, made, or assigned by his highnes or by any other auctorised by his maiestis letters patentes, vnder his great seale, to geue licēce & placard to shote in crossebowes and handgūnes, or any of them, shalbe from and after the said laste day of June, frustrate, voide and of nōe effect. And also &c. ỳ the said statut made in ỳ said xvij. yere of ỳ kings most gracious raigne, & all other statutes heretofore

T.li.

Went Charged

Forf.

Shoot

Market Towne Citie

Butt

Forf.

Seruants

Deere Foule Warre

Forf.

Moitie Gentleman Yoman Seruingmē Lords Knights

At & from

Length

Keepe

Butt

Keepe

Vse

Letters pātents Fraternities Placards Licences

Voyd

made and prouided for the auoyding & restreint of shooting in crossebowes & handgunnes, or for any of them, or for ỹ vsing and keping of the same, be frō henceforth vtterly void and of none effect. Prouided alwaies, that euery proces, suit & information concerned cōmitted & now depending, for any offence done contrary to the forme of the said statut made in the said xxvj. yere of the kinges most noble raigne, or of any other statut made prouided for & concerning the shoting in crossebowes & handguns not repealed: and for the keping of the same shalbe as good and effectuall to the parties ỹ haue commēnsed the same & shal stand & be in such forme, effect, degree and condition, as if this act had neuer bene made. Prouided also ỹ this act or any thing therein conteined be not in any wise hurtfull or prēditial to any person or persones now being, or ỹ hereafter shalbe appointed by the kings highnes to kepe retein or take any crossebowes or hantguns, ỹ shalbe forfaited or taken vpon the precinct or libertie of the kinges forestes, parkes or chaces, but that he or they may lawfully kepe and retaine the sāe crossbowes, or hādguns from time to time vntill such time as the further pleasure of ỹ kings highnes in ỹ behalfe be to euery such person shewed and declared. Prouided also that this act extēd not to makers of crossebowes, or handguns, but that they may lawfully kepe crossebowes & handguns hagbuts & demy hakes in their houses, & shote in ỹ sāe onely for the proning and assaying of thē at a but or bank of earth in a place conuenient, and not other wise: so that the said handgūs hagbuts and demy hakes bee of the seuerall length in stocke & gunne, as is aboue limitted. Prouided also ỹ this act nor any thing therin contained, extend not or bee prēiudicial to any marchants, which haue or shal haue any crossebowes, hādgūs hagbuts & demy hakes, or any of them to sel vpon this realme & to none other vse, so that ỹ sāe hant guns, hagbuts & demy hakes be of the seuerall length in gunne & stock as is aboue limitted & not vnder. Prouided also that no maner of person rūne in any daūger or take hurt by reason of any penaltie of forfaiture conteyned in this act, vntill such tyme as proclamation be made of ỹ same act vpon ỹ coūtie, where ỹ partie that shall or may offend contrary to this act dwelleth by the space of vj. daies, next after ỹ making of ỹ said proclamation. Prouided also that if any maner of persone bring or cause to be brought vnto him into his lodging or house, or to any other mans house, any crossebowe, or handgune, ỹ then the penaltie & forfaiture, if any such be or hereafter shalbe forfaited by reason of this act, to runne & be onely vpon the bringer of the said crossebowe & handgun, & not to the owner of the same lodging or house, if ỹ said owner of the said lodging or house, cause ỹ bringer ther of to take and to carie away ỹ said crossebow or hādgun again vnto him at his departing any thing in this act made to ỹ contrary notwithstanding. And be it &c. ỹ if any person or persons from or after ỹ last day of June next commig sée or find any person or persons offending, or doing contrary to ỹ forme & effect of this act, that thē it shalbe lawful to euery such person or persons perceiuing finding or seeing any such pson or psons so offendig contrary to ỹ form of this act, to arest & attach euery such offendour or offēdours & to bring or conuey ỹ sāe to the next iustice of peace of ỹ sāe coūty, where ỹ said offender or offēders shalbe found so offēding. And ỹ ỹ sāe Iustice of peace, vpō due examination & prufe therof before hi had or made by his discretion, shal haue ful power & auctority to sēd or cōmit ỹ same offender or offēders to ỹ next Jaile, there to remain til such time as ỹ said penaltie or forfaiture shalbe truely contēted & payd by ỹ said offender. The one mottie of ỹ said penalty to be paid to ỹ kigs highnes, & ỹ other



Proces Suit Informacion

Proclamacion.

Inne

Keper

Forestes Parkes Chaces

Makers of crossebowes

Butt

Length

Marchāts

Forf.

Wyntes

Bringer

therof to ỳ firſt byger or conueyer of ỳ ſaid offender to the ſaid iuſtices of peace. And be it &c. that if any perſon or perſones do at any time hereafter obtaine get or purchaſſe of the kings maieſty his heires and ſucceſſoures, any placard licence or byll aſſigned to ſhote in any croſſebowe, hangun hagbut or demye hake, contrary to the tenor purpoꝛt and effect of this preſent act, that then ther ſhall be conteined in euery ſuch placard licence & bill aſſigned, at what beſtes foules or other thinges the ſaid perſon or perſons ſo obtaining any ſuch placard licence or bill aſſigned, ſhall ſhote at with any croſſebowe hangun, hagbut or demy hake, or els ỳ euery ſuch placard licence and bill aſſigned hereafter to be obteined gotten or purchaſed ſhal be clerely void fruſtrate, and of none effect. And alſo that euery ſuch perſon or perſons ſo obtaining any ſuch placard licence or bill aſſigned before thoy ſhote in any croſſebow hangun hagbut or demy hake, in any ſuch maner or forme as ſhalbe mencioned in any ſuch placard, licence, or bil aſſigned, ſhalbe bound in the kings court of chauncery by recognizſance in the ſumme of xx.li. to the kinges vſe, with and vpon condicion, that he ſo obtaining or hauing the ſaid licence placard or bil aſſigned ſhall not ſhoote in any croſſebow hãdgũ hagbut or demy hake, at any or other beaſtes or foules, thẽ in any ſuch placard licẽce or bil aſſigned ſhalbe conteined & ſpecified, or els all ſuch placard or licences & billes aſſigned ſo hereafter to be made to any perſon or perſones, not being ſo bounden by recognizſance in the court of the chancery as is afore ſaid, to be vtterly void and of none effect. And be it &c. that it ſhalbe lawful to al Juſtices of the peace in their ſeſſions, & to all ſtewards & bailifs in their ſeuerall letes and lawdaies, to enquier heare and determine euery ſuch offẽce after ỳ ſaid laſt day of June to be committed & done contrary to ỳ tenour of this preſent act, ſo ỳ alſwaies no leſſe fine then x. pounds be aſſeſſed vpon euery ſuch preſẽtmẽt & conuictiõ made according to the due courſe of law, the ſame fine ſo by ỳ ſãe iuſtices of peace vpon euery ſuch preſentment and conuiction made before thẽ in their ſeſſion to be paied and leuied only to the kings vſe, and that one moitie of euery fine to be aſſeſſed by the ſtewards or bayliffes of any leete or lawday, vpon euery preſentment & conuiction before thẽ to be made to be paied & leuied to ỳ vſe of the king our ſoueraigne lord: and of the other moity ỳ one halfe to the owner of ỳ ſaid lete or lawday by diſtreſſe or accion of debt, and the other halfe of the ſame ſeũd moitie of the ſame fine to be to the partie ỳ will purſue for the ſame in any of the kings courts by bil plaint information or accion of debt, in the which none eſſoigne protection or wager of law ſhalbe allowed. And be it further enacted, that if any Jurie be ſworne & charged to enquire for the king our ſoueraigne lorde before any Juſtices of the peace or ſtewardes of letes or lawdaies, of any offences committed or done contrary to this preſẽt act, do wilfully concele any of the ſãe offẽces, ỳ thẽ the ſaid iuſtices, ſteward or bailiefs, before any concelemẽt ſhal be had & done, haue auctoꝛitie by vertu of this preſent act from time to time to charge and ſwere another Jury of xii. or moꝛe good & ſubſtancial honeſt perſons, to enquire of euery ſuch concelement, and if any ſuch concelement bee founde and preſented by the ſaid iury ſo charged to enquire of the ſame, ỳ then euery one of the ſaid firſt iury, ỳ ſo did concele the ſame ſhall loſe and forfait for euery ſuch concelement of euery ſuch offence xx.s. all which forfaitures & penalties of xx.s. for euery ſuch concelement of euery ſuch offence ſo found and preſented before ỳ ſãe iuſtices of peace, ſhall wholie be leuied & payed to the kinges vſe. And ỳ moitie of al the ſame forfaitures & penalty of xx.s. ſo found & preſented before ỳ ſteward

Placard Licence

Beaſtes Foules

Voyd

Recognizſãs

Beaſts Foules

Chauncery Voyd

Juſt. of p. Stewards Bailifes Lawdayes Leetes

Fine

Juſt. of p.

Moitie

Accion

Jury

Juſt. of p. Stewards

Conceale

Jury

Forf.

Juſt. of p.

Moitie Steward Bailife

ward

Bailifes ward or bailifes of any lete or lawday shalbe leuied & payed to ỹ vse of ỹ owner of ỹ said lete or lawday by distresse or accion of debt, & the other moity ther of to be to the party or parties that wil sue for the same by accion informatiõ, bill or plaint in any of the kings courts In the which accions, informations, billes or plaintes no wager of lawe, essoigne, nor protection shalbe allowed. Prouided alwaies and bee it &c. that if any person or personnes hereafter in any part do offend or do contrary to ỹ purueiwe and remedy of this act, wher upon cause of accion for the same offẽce shalbe giuen to the king his heires or successours, or to any other persone or persons ỹ will sue by vertue of this act for the punishment of the said offence or forfaits, ỹ if the king our soueraign lord his heires or successoures within one yere next & immediatly after such offences, and forfaites had & made do not pursue their accion or accions, so geuen by this act, or cause examination vpon such defautes & offences to be had and made, before their counsell, or other presentmentes thereof to be had according to ỹ meanig of the same act & euerie other person, which hereafter by vertu of this act may haue action or accions suite or information vpon this statut, within halfe a yere next, & immediatly after such offẽces or forfaits hadde and made, doe not commence their suites, informations accions or presentmentes of and vpon the said forfaites by accion or otherwise as in this present act is limitted and declared: ỹ then as wel the king our soueraine lord his heires & successours after one yere next after such offences and forfaites had and made, if noe suit in his or their name be taken by accion or otherwise as is before expressed before the same yere ended and determined, as euery other persone after halfe a yere next after like offences and forfaits had and done in the forme aforesaid, if no suite thereupon be taken by none of them, in forme aboue declared, be vtterly excluded & barred of their said suits, acciõs informations & examinations, to them geuen by vertue of this said act, & the parties & euery of the so offending shal be of all such offences & forfaites clerly discharged & quite any thing in this act cõprised to the contrary notwithstanding. Prouided alwaies & be it &c. that this preset act ne any thing therin conteined, shall in any wise extend or bee preiudiciall vnto the kings subiectes, resident or inhabiting nere vnto the costes of the sea in any part of this realme, their houses beeing not aboue fiue miles distant from the sas costs, nor also to any of the kings said subiects inhabiting vñ. xii. miles of the borders of Scotland: nor to any ỹ kings subiects, inhabitãts of the towne & marches of calels, nor to any of the inhabitants of the iles of Gersey, Gernesey, Angleley, & the iles of Wight & Man, but ỹ it shalbe lawfull for euery of the said inhabitants at al times hereafter to haue exercise, & vse their handgũs, hagbuts, & demy hakes of the lengths aboue said vñ the limites, & iles aboue said, so ỹ it be at no maner of deere, herõ, shoueler, Fesant, Partrich, wilde swane, or wilde elke or any of them, this present act, or any thing therin conteined to ỹ contrary not withstanding. Prouided also ỹ this act, ne any thing therin conteined be in any wise hurtful or preiudiciall to any seruant or person that hereafter from the said last day of June shal bend, beare, cary, charg, vse or assay any crosslebowe, or any hant gun, demy hake, or hagbut, of the lengthes aboue said, by the commaundement of his Lord & maister, so ỹ the said seruãt or person do not shote at any foule, deere or other game: of what kind or nature soeuer thei be of or also to any such seruant person or persons, that shal after the said last day of June, beare or conuey any crosslebow handgũ hagbut or demy hake, of the lengthes aforesaid to any place or places, by the comaũd-

Actions barred

Discharged

Sea costes

Scotland

Calice
Gersey
Gernsey
Angiesey
Wight
Man

Deere
Heron
Shoueler
& fesant
Partrich
Wilde swan
Wild Elke

Bent
Cary

ment of his lord or master that may shote by auctority of this act, to be amended, repaired deliuered or assaied so ẏ the said seruant or other person so bringing or conueying the said crossebowe hādgun, hagbut or demy hake, haue redy to shewe to euery person requiring the sight therof one licence in writing sealed or subscribed by his said lorde or master, to carie & conuey the sāe crosse bowe handgun hagbut or demy hake, to the intent to be amended, repaired, assaide, or deliuered as is aforsaid. Prouided alwaies, that this act or any thig therein conteined, shall not extende to any owner of any shipp, for hauing & keping of any hādgū, hagbut or demy hake, of the seuerall lengths in this act expressed, or vnder, onely to bee had & occupied with any their shipp or other vessel, or for the cariage and recariage of them or any of them on land or keping of them, for the onely exercise and occupying of thē within their said shipp or vessel: Any thing in this act to ẏ contrary in any wise notwithstanding. An. 33. H. 8. ca. 6.

Licence

Owner of shippe

Cariage

3 ¶ No person vnder the degree of a lord of the parliament shall from hēce forth shote in any handegunn, wīn any city or town at any foule or other mark vpō any church, house, or doucoote, neither that any person shall shote in any place any hailleshote, or any more pellets then one at one time, vpon paine to forfait for euery time that he or they shall so offend contrarie to this acte x. pounds s, & imprisonment of his body during iii. moneths. Prouided alwais & be it &c. that this act or any thing therein conteined shall not extend or be preiudicial to any persone or persones auctorised by value of land to shoote in any handgun or crossbowe, but that they may so do in such forme & order as they should do and might haue done before the making of this act (hailshoote excepted as in deede the kind of shoote in the said act was not ment) & that al and euery other persone and persones auctorised to shote or otherwise if he inhabite in any towne corporate, be presented to the Maire or other officer of the same, & inhabiting in the countrey, bee presented within one moneth after the publishing of this act to the next iustice of peace adioinig, in which cases the said Maire, iustice, or other officer, so taking their names as is afore said shall again present & record ẏ sāe, beefore a iustice of the peace at the next quarter sessions, to the intent the clerk of the peace of the county may keepe a certain booke or roll of the names of al such persons, by ẏ which ẏ kings maiestie may from time to time be assertained how many meet & able men exercised in ẏ feat, be in euery county ẏ the sāe may be imployed in his graces seruice, as nede & occasion shal require, vpon pain ẏ euery person offending in this act presuming to shote in any handgū or hail hak wout ẏ preseting of his nāe as is aforsaid, shal forfait for eūy shote, ẏ sume of xx. s. the one moity wherof to be to our soueraigne lord the king, & the other moity to him or them ẏ will sue for the same, by bill, accion, plaint, information, or other wise. The officer that should take their names & present the same as is abouesaid, to incurre for the lacke of his duty in this pert for euery time so offending like pain. An. 2 E. 6. ca. 14.

Iustice of peace

Maior

Iust. of p.

Present Quarter sessions

Clerk of p. Roll

Forf. Shoote

Officer

Payne

Hye shoot

Lord of parliament

Foule Doucoote

Hayleshot

Forf.

Impris.

## Crosses.

FOr asmuch as many tenauntes set vp crosses or cause to bee sett vp in their landes, in preiudice of their lords to thintent that the tenantes should defende them selues against the chiefe lordes of the fee, by the priuileges of templars & hospitelers: It is ordeined, ẏ such lāds shall be forfait to the chiefe lordes of ẏ king, in the sāe maner as is prouided for landes alienes in mortmain. Wil. 2. ca. 33. An. 15. E. 1.

Templers Hospitelers

Forf.

## Crowes, Rookes, & Chimpes.

EVery person & persones aswel spirituall as temporal, hauing, keping, hol-

ding;

ding, & inhabiting in any manors, meſes, lands, or tenements, in their own mainrance & occupation of any eſtate of inheritce, or for term of life, or for yeres, or at will, or by copy of court rol or otherwiſe in poſſeſſion, or vſe, ſhall hereafter do and cauſe to bee done as much as in him or in thē reſonably ſhal or may be to kil & vtterly deſtroi al maner of choughs, crowes, and rooks, coming, abiding, breeding, or haunting within or vpon any the ſaid manours, meaſes, lands, or tenements which he or they ſhal inhabit & dwell vpon, and haue in their mainrance & occupation (as is aforeſayd) vpō pain of a greuous amerciament, to bo ſet and aſſeſſed, as hereafter ſhalbe expreſſed, that is to ſay that if any offence be done contrary to this eſtatut by any perſon or perſonnes inhabiting within the limites of the lētes lawdaies rapes or court barons of anye lordes, hauing ſuch courtes, that then vpon the preſentmēt therof made beſore the ſteward of ſuch letes, lawdaies, rapes or courts, the ſteward wt two of the preſentoures, by the ſteward and preſentoures to be named, ſhal aſſeſſe and ſet for euery defaut preſented to be done contrary to this acte ſuch amerciamēt, as to thē ſhal ſeeme reſonable and conueniēt, after the quātitie of the offence, the ſaid amerciament to be to the vſe of ỳ lord or lordes of the letes, lawdayes, rapes or courts where the ſaide offence ſhall bee done and preſented, to bee leuied by diſtres of the goodes and cattels, of the offendor or offendors, like as other amerciaments for common anoiſances preſented in letes hath ben accuſtomed to be leuied. And if the offence be done contrary to this eſtatut by any perſone or perſons, which ſhal dwel & haue ỳ mainrance of & in ſuch manors, meaſes landes, tenementes or hereditaments wherevnto ſuch letes, lawdayes, rapes or courts belonging, or by reaſon wher of any ſuch courts ben holden: ỳ thē vpon a preſentment therof had beſore the ſhiriſes in their tournes, or iuſtices of peace in their ſeſſions, the ſteward of ỳ turnes, with two of the preſentours, to be choſē as is aforeſaid if ỳ preſētment be within the tourne, & the iuſtices of peace, or two of them at the leaſt if the preſentmēt be beſore them in their ſeſſions, ſhall aſſeſſe and ſet ỳ ſaid amerciament after the quantitie of the offece: by their diſcretions to be had and leuyed to the vſe of our ſoueraigne lord the kig by diſtreſſe, like as other amerciaments be leuied vpon preſentment of comon anoiſance &c. And further be it &c. ỳ as wel iuſtices of peace in their ſeſſions, as ſhiriſs in their tournes, as ſtewards, Baires, & bailifs, elected in their letes, lawdayes, rapes, & court barons to be hereafter holden beſore thē or any of them, ſhal geue in charge to the tenantes & inhabytants, & al other appearing beſore any of them, ỳ they ſhall duly enquire & put in execution ỳ effect of the premiſſes in due time, ſo ỳ this act may be fully & truely executed, & choughes, crowes, & rooks ther by diſtroyed in al places of this realme according to the meaning & true intēt of this eſtatut. And ouer this it is enacted ỳ it ſhalbe lawful to euery perſon & perſons onely minding & willig to take & diſtroy the ſaid crowes, rookes and choughes after requeſt therof made vn to the owner or occupier of the ſame grounds where ſuch crowes rookes or choughes haūt or brēde, to enter take & cary away al ſuch rookes, choughes & crowes, as he ſhal take the ſame day, in which ſuch requeſt ſhal be made from time to time, without lets, impedimēt or impechement by any maner mean of the ſayde owner or occupier of the ſame. And it is further enacted, that euery fermour or owner, hauing in his owne mainrance & occupation, any manors, meaſes, landes, tenementes, or other hereditamentes whereof the yearely value or rent a mounteth to x.li. ſhall paye andgeue to euery ſuch perſonne, which by hys

Diſtroy

Imerce

Preſentment Steward

Imerce

Leuy Diſtres Goods

Dwell

Shiriſe Steward Iuſt. of p.

Iuſt. of p. Shiriſs Stewards Maiors Bailifs

Enter

No impechement

Fermour

Rent

dilig℈ce, labour & industry, at his owen p℟oper costes doth take any old crowes, rookes, o℟ choughs, within & vpon the said manors, meases, lands, o℟ grounds of the yerely value afo℟esaid ii.d. fo℟ e-
Recspence uery xii. old crowes, rooks, o℟ choughs ꝑ any such person shall take, bring, and offer to any such fermour o℟ owner.

And fo℟ euery vi. old crowes rookes, o℟ choughs a d. and fo℟ euery iii. old a half peny. And if any such owner o℟ fermo℟ refuse to pay ꝑ mony according as is afo℟esaid) then vpon cõplaint & proffe therof made to any of the iustices of
Just. of p. peace, o℟ high constable, the said iustices of peace o℟ high cõstable, shal cause
Constable the said money to be leuied by distresse
Distres of ꝑ goods & cattels of euery such fermour o℟ occupier, refusing to pay the said mony according to the tenor & effect of this act. Prouided alway that no personne o℟ personnes, by colour o℟ auctoritie of this act shall take,
Doues o℟ kill any Doues o℟ Pigions, vpon
Pygions the paines limitted by the lawes and customes of this realme heretofo℟e fo℟ such offences vsed and accustomed an. 24. H. 8. ca. 10. And in the said act it is
Netts enacted that nettes & shrapes shal bee
Shrapes made in euery towne during x. yeares fo℟ the distruccion of crowes &c. & other things to be done during ꝑ said. x. yers fo℟ the distruccion of crowes &c.

2 ¶ Be it therfo℟e o℟deined & enacted, &c. that only the said brauch of ꝑ same estatut (24. H. 8.) concerning the prouision, vse & maintenence of net
Nettes tes & shraps, fo℟ ꝑ distruction of crows
Shrapes rookes, & choughes & all and euery artic℈le, fo℟ fo℟faiture, and penaltie, conteined in the said branch, fo℟ & concerning ꝑ prouision and putting in vre of the sãe nettes, & fo℟ the maintenãce therof according to the fourme therein limitted shall from henceforth be receiued and
Reuiued put in due execution, and that all and euery other brauche and article conteined in the same estatut, shalbee from
Repealed henceforth vtterly repealed and made void to al intents & purpoles.

¶ And further be it enacted by the auctoritie afo℟esaide, that in euery parish, the churchewardens fo℟ the tyme being, with others of the parishioners, to the number of fiue persons, to be required by the churchwardens, shall after the feast of Saint Michaell tharchaungell next comming, yearely in one of the festiuall dayes in the Easter weeke, and at euery other tyme when and as often as it is and shalbe needfull, tare and assesse euery p℟oprietour, fermour, and other person, hauing the possession of any land o℟ tythes lo-
Church-wardens
Easter weeke
Ter
Fermour
Tithes
in their seueral parishes, to paye such summe of money, as they shal think meete according to the quantity & portion of such landes o℟ tythes, as the same persons so assessed, doo o℟ shall haue o℟ holde: And if the said summes of money, o℟ any of them: so tared and assessed, be o℟ any shalbe denied to bee payed, o℟ be not payde within fourteene dayes next after request therof made by the said Churchwardens, o℟ one of them: then euery person so denying o℟ making such default of paymẽt, shall fo℟fait fo℟ euery time v.s. and the same together with the said summe o℟ summes assessed and tared as is afore said, shall be leuied by distresse, of the goodes and cattels of such person and personnes so assessed, and refusing to pay such summe, to be take by ꝑ churchwardens, o℟ one of them: which distresse shalbe o℟dred & vsed in such maner and fo℟me, as distresses taken fo℟ amerciamentes in any letes, and the same summes so tared and assessed, & the said penalties, if any be so by them leuied as is afo℟esaid shalbe yerely by the said churchwardens fo℟ the tyme being, o℟ one of them, of euery such parish, deliuered, by bill o℟ billes indented to two honest and substanciall persones of euery such parishe, which shal bee elected and appointed by the sayd churchewardẽs fo℟ the time being, to haue ꝑ yerly distributiõ therof, & shalbe named ꝑ distributo℟s of ꝑ prouisiõ fo℟ ꝑ distruc-
Denye
Fo℟f.
Distres
Bills indented
Distributo℟s

destruction of noysull foules and ver-
mine. And the said distributour so ap-
Pay pointed as is aforesaid shal giue & pay
of the same mony so to them deliuered
to euery person that shal bring to them
any heades of olde crowes, choughes,
Pyes Pyes, or Rookes, taken within the se-
uerall Parishes, for the heads of euery
Reward iii. of thē, a peny. And for the heads of
euery fyue younge crowes, Choughes
Eggs Pyes, or Rookes, taken as is aforesaid
a peny, and for euery fyue egges of any
of them vnbroken, a penney. And like
Stares wise for euery twelue Stares heads,
i.d. All which said heads & egges, ỹ sayd
distributors in some conuenient place
shal kepe, & shal euery moneth at least
bring forth the same before ỹ said churche
wardens and taxors, or iii. of them, &
thē & there to them shal make a true
Accompt accompt in writing what money they
haue layd forth, & paide for such heades
& egges, and for the heads of such other
Rauenous Birdes rauenous birdes and vermyne, as are
hereafter in this act mencioned. That
Merton Hawkes is to say: For euery heade of Mer-
Furskyte ton Hawkes, Furskytte, Woldkytte,
Woldkite Bullard, Schagge, Carmeraunt, or
Bullard Ringtayle, two pence, and for euerye
Schagge two egges of them, one peny. For eue
Carmerant rie Iro or Dispayes head, fower pence.
Ringtayle For the head of euery woodwal, Pie,
Iron Jaye, Rauen, or Kyte, one penye. For
Dispay the head of euery hyrde, which is called
Woodwall the kinges Fisher, one penney. For
Pye the head of euery Bullfinch, or other
Jay Birde that deuowreth the blowth
Rauen of fruite, one peney. For the heades of
Kyte euery Froe or Caay, vii. pence, and for
Kings fisher the head of euery Fichewe, Polcatte,
Bullfinch Wesel, Stote, Faire, Bade, or wild
Fox Catte i.d. For ỹ heads of euery Otter
Gray or Hedgehogges. ii.d. For the heads of
euery three Rattes, or twelue Wise. i.
Ratts Wise d. For the heads of euery Woldwarpe
Woldwarpe or Want a ob. For the heades of eue-
ry which birdes, and vermine last mē-
cioned the laste distributours shall like-
Pay wise paye and geue to the bringer of
them, for euery head kilde and taken,
within their seuerall parishe, as before is
limitted, and shall kepe the same to be
shewed forth vppon their accompte, in
manner and fourme as is aforesaid.
All whiche said heades and egges, shal
bee forthwith, after such accōpt made Accompt
in the presence of the said Churchwar- Church-
deins and Taxours, or three of thē, wardens
burned, consumed, or cut in sunder. And Taxours
if vpon any accompte to be made in ỹ
end and determination of the office of
any such distributours, it shall appeare Money re-
that any some of money is remaining maining
in the handes of the said distributours,
or of any of thē, thē ỹ same shalbe by
bill indicted, as is afore said, deliuered Bill indicted
ouer to such persones as be or shalbe
elected to the same office for the yeare
next following, by them to be distri-
buted, as is aforesaid.

And for the better execution of thys
act, be it also enacted by the auctoritie
aforesaid, that it may & shalbee lawfull
to and for euery persone and persons,
which hereafter will trauel for the ta-
king of Crowes, Rookes, Choughes,
and other the vermine aboue said, to en
ter for the same purpose and intent in-
to any place therfore meete and conue-
nient, with the consent of the owner,
or occupier of the same, and ther to vse
such nettes, engins, and other reasona- Netts
ble deuises, as are meete and conuenient for the takyng and destruction of
such vermine (handgunnes and cros- Handgunes
bowes except) and shall take & haue Crosse-
all such Crowes, Choughes, Rookes, bowes
and other vermine to his & their owne
vses. And if the said Churchwardeins Church-
& fiue persons of any parish or parishes wardens
so required by the Churchwardeins, as
is aforesaid, or the persons elected for
distributours or any of them, shall re- Refuse
fuse or make defaut in the execution of
this act or any parte therof, cōtrary to
the fourme aforesayd then euery such
persone shall forfait for euery such de- Forf.
faut fiue poundes, the one mottie ther Mytie
of to be to our Soueraigne Lady the
Queene, her heires and successours,
and

and the other moitie therof, to him or them vsing tillage yearely within the same shere, that shall sue for the same in any court of recorde of our Soueraigne Ladye the Quene her heires and successours by accion of debte, or bill of informacion, wherein the defendant or defendauntes shall haue no protection, essoine, or wager of law allowed or admitted.

Prouided alwaies, and be it further enacted by authoritie afore said, that this act or any braunche therin contei ned, shall not in any wise extend to giue any libertie or authoritie to any persoune or persounes, to vse or exercise any meanes or engin, for the destruccion of Crowes, or Rookes, Choughs, or other the vermine afore said in any place or places, to the disturbaunce, let or destruccion of the building or breeding of any kind of hawkes Herons, Egrittes, Paupers, Swans or Shouelers, or to the hurt or destruction of any Doues, Dorichowses, dere or warren of Conyes: Any thing in this act to the contrary conteined, notwithstanding.

Disturbāce
Haukes
Herons
Egritts
Paupers
Swannes
Shouelers
Doues
Deere
Conyes

And be it further prouded, that this act or any thing therin contained, shal not extend to geue or appoint any sume, or summes of money to be geuen paied, or distributed to any person or persons, for the heade or heades of any Busarde, Kingtaile, Herne, Polcat, Fitchelne or Stote, taken in any parke warren, or ground, employed to the maintenance of any game of Conies, or to any Starres taken in dourhouses nor to the killing or bringing the heade of any kite or Rauen, killed in any citie or towne corporat, or within two miles of the same. This acte to continue to the end of the nert parliamēt An. 8. El. ca. 15. & likewise continued. 13. El. cap. 25. and 14. El. ca. 11. vntill the end of ỳ nert parliament.

Heades
Parke
warren
Dourhouses
Citie

¶ *Crowne.*

SE Engläd. An. 14. E. 3. statutum per se, that the realme of Englād shall not be subiect to ỳ realme of Fraūce.

England

2 ¶ An. 7. H. 4. ca. 2. ỳ inheritance of the crowne of England & of Fraūce were entailed to the kinge & the heires of his body, & prince Edwarde made heire apparaunt wt rem. ouer to other formes of the king.

Inheritāce
Crowne
Fraunce
Remainder

3 ¶ An. 25. H. 8. ca. 22. an act was made declaring the stablishing of ỳ succession of the crowne, wherin is declared the kings mariage wt Quene Katerin to be vold, & the deuource betwen them to be good, & the mariage betwen him and the Lady Anne Bolleine to be good, and certaine degrees of mariage there recited to be prohibited, and that none marie within those degrees and those mariages to be deuorced, and their issues not to be legittimate, & ỳ succession of the crowne tailled to the issue betwen the king and Anne Bolein wt diuers rem. And diuers things were made treason, & diuers thinges made misprision of treason, & that all men should take an othe to maintain this act. But al this act was repealed by An. 28. H. 8. ca. 7. And by 1. M. 1. parliament ca. 1.

Succession
Mariage
Voyd,
Deuorce
Anne Bolein
Degrees
Treason
Misprision
Othe
Repealed

4 ¶ The statut made An. 25. H. 8 ca. 22. concerning the kings succession & ỳ act made An. 26. H. 8. cap. 2. concerning ỳ othe be repealed by An. 28. H. 8. ca. 7. & therby a pardon geuen to all that before ỳ offended in treason, or misprision of treason in speaking or doing against Anne Bolleine & her mariage & her issue. And by this act Anne Bollein and her brother George Bolleine Lorde Rocheford and other there named bee attainted of treason, and the deuorce betwen the king & Quene Katherin confirmed, & her issue made illegitimate. (But the article concerning the deuorce & illegitimation is repealed by 1. M. 1. pl. cap. 1.) and ỳ by act of 28. H. 8. ca. 7. ỳ deuorce betwen the king & Anne Bollein is cōfirmed, & her issue made legitimate, & ỳ none shal marry wtin 4. degrees decla-

Attaint
Illegitimat
Repealed
Deuorce
Confirme
Degrees

and in ỳ statute, & that mariages made within those degrees be voyde & shalbe voyde. But ỳ article concerning prohibition of mariages with in those degrees is repeled by. 1. & 2. P. & M. ca. 8.) And by that act of 28. H. 8. ca. 7. the issue betweene the king & Quene Jane be made heirs of the crown. And ther is ỳ succession of ỳ crowne appointed to the kinges issue with diuers remainders & that the king may dispose ỳ succession by his Letters patents or last will, and it is there made treason if any to whom ỳ succession is appointed to vsurpe vppon other that shalbe kinge before, and diuers other matters there be made treason, but all those treasons be repeled by 1. Ed. 6. cap. 12. & by 1. M. 1. sessione) and by that acte of 28. H. 8. cap. 7. it is declared who shal haue the keeping & gouernance of the kings issue w̄in age that shalbe K. And there is declared an othe concerning the succession, & who shal take it. And that any anauncement made by ỳ king by letters patents, or by his last will in writing to any personne of hys royal blood of any title, style, or name of any estate or dignitie or honor or of any lands shalbe as good as it were by parliament & ỳ this act of 28. H. 8. ca. 7. shalbee enterpreted according to the plaine words &c. An. 28. H. 8. ca. 7.

Lord. Repealed Issue heires Succession Letters, patents Testament Treason Usurpe Repealed Gouernour Letters patents Testament

5 ¶ An. 35. H. 8. ca. 1. the crowne of Englād is intailed to ỳ kings daughter the Lady Mary, & to the heires of her body, & for lacke of such issue to the kinges daughter the Lady Elizabeth in such forme as is there declared, & for lacke of such issue to such as the king by his letters or last will in writig should limit. And it is there enacted that all persons limitted by the statute of 28. H. 7. cap. 7. & 10. to take othes against ỳ see of Rome & diuers other persons there expressed should take the othe set out in this statut of 35. H. 8. ca. 1. & ỳ refusing of the othe to be treason. And interrupting of things in this act, & diuers other things to be made treason. But those treasōs be repealed by 1. E. 6. ca. 12. & by 1. M. 1. sessione. And all ỳ concernieth ỳ othe in ỳ acte of 35. H. 8. be repealed by 1. & 2. P. & M. ca. 8. as appeareth Rome 5.

Entaile Oth Rome. Refuse Treason Interrupt Repealed

6 ¶ That the said act made in ỳ said first & second years of the raignes of ỳ said late king Philipp & Quene Mary (8. ca. 8. & al & euery braunche, clauses & articles therin contained) other then such braunches, clauses & sentences, as hereafter shalbe accepted, may from ỳ last day of this session of Parliament, by auctoritie of this p̄sent parliament be repealed, & shall from thenceforth be vtterly voide & of none effect.

Repealed

7 ¶ And that also for ỳ reuiuinge of diuers of the said good lawes & statuts made in the time of your said deere father, it may also please your highnes ỳ one act & statut made in ỳ xviii. yere of ỳ said late king H. the eight entituled: An act ỳ no person shalbe cited out of ỳ dioces where he or she dwelleth, except in certain cases, & one other acte made in ỳ xviii. yere of the raigne of ỳ said late king intituled: an act ỳ appeales in such cases as hath ben vsed to be pursued to the see of Rome, shal not be frō henceforth had ne vsed, but w̄in this realme. And one other act made in ỳ xxv. yeare of the said late king concerning restreint of payment of annates and first fruites of Archebishopriks, and Bishopriks to the see of Rome. And one other acte in the said xxv. yeare intituled: an act concerning the submissiō of the clergy to the kings maiestie. And also one act made in the said xxv. yeare entituled: an act restreining the paiment of annates or first fruites to the Bishop of Rome, & of the electing and consecrating of Archebyshoppes and Bishoppes within this Realme. And one other acte made in the said xxv. yeare, entituled: an act concerning the renoncration of the kinges subiects from exactions, and impositions here to fore paid to the see of Rome, and for hearing licences and dispensatiō within

Rome. Annates Submission. Annats Cōsecrating Archbish. &c. Renouncing Licences.

in this Realme, without staying further for the same. And one other act made in the xxvi. yeare of the said late king entituled an act for nomination and consecration of Suffragans wythin this Realme. And also one other act made in the eight and twenty yere of the raigne of the said late king entytuled, an Act for the releasle of such as have obtayned, pretensed licences, and Dispensations from the Sea of Roome, and all and euery braunches, wordes, and sentences, in the said seuerall actes and statutes, contayned by authoritie of this present Parliament, from and at all times after the last day of this Session of parliament shalbe reuiued and shall stand and bee in full force and strength to all intents constructions and purposes. And that the braunches, sentences and words of the said seuerall acts, and euery of them from thenceforth, shal and may bee iudged, deemed, and taken to extend to your highnes your heires and successours as fully and largely as euery the same actes or any of them did extend to the said late king Henry the eyght your highnesse father. And that it may also please your hyghnes, that it may bee enacted, by the authoritie of this present Parliament, that so much of one act or statut made in the xxxii. yere of the raigne of your said deere father king Henry the eight entituled: an acte concerning precontractes of marriages, and touching degrees of consanguinitie as in the time of the late king Edward the sixte, your highnes most deere Brother, by one other acte or statut was not repealled. And also one act made in y xxviii. yeare of the raign of the said late kinge Henry the eight entituled, An acte that doctours of the Civile laive beeing maried may exercise ecclesiasticall iurisdiction, and all and euery braunches and articles of the said two actes last mencioned, and not repelled in the time of the said late king Edwarde the sixt, may from henceforth like wise stand, and bee reuiued, and remayne in their full force and strength to all intentes and purposes, any thing contained in the said acte of repeale before mencioned, or any other matter or cause to the contrary notwithstandinge. And that it may please your highnesse, that it may bee further enacted by the authoritie aforesayd, that all other lawes and Statutes, and the braunches and clauses of any acte or Statute repealed and made voide by the sayd act of repeale, made in the tyme of the sayd late kinge Phillippe and Queene Marie, and not in this present acte specially mencioned reuiued, shall stande remaine and bee repealed and void in such like maner & fourm as they were before the makinge of this acte, any thinge therin contained to the contrarie notwithstanding. And that it may also please your highnesse, that it may be enacted by the authoritie aforesaid, that one acte and statute made in the first yeare of the Raigne of the late kinge Edwarde the sixte your maiesties most deere Brother, entituled, an acte against such personnes as shal unreuerently speake against the sacrament of the body and blood of Christ commonly called the sacrament of the aulter, and for the receiuing thereof under both kindes, and al and euery braunches, clauses and sentences therein contained shal and may like wise from the last day of this session of Parliament, bee reuiued, and from thenceforth shal and may stande and remaine, and bee in full force, strength, and effect, to all intentes, constructions and purposes, in such like manner and fourme, as the same was at any tyme in the first yeare of the Raigne of the sayd late kinge Edwarde the sixte, any lawe, statute or other matter to the contrary in any wise notwithstanding. And that also it may please your highnesse, that it may bee further established and enacted by thauthoritie

Suffragans

Dispensations

Reuiued

Repeale

Sacrament

Reuiued

Precontracts

Civilians

hozitie afozesaid, that one act, and statute made in the first and second years of the said late king Philipp & Queene Mary, intituled, an Acte for the reuiuing of three statuts made for the punishement of heresies, and also the said three statutes mencioned in the sayd act, why the same act reuiued, and all & euery braunches, articles, clauses, and sentences contained in the said seuerall actes or statutes, and euery of them, shalbee from the last day of this session of parliament, deemed and remayne vtterly repealed voyd, and of none effecte, to all intentes and purposes, any thinge in the said seuerall actes, or any of them contained, or any other matter or cause to the contrary notwithstandyng.

Heresies

Repealed

And to the intēt that al vsurped and forein power and auctho̅itie spirituall and temporall, may for euer be clearely extinguished, and neuer to be vsed or obeyed w̄in this realme, or any other your maiesties dominiō̄s or cōtreis. May it please your highnes ẏ it may be further enacted by the auctho̅itie afozesaid, that no forein pzynce, Person, Pzelate, State, or potentate spirituall, or temporall, shall at any tyme after the last day of this session of Parliament, vse, enioy or exercise any maner of power, iurisdiction, superiozitie, auctho̅itie, pzeheminence, or pzuyledge spirituall or ecclesiasticall within this realme, or w̄in any other your Maiesties dominiō̄s, or countreis that nowe bee, or hereafter shalbe, but frō thencefozth the same shalbee clearely abolished out of this realme and all other your highnes dominions for euer, any statut ordinance, custome, constitutions or any other matter or cause what soeuer to ẏ contrary in any wise notwythstandinge. And that also it may likewise please your highnes that it may bee established and enacted by the auctho̅itie afozesaid, that such iurisdictions, priuiledges, superiozities & pzeheminence, spiritual or ecclesiasticall as by any spirituall or ecclesiasticall power or auctho̅itie hath heretofore bee or may lawfully be exercised or vsed for the visitation of the ecclesiasticall state and persons, and for reformation, order and correction of the same, and of all maner errours, heresies, scismes, abuses, offences, contempts, and enormities, shall for euer by auctho̅itie of this present parliament, be vnited and annexed to the imperiall Crowne of this realme. And that your highnes, your heires and successours, kynges, & Queenes of this realme, shall haue full power and auctho̅ritie by vertue of this acte, by letters patentes vnder ẏ great seale of England, to assigne name and auctho̅rise, when and as often as your highnes, your heirs or successours shal thinke mete & conuenient, and for such & so long time as shall please your highnes, your heirs or successours such persones being naturall borne subiectes to your highnesse, your heires or successours, as your maiestie your heires or successours, shall thinke mete to exercise, vse, occupy, & execute vnder your highnesse, your heires & successours, al maner of Iurisdictions, priuiledges, & pzeheminences, in any wise touchinge or concerning any Spirituall or ecclesiastical iurisdiction, within these your Realmes of Englād & Ireland, or any other your highnesse dominions, or countries, and to visite, reforme, redresse, order, correct, and amēd all such errours, heresies, scismes, abuses, offēces contemptes and enormities, what soeuer, which by any maner Spiritual or ecclesiasticall power, auctho̅ritie, or iurisdiction, can or may lawfully bee reformed, ordred redressed, corrected, restrained, or amended, to the pleasure of almighty God, the encrease of vertue, and conseruation of the peace and vnitie of this Realme. And that such persone or persones so to be named assigned, auctho̅rised, and appointed by your highnes, your heires or successours after the said letters patents, to him or them

Forein pzince Potentate

Reformatiō

Letters patents

Ecclesiast. iurisdiccion

Reforme

Heresies

them made & deliuered, as is aforesaid shall haue full power and auctoritie by vertus of this acte, and the said letters patentes vnder your highnesse, your heires or successours to exercise, vse and execute all the premisses according to the tenour & effect of the said letters patents: any matter or cause to the contrary in any wise notwithstandinge. And for ỳ better obstruction and maintenance of this act may it please your highnes that it may be further enacted by thauctoritie aforesaid, that al and euery Archbishop, Bishop, and al & euery ecclesiastical personne, and other Ecclesiasticall officer and mynister, of what estate, dignitie preheminence, or degree soeuer he or they bee, or shalbe, & all & euery temporal Judge Justicer, Maior & other lay or temporall officer and minister, and euery other person, hauing your highnesse fee or wages within this Realme, or any your highnesse dominions, shall make take and receiue a corporall othe vpon the Euangelist, before such person or persons as shall please your highnesse, your heirs or successours vnder ỳ great seale of England to assigne & name, to accept & take the same according to ỳ tenour and effect hereafter following. That is to say, I. A. B. do vtterly testifie & declare in my conscience that the Queenes highnesse is the onely supreme gouernour of this Realme, and of all other her highnesse dominions & countreyes, aswell in all spirituall or ecclesiastical thinges or causes, as temporal, & that no forayne prince, personne, prelate, State, or potentate, hath or ought to haue any iurisdiction, power, superioritie, preheminence, or auctheritie, ecclesiasticall or spirituall within thys realme, and therefore, I do vtterly renounce, & forsake all forsayne iurisdictions, powers, superiorities, & auctoritees and do promise that from hence forth I shall beare Faith and trewe allegeance to the Queenes highnesse, her heires and lawfull successours, and to my power shall assist and defend all iurisdiction, priuileges, preheminences and auctorities graūted or belonging to ỳ Queenes highnesse, her heirs successors, or vnited & annexed to ỳ imperial Crowne of ỳ realme, so helpe me God, & by ỳ contents of this booke. And ỳ it may be also enacted, ỳ if any such archbishop, bishop, or any other ecclesiastical officer or minister, or any of the said temporall iudges, iusticiaries, or other lay officer or minister, shall peremptorily or obstinately refuse to take or receiue the said othe: That then he so refusing, shall forfaite and loose onely during his life, all and euery ecclesiasticall and spirituall promotion, benefice and office, and euery temporall and laye promotion & office which he hath only at ỳ time of such refusal made and that the whole title interest, and incumbency in euery such promotion, benefite, & other office as against such personne euery so refusinge, during his life, shall clerely cease, and be voide, as though ỳ partie so refusing were dead. And that also all and euery such person and persons so refusing to take the said othe, shall immediately after such refusall, bee from thencefoorth during his life disabled to retaine or any office exercise, or other promotion, which he at the time of such refusall hath iointly or in common with any other person or persons. And that all and euery person and persones that at any time hereafter shalbee preferred promoted or collated to any Archbishoprike or bishoprike, or to any spirituall or ecclesiastical benefice, promotion, dignitie, office, or ministerie, or that shalbe by your highnesse, your heires or successours, preferred or promoted to any temporal or laye office, ministerie, or seruice within this realme or in any other your highnesse dominions, before he or they shall take vpon him or them to execute, vse exercise, supply or occupie in any such Archbishopprike, Bishoprike, promotion dignitie office, ministerie, or ser-

uice.

Exercise

Archbishop Bishop Officer

Judge. Justice. Maior

Oth

Supreme

Faith

Archbishop Bishop

Refuse

Forf.

Voyde

Disabled.

Promoted

Oth

nice shall likewise mi ke, take and re-
ceaue the said corporall othe before mē-
tioned, vppon the Euangelist, before
such persons as haue or shall haue au-
thority to admit any such persō to any
such office, ministerie or seruice, or else
before such person or persōs as by your
highines your heirs or successours by cō
mission vnder the greate seale of Eng-
land, shalbe named, assigned, or appoin
ted, to minister the said othe. And that
it may likewise be further enacted by ỹ
authoritie aforesaid, that if any such
person or persons as at any time here-
after shalbe promoted, preferred or col
lated to any such promotion spirituall
or ecclesiastical benefice, office, or mi-
nisterie, or that by your highines, your
heires or successours shalbe promoted
or preferred to any temporall or laye
office, ministerie or seruice, shall ꝛ doe
peremptorily and obstinatly refuse to
take the same othe so to him to be of-
fered; that then he or they so refusing,
shall presently bee iudged and disabled
in the lawe to receiue, take, or haue the
same promotion spirituall, or eccles-
astical, the same temporall office, mi-
nisterie or seruice within this realme,
or any other your highnesse dominy-
ons, to all intentes constructions and
purposes. And that it may be further
enacted by the authoritie aforesayd,
that all and euery person ꝛ persons tē-
porall suing liuery, or ouster le main ỹ
out of the handes of your highines your
heires or successors before his or their
liuery, or ouster le main, sued forth and
allowed, and euery temporall person
or persons, doing any homage to your
highines your heires or successors, or
that shalbee receiued into seruice with
your highnes your heires or successors
shall make take, and receiue ỹ said cor-
porall othe before mencioned, before ỹ
lord Chauncellour of England or the
lord keper of the greate seale for ỹ time
being, or before such person or persons
as by your highnesse your heires or suc-
cessours shalbee named ꝛ appointed to

Refuse
Disabled

Liuery

Homage

Chancellor

accept or receiue the same. And that al-
so all and euery person ꝛ persons takīg
orders, ꝛ al ꝛ euery other person ꝛ per-
sons which shalbe promoted or preferred
to any degree of learning in any vni-
uersity within this your realm or domi-
nions, before he shal receiue or take any
such orders to be preferred to any such
degree of learning, shal make take ꝛ re
ceiue the said othe by this act sett forth
ꝛ declared as is aforesaid, before his or
their ordinary, commissery, Chaun-
cellour, or Vicechauncellour, or their
sufficiēt deputies in the said Vniuersi-
tie. Prouided alwaies ỹ it may be fur-
ther enacted by ỹ authoritie aforesayd
that if any person hauing any estate of
inheritaunce in any temporall office or
offices, shall hereafter obstinatly ꝛ pe-
remptorily refuse to accept ꝛ take the
said othe as is aforesaid, ꝛ after at any
time during his life shall willingly re-
quire to take and receiue the said othe,
ꝛ so no take ꝛ accept the same othe bee-
fore any persō or persōs that shal haue
lawfull authority to minister the same,
That then euery such person immedi-
atly after he hath so receiued the same
othe, shalbe vested sudged, ꝛ deemed in
like estate and possession of the sayd of-
fice, as he was before the said refusal,
and shall ꝛ may vse ꝛ exercise the said
office, in such maner and fourme as he
should or might haue vse before such re
fusal, any thing in this act contained to
the contrary in any wise notwithstan-
ding; and for the more sure obseruati-
on of this act, and ỹ vtter extinguish-e
ment of all forreine ꝛ vsurped power ꝛ
authoritie, may it please your highnes
that it may be further enacted by the
authoritie aforesaid, ỹ if any person or per-
sons, dwelling or inhabiting vnder the
your realme or in any other your high-
nesse realme or dominions, of what es-
tate dignitie or degree soeuer he or they
be, after the ende of xx. dayes next after
the determination of this session of this
present parliament, shal by writing, print
ting, teaching, preaching, or open wordes
dede

Orders

Ordinary
Comissary
Chauncellor
Vicecancel-
cellor

Inheritāce

Refuse

Require

Forein
power

Writing
Printing
Preaching

dede or act abusedly, maliciously, & directly affirme, holde, stand with, set forth, maintaine, or defend thauctoritie preheminence, power or iurisdiction spirituall or ecclesiastical, of any forein prince, prelate, person, state, or potentate whatsoeuer heretofore claymed, vsed or vsurped within this realme, or any dominion or countrey being with in or vnder the power dominion, or obeisance of your highnesse, or shall advisedly, maliciously, and directly put in vse, or execute any thinge for the extolling, aduauncement setting forth, the maintenaunce or defence of any such pretended, or vsurped iurisdiction, power, preheminence, or authority, or any part therof:

Forein prince Prelate

Pretended iurisdiction

That then euery such person and persons so doing & offending, their abettors, aydours, procurers, and counsaylours beinge therof lawfully conuicted and attainted, according to the due order and course of the common lawe of this realme for his or their first offence, shall forfaite and loose vnto your highnesse, your heires and successors, all his and their goodes and cattelles, as well realle as personall. And if any such person so conuicted or attainted shal not haue or be worth of his proper goodes and cattels to ỹ value of xx li. at the time of such his conuiction or attainder: that then euery such person so conuicted and attainted, euer and besides the forfeiture of al his said goods and cattelles, shall haue and suffer imprisonment by the space of one whole yeare, without baile or mainprise. And that also all and euery the benefices, prebendes, and other ecclesiastical promotions and dignities what soeuer of euery spirituall person so offendinge & being attainted, shall immediatly after such attaindour, be vtterly voide, to all intentes and purposes, as thoughe ỹ incumbent therof were deade, and that the patron and donour of euery such benefice, prebend, spirituall promotion and dignitie, shall and may lawfully present vnto ỹ same, or gene the same in such manner and fourme as if the said incumbent were deade. And if any such offendour or offendours after such conuiction or attainder, doe eftsone commit or do the said offences or any of them, in maner and fourme aforesaid, and bee therof duely conuicted and attainted as is aforesaide: That then euery such offendour and offendours shall for ỹ same ii. offence incurre into the daungers penalties, and forfeitures, ordained and prouyded by the statute of prouision and premunire, made in the xvi. yeare of the raigne of kinge Richard the seconde. And if any such offender or offenders at any tyme after ỹ said second conuiction and attainder, doe the third tyme committ and doe the said offences or any of them, in manner and fourme aforesaid, and bee therof duely conuicted and attainted as is aforesaid: That thē euery such offēce or offences shalbe deemed & adiudged high treason, & ỹ the offendour and offendours therin, beinge therof lawfully conuicted and attainted, according to the lawes of this Realme, shall suffer paines of death and other penalties, forfaitures and losses, as in case of high treason by the lawes of this realme. And also that it may like wise please your highnesse, that it may be enacted by thauctority aforesaid, ỹ no maner of person or persons shalbee molested or impeched for any the offences aforesaid cōmitted or perpetrated onely by preaching, teaching or wordes, vnlesse he or they be therof lawfully conuicted, within the space of one halfe yeare next after his or their offences so committed. And in case any person or persons shal fortune to be imprisoned for any of the said offences cōmitted by preachinge, teachig or wordes only, & be not therof conuicted within the space of one halfe yeere next after his or their such offence so cōmitted & done: That then ỹ said person so imprisoned shalbe set at liberty

Incumbēt

ii. Offence

Premunire

iii. Offence

Treason

Death

Preaching wordes

Halfe yeare

Imprison

Indicted

Liberte

And

and be no longer deteyned in p̄yson for any such cause or offence. Pꝛouyded alwaies, and be it enacted by the auctho̅itie afoꝛesaid, that this act or any thing therein conteined, shal not i any wise extẽd to repeale any clause matter or sentence conteined, or spe-cified in the said act of repeale, made in the said first & sceõd peres of ẏ raignes of the said late kyng Philip and Quene Mary, as doth in any wise touch or cõcerne any matter or cause of Pꝛemunire, or ẏ doth make or or-deine any matter or cause to bee wi̅n the case of Pꝛemunire, but ẏ ẏ same, for so much only as toucheth or cõcer-neth any case or matter of Pꝛemuni-re, shal stand & remayne in such force & effect as the same was before ẏ ma-king of this act. Any thing in this act conteined to the cõtrary in any wyse notwithstanding. Pꝛouyded also & be it enacted by the auctho̅itie afoꝛesaid that this act or any thing therin con-teined shal not in any wise extend or be pꝛeuditiall to anie person or per-sons for any offence or offences com-mitted or done or hereafter to be com mitted or done contrarie to the teno̅r and effect of any act or statute nowe reuyued by this acte, before the end of thirty dayes next after the end of the Sessions of this pꝛesent Parlya-ment, any thing in this act conteined or anie other matter or cause to the contrary notwithstanding.

And if it happen that anie Peere of this realme shal fortune to be endic-ted of, and for any offence that is re-uyued or made Pꝛemunire or treaso̅ by this acte, that then hee so being endicted, shall haue his triall by hys Peeres, in such like maner & fourm, as in other cases of treason hath bern vsed. Pꝛouided alwaies & be it enac-ted as is afoꝛesayd, that no maner of ord̄er, act, or determination, for anie matter of religion or cause Ecclesias-ticall, had, or made by auctho̅itie of this pꝛesent parliament shall bee ac-cepted, deemed, interpꝛetated, or ad-iudged at any time hereafter, to bee any errour, hereſy, scysme, or schisma-ticall oppinion, Any ord̄er, decree, sen-tence, constitution, or lawe whatsoe-uer the same bee to the contrary not-withstanding. Pꝛouided alwayes & bee it enacted by the auctho̅ity afoꝛe sayd, that such person or persones to whom your highnesse, your heires or succeſſours, shal hereafter by letters patents vnder the great seal of Eng-lande, geue auctho̅itie to haue or ex-ercute anie iurisdiction, power or auc-tho̅itie spirituall, or to visit, reform, ord̄er or correct any errours, hereſies schismes, abuses, or enormitie by ver-tue of this act, shall not in any wyse haue auctho̅itie or power, to ord̄er, determine or adiudge any matter or cause to bee hereſie but onely such as heretofore haue ben determined, or-d̄red or adiudged to bee hereſie, by thauctho̅itie of the canonicall scryp-ture, or by the first fower generall Counsells, or any of them, or by any other generall Counsail wherin the same was declared hereſie, by the ex-pꝛesse and playne wo̅rdes of the sayd canonicall scriptures, or such as here-after shalbee ord̄red, iudged or deter-mined to be hereſie, by ẏ hygh court of Parliament of this realme w̄ the assent of the clergy in their conuoca-tion, Any thing in this act conteyned to the contrarie notwithstandynge. And be it further enacted by the auc-tho̅ity afoꝛesaid that no persone or persons shalbee hereafter indicted or arrayned for any ẏ offences made, or-deined, reuiued, or iudged by this act vnlesse there bee two sufficient wit-nesses or more, to testify and declare the sayd offenders, whereof he shalbe



Pꝛemunire

Peere

Peeres

Hereſie

Letters patents

Determin-

Generall Counsels

Parliamẽt

Indict

witnesses

Arraigne

indicted or arrained. And ỳ the sayd wytnesses, or so manie of them as shalbe liuing, & within this realme, at the time of ỳ arraygnemẽt of such persõne so indicted, shalbe brought forth in persõ, face to face, before the party so arraigned, & there shall testifie and declare what they can saye against the party so arraigned, if he require the same. Prouided also and be it further enacted by thauctoritie aforesaid, ỳ if any person or persones shal hereafter happen to geue any relefe, aide or comfort, or in any wise be ayding, helping or comforting to the person or psons, or any ỳ shall hereafter happen to bee an offender in any matter or case of ỳ premunire or treasõ, renued or made by this act: That then such relief, ayde & comfort geuen, shal not be iudged or taken to be any offence, vnlesse there be two sufficiẽt witnesses at the least that can & will openly testifie and declare ỳ the pson or persones that so gaue such relefe, aide, or comfort, had notyce & knowledge of such offẽce committed & done by the said offender at ỳ tyme of such relief, aide, or cõfort so to him geuen or ministred, any thig in this act conteined or any other matter or cause to the contrary in any wise notwithstãding. And where one pretended sentence hath heretofore ben geuen in ỳ consistory in Powles, before certain iudges *Delegate* by thauctoritie *Legantine*, of the late Cardinall Poole by reason of a forein vsurped power & auctoritie against Richard Chetwood Esquier and Agnes his wife, by the name of Agnes Modhull, at the suit of Charles Tyrel gentlemã in a cause of matrimony solempnized betweene the said Richard and Agnes, as by the same pretended sẽtence more plainly doth appeare. Frõ the which sentence the said Richard and Agnes haue appealed to the court of Rome, which appeale doth there remayne, and yet is not determyned. May it therefore please your highnes that it may be enacted by the auctoritie aforesaid, ỳ if sentence in ỳ said appeale, shal happen to bee geuen at the said court of Rome, for & in ỳ behalfe of the said Richard & Agnes, for the reuersing of the said pretended sẽtence beefore thend of ix. dayes next after the end of this sessiõ of this present parliament, that then the same shalbe adiudged and take to be good and effectuall in the lawe, & shal and may be vsed, pleaded and allowed in any court or place within this realm any thing in this act or in anie other act or statut conteined to the cõtrarie notwithstãding. And if no sentẽce shal bee geuen at the court of Rome, in ỳ said appeale for the reuersing of the said pretended sentence, before the end of the said ix. daies, that then it shall and may be lawfull for the sayd Richard and Agnes, & either of them at any time hereafter to commence, take, sue, & prsecute their said appeale frõ the said pretended sentence, & for the reuersing of the said pretended sẽtence wthin this realme, in such lyke maner & forme as was vsed to be pursued or might haue ben pursued wthin this realm, at any time since ỳ xxiiij. yeare of the raigne of the sayd late king Henry the eyght vpon sentences geuen in the court or courts of any Archbyshop within this Realme. And that such appeale as so hereafter shalbe taken or pursued by the sayd Richard Chetwood, and Agnes, or eyther of them, and the sentences ỳ herein or thereuppon shall hereafter bee geuen, shalbe iudged to be good and effectuall in the lawe, to all intentes and purposes, any lawe, custome, vsage, canon constitution, or

any

Rome

Sentence

Appeale

Sentence

Arraigne

Reliefe Ayde

No offence Witnesses

Sentence

Delegate

Cardinal Poole

R. Chetwood.

C. Tirri

any other matter or cause to the contrary notwithstanding. Prouided also and be it enacted by thauctoritie aforesaid, that where there is the like appeale now depending in the sayd court of Rome, betwene one Robert Harecourt marchant of the staple & Elizabeth Harecourt otherwise called Elizabeth Robins of the one partie. And Anthony Fidel marchaunt straunger, on thother partie, that the sayd Robert, Elizabeth, & Anthonie, and euery of them, shall and may for the prosecuting & trying of their said appeale haue & enioy the like remedy benefite & aduantage, in lyke maner and forme as the said Richard & Agnes or anie of them hath, may, or ought to haue or ioy, this act or any thing therin conteined to the cõtrary in any wise notwithstanding. Anno 1. Eliz. cap. 1.

Rome
Ro. Harecourt
An. Fidell

7 ¶ Wee your sayd most louyng faithfull and obedient subiects, representing ẏ three estates of your realm of Englãd, as thereunto constrained by the law of God and man, except we should ouermuch forget our duties to your highnes and to the heirs of your body lawfullye begotten can no lesse do, but most humbly beseeth your highnes, that by thauctority of this present Parlyament it may bee enacted, established, and declared, ẏ we do recognise, acknowledge and confesse the same your estate, ryght, tytle, and succession, as is aforesayd, to be in and to your highnes and the heires of your body to bee begotten, thoroughly & in the whole, & in euery part therof, in such maner & fourme as before is mẽtioned, declared or cõfessed, and thereunto most humblie & faithfully wee do submitt our selues our heires and posteritie for euer. And further do make our most harty & humble petitiõs vnto your highnes that it may please the same not only to accept this our said recognitiõ, but also our faithful promises, that wee according to our duities shal and wil stand to assist and defend your royall maiestie, & the heires of your bodies to be begottẽ being kyngs & queenes of this realme, and your said rights & titles into ẏ said imperial state place, crowne & dignitie, in al things therto belõging, at al times to the vttermost of our possible powers, & therin to spend our bodies, lands and goods against al plons whatsoeuer, that any thing shal attempt to the contrarie. And ẏ it may be enacted by thauctoritie aforesaid, ẏ as well this our declaration, confession & recognition as also the limitation & declaratyon of the succession of ẏ imperial crown of this realme mẽcioned & conteyned in the said act made in the said. xxxv. yere of the reigne of your sayd most noble father, shal stand, remain & be by ẏ law of this realm for euer. And that al sentences, iudgemẽts and decree had, made, declared, set forth published & promulged, & also as much of euery clause, article, brách, matter or thing conteined & expressed in any act or acts of parliament as be in any thing repugnant cõtrarie or derogatory to this our said confession, declaration & recognition, or to anie part or parcel therof, or contrary to ẏ said limitation of the succession of the imperial crowne, established & made by the said act in the said xxxv. yere of ẏ raigne of the said late king Hẽry the eight (by whatsoeuer power or auctority ẏ same bẽ, or haue bẽ had or made) shalbe vtterly frustrate, void, & of none effect. And also shall & may be cancelled, defaced, & put in perpetual obliuiõ at your highnesse wil & pleasure, as if the same had neuer beene had ne made, declared, sette forth,

Recognitiõ

Sentences
Iudgemẽts

Lloyd

Acknowledge
Succession
Heires

publyshed, or promulged. Anno primo El. capitulo. 3.

§ Be it enacted that if any person or persons, dwellyng, inhabyting, or resiant within this realme, or within anie other the Queenes dominions, seigniories, or countries, or ỹ marches of the same, or els where wtin or vnder her obeisance & power, of what estate, dignitie, preheminence, or der degree or condition, soeuer hee or they be, after the first day of Aprill which shal bee in the yere of our Lord God. 1563. shal by writting, ciphring, prynting, preaching or teaching, deede or act, aduisedly and wittingly, hold or stand with, to extoll, set forth, maynteyne, or defend the authoritie, iurisdiccion, or power of ỹ bishop of Rome or of his See, heretofore claymed, vsed, or vsurped wtin this realm, or in any dominions or countrey being of wtin or vnder the Queenes power or obeisance, or by any speach, opē dede or act aduisedly & wittingly attribute any such maner of iurisdiccion, auctority or preheminence to the said See of Rome, or to any bishop of the same See for the time being, within thys realme, or in any the Queenes dominions or countreis, ỹ then euery such pson or psons so doing or offending, their abbettours, procurers, and coūsellers, & also their aiders, assistents, & cōforters, vpon purpose & to the intent to set forth, further and extol the said vsurped power, auctority or iurisdiction, or any of the said bishop or bishops of Roome & euerie of them, being therof lawfully endicted or presented wtin one yeare nert after anie such offences by him or thē cōmitted, & being lawfully conuicted or attainted at anie time after, according to ỹ lawes of this realme, for euerie such default & office, shall incurre into the daungers, penalties, paynes and forfaitures ordeined & prouided by ỹ statut of prouisiō & premunire, made in the xvi. yere of the raygne of king Richard the second.

writing
Ciphring
Printing
Preaching
B. of Rome
Prehemi-nences Rome
Abettors
Counceilors
Iyders
Indicted
Connict
Attaint
Paines

And it is also enacted by ỹ auctority aforesaid, ỹ aswel Iustices of assise in their circuites, as Iustices of peace within the limits of their cōmissyon & auctorities, or two of euery such Iustices of peace at the least, whereof one to be of the Quorum, shall haue full power and auctoritie by vertue of this act in their quarter or opē sessions, to enquire of all offences, contēps, & transgressiōs ppetrated, committed or done, contrary to the true meaning of the premisses, in like maner & forme as they may of other offēces agaynst the Queenes peace, & shal certify euery presentment afore thē or any of thē, had or made concerning the same, or any part therof, before the Queene, her heires and successors, in her or their court cōmonly called ỹ kings Bench wtin xl. dayes, nert after any such presentment, had or made, if the terme be then open, & if not, at the first day of the ful terme nert following ỹ said xl. daies, vppō pain that euerie of the Iustices of assise, or Iustyces of the peace, before whom such presentimēt shalbe made making default of such certificat contrary to this statut, to lose and forfait for euery such default one hundreth pounds to the Queenes highnez her heires and successours.

Iust. of ass. Iust. of p.
Quarter sessions Enquiry
K. bench
Iust. of p.
Default
Forf. C.li.

And it is enacted &c. ỹ the Iustyces of the kings bench, aswell vpō euery such certificate, as by inquirie beefore thē selues wtin ỹ limitts of their auctorities, shal haue full power & auctority to heare, order and determine euery such offēce done or cōmitted, contrary to the true meanyng of this present act, according to ỹ lawes of this realme, in such like manner & fourme

Iust. of the K. bench

sourmyse to al intents & purposes, as if the pson or psons against whō any presentment shalbe had vpō this estatut, had ben presented vpon any matter or offēce expressed in the said estatute, made in the sayd xbj. yeare of king Richard the second.

And be it enacted &c. ỳ as well all maner of persons expressed & appointed in, & by the act made in the first yere of the Queenes maiesties raign ỳ now is entituled (an act restoryng to the Crowne the auncient iurisdiction ouer the estate ecclesiastical & spiritual, & abolishing al forein powers repugnant to the same) to take ỳ oth expressed & set forth in the same, as al other psons which haue taken or shal take orders commonly called Ordins Sacros, or Ecclesiastical orders, haue ben or shalbe promoted, preferred, or admitted to any degree of learning, in any vniuersity within this realme or dominions to the same belōging, & al Scolemasters, & publike & priuate teachers of children, as also al maner of pson or psons, ỳ haue taken or hereafter shal take any degree of learning, in or at the cōmon lawes of this realme, aswel vtterbarresters as Benchers, Readers, Auncients in any house or houses of court, and all principal treasorers, and such as bee of the graund cōpany in euery Inne of Chauncery, & al Atturneis, Prothonotaries, and Philizers towards the lawes of this realme and al maner of Sheriffes, Escheators, & Frodaries, & all other pson & persons which haue taken or shal take vpon hym or thē, to haue ben, or shalbee admitted to any ministery or office, in, at, or belonging to ỳ cōmō law, or any other law or lawes, or to, or for ỳ execution of them or any of thē vsed or allowed or at any time hereafter to be vsed or allowed within this realme or ante of the dominiōs or countreis belōging or which hereafter shal happen to belong to the Crown or dignitie of the same, & al other officers or ministers of, or towardes any court whatsoeuer & euery of them, shall take and pronounce & recorde vpon the Euāgelists before he or they shalbe admitted, allowed, or suffered to take vpon him or them to vse, exercise, supply, or occupie any such vocation, office, degree, ministery, rome or seruice as is aforesayd & that in the open court whereunto he doth or shal serue or belong. And if he or they do not or shal not serue or belong to any ordinarie or open court, thē he or they shal take & pronounce the othe aforesaid, in an open place before a conuenient assēbly to witnes the same, & before such person or personnes as haue or shall haue auctoritie by common vse or otherwise, to admit or call anie such persons or persones as is aforesaid, to any such vocation, office, ministery, rome or seruice, or els before such person or psons, as by the Queenes highnes, her heires or successors, by commission vnder the great Seale of England, shalbe named or assigned, to accept and take the same, according to the tenour, effect & course of the same othe verbatim, which is, and as it is already set forth to bee taken in the aforesayd acte made in the first yere of the Queenes maiesties raigne. And bee it enacted that euery Archbyshoppe and Byshoppe within this realme and dominiōs of the same shall haue full power and auctoritie by vertue of this act, to tēder or minister the othe aforesayd to euery or any spirituall or ecclesiastical person within their proper dyoces, as well in places & iurisdicyons exempt as els where.

And be it enacted &c. that the Kyng

Chauncelor

Chaūcellour ỳ keeper of the great seale of Englād for the time beeing, shal and may at all times hereafter, by vertue of this act wout further warrant, make and direct commission or cōmissions, vnder ỳ great seale of Englād, to any ꝑson or ꝑsons geuing them or some of thē ther by auctorities to tender and minister the othe aforesayd, to such person or persones as by the aforesayd commissions or commissions, the sayd cōmissioners shalbe auctorized to tender the same othe by vertue of

Cōmission

And be it enacted ye that if any person or ꝑsons appointed or cōpellable by this act, or by the said act made in the said first yere to tolle the said oth, or if any ꝑson or ꝑsons, to whom the sayd othe by any such commission or commissions shalbe limitted and appointed to be tendred as is aforesaid, do or shal at the time of the sayd othe so tendred refuse to take or pformdce the sayd othe in maner and forme aforesayd, that thē the party so refusing, and being thereof lawfully endicted or ꝑsented, within one yere nert after any such refusall, and conuicted or attainted ỳ of by the ordre of this realme shal suffer and incurre the dangers, penalties, paines, and forfaitures ordeined and pvyded by the statut of prouision and pemunire aforesayd, made in the xvj. yere of the raigne of kyng Richard the second.

Refuse
Endicted
Attaint
Pzemunire

And be it enacted by thauctorite aforesayd, that all and euery such person ꝑsons hauyng auctorite to tender the oth aforesaid, shal within xl. daies nert after such refusall or refusals of the said oth, if the terme be thē open, & if not, then at the first day of ỳ full terme nert following the said xl. daies, make true certificat vnder hys or their seale or seales, of the names,

Certificat

places & degrees of the ꝑson or ꝑsons so refusing the same othe, before the Querne, her heirs or successours, in her or their court cōmonly called the kings bench, vppon paine that euery of the sayd ꝑsons, hauing such auctoritie to tender the sayd othe, making default of such certificat, shal for euerie such default forfaict vnto our sayd soueraigne lady the Querne, her heires and successours, And that the shiriffe of the countie where the sayd court, commonly called ỳ kings bench, shall for the time be holden, shall or may by vertue of this act, empanell a Jury of the same countie, to enquire of & vppon euery such refusall and refusalles, which Jury shall and may vpon euerie such certificate and other euidence to them in that behalfe to be geuen by vertue of this act proceede to endict the ꝑson & ꝑsons so offending, in such sort and degree, to all intentes and purposes as the same Jury may do of any offence or offences agaynst the Quernes maiestyes peace, perpetrated, committed or done within the same countie, of and for the which the same Jury is so empanelled.

K. bench
Forf. C. li.
Shiriffe
Jury
Indict

And for stronger defence & mayntenaunce of this act: It is further ordeined and enacted ye that if any such offender or offenders as is aforesaid, of the first part or branch of this estatute, that is to say, by writing, cyphering, printing, preaching or teaching, dede or act, aduisedly and wittingly hold, or stand with, to extoll, set forth, mayntayne, or defend the auctoritie, iurisdiction or power of the Bishop of Rome or of his See, heretofore claymed, vsed or vsurped within this realme, or in any dominion or countrey, being of, within or vnder the Quernes power or obeysaunce, or by anie speach, open dede or act

Offendour
writing
Cyphiring
Printing
B. of Rome
Speech

or act, adulterously and lasciuiously attributes any such manner of iurisdiction, authoritie, or preeminence to the said See of Rome, or to any bishop of the same See for the time being, within this realme, or in any the Queenes dominions or countries, or doe to any such offendour or offendours, aduising procuring or counselling, or aiding, assisting, or comforting vppon purpose to the intent to set forth further and extoll the said vsurped power iurisdiction or authoritie, or iurisdiction after sur commissiõ & attaindour, as is aforesaid, do estsones commit or do the said offences or any of them in maner and forme aforesaid, & be thereof duely conuicted and attainted, as is aforesaid, & also if any the persones aboue named and appointed by this act to take the othe aforesaid, doe after the space of three monethes next after the first tendour thereof, be sõdaine refuse to take and pronounce, or do not take or pronounce the same in forme aforesaid, to bee tendered, that then euerie such offendour & offendours, for the same second offence and offences, shall forfait, lose, and suffer such like and the same paines, forfaitures, iudgements and execution, as is vsed in case of high treason.

Prouided alwayes, y^t this acte nor any thing therin contained, nor anie attainder to be had by force and vertue of this act, shall not extend to make any corruption of bloud, the disheriting of any heir, forfeiture of any mannor to the prejudice of the right or title of any person or persons, other then the right or title of the offendour or offendours during his or their naturall lyues only.

And it is ordained and enacted by the authoritie aforesaid, that all and euerie person and persons, to whom the right or interest of any lands tenements or hereditaments shall after the ende of this said present session of parliament, by reason of any such offendour or offendours shall or might haue appertained, if no such attayndour had been, to enter into the same lands without any entrie or claime to be made, in such sort as he or they might haue done if this act had neuer been had nor made.

Prouided also, y^t the othe expressed in the said act made in the said first yere, shall be taken and expounded in such forme as is set forth in an admonition annexed to the Queenes Maiesties Iniunctions published in y^e first yeare of her maiesties raigne, that is to say, to cõfesse and acknowledge in her maiestie, her heires and successors, none other auctoritie, y^t hath been challenged and iustly vsed by y^e noble kinge Henry the eight, and king Edward the first, as in the said admonition more plainly may appear.

And be it enacted by the auctoritie aforesaid, that this act shall be openly read and published and declared at euery quarter sessions by the clerke of the peace, and at euery leete and Lawe day, by the Stewarde of the Court, and once in euery terme in the open hall of eche te house and houses of Court and Chauncerie at the times and by the persones therein to be limitted & appointed by the Lorde Chauncellour or keper of y^e great seale for the time being.

And be it further enacted that euerie person which hereafter shall be elected or appointed a knight, Citizen or Burgesse, or Baron of any of the fyue ports for any parliament or Parliamentes hereafter to be holden, shall from henceforth before he shall enter into the house of conuocation, commonly called the lower house, openly receyue and pronounce the said othe before the Lorde Steward for the time being, or his deputie or deputies.

that haue to bee appointed. And that
hee which shall enter into the Par-
liament house without taking the
No knight. said othe, shalbe deemed no knight,
citizen, burgesse nor baron for that
Parliament, nor shall haue anie
voice, but shalbee to all intentes, con-
structions, and purposes, as if he had
neuer beene returned nor elected
Knyght, Citizen, Burgesse, or Ba-
ron for that Parliament, and shall
Paynes suffer such paynes and penalties as
if hee hadde presumed to sytte in the
same without election, returne or au-
thoritie.

Prouyded alway and be it enacted
by thauctoritie aforesaid, that this act
nor anything therein conteined, shal
Temporal person Baron not extend to compell anytemporall
personne of, or about the degree of a
Baron of this realme, to take or pro-
nounce the othe aboue said, nor to in-
curre anie penalties limitted by this
acte for not taking or refusynge the
same. Anie thyng in this act to the
contrarie in anie wyse notwithstan-
dyng.

Almes Prouided and be it enacted, that
charitable geuing of releefe or al-
mes to any of the offendors or afforc-
aboue specified, without anie fraude or
Abetting couyn, shall not be taken or interpre-
ted to bee anysuch abetment, procu-
rying, counsaylling, ayding, assisting
or consenting, as thereby the geuer
of such almes shall incurre anie pain,
penaltie or forfeyture appointed in
this acte.

Peers Prouyded also & that if any Peere
of this realme shall hereafter offend
contrary to this act, or any thynge or
article therein, & in that case all such
case & cause they shalbe tried by their
Triall Peeres, in such maner & fourme as
in other cases of treasons they haue
vsed to bee tried, and by none other
meanes.

Prouided also & that no personne
shalbee compelled by vertue of this act
to take the othe aboue mentioned at
Oth ij. time or vpō the second time of offering of
the same, accepting to the fourme ap-
pointed by this Statute, except the
same person hath been, is, or shalbee
Eccleiast. person an Ecclesiasticall personne, that had,
hath or shal haue in ỳ time of one of
the raignes of ỳ Quenes maiesties
most noble father, brother or sister,
or in the time of the raign of ỳ Quee-
nes maiestie, her heires or successors,
charge, cure or office in the church, or
Office such plon as ỳ is, as had, hath or here
after shal haue any office or ministe-
rie in any ecclesiasticall court of this
realme, vnder anie Archbyshop or
bishop, in anie the tymes or raignes
aforesaid, as such person or personnes
Refuse Mass as shal wilfully refuse to obserue the
orders and rytes for vsyng scripee,
ỳ bee authorized to bee vsed and ob-
serued in the church of England, af-
ter that hee or they shalbee publyshed
Ordinary by the ordinary or some of his of-
ficers for Ecclesiasticall causes, ad-
monished to kepe & obserue the same.
Wordes writing Or such as shall openlie and aduy-
sedly speake by wordes, writyng
or anie other open fact, anie of the
rights and ceremonyes of anie rytes
vsed and authorized to bee vsed in ỳ
church of England. Or that shal say
Masse or heare the private Masse prohibited
by the lawes of this realme, & that al
such persons shalbee compellable to
Tender Penalty take the othe vpon the second tender
or offer of the same, and incurre ỳ pe-
nalties for not reusing of the said oth,
and none other.

Kyll And be it enacted by the authoritie
aforesaid, that it shal not be lawfull
to anie person or personnes to slea or
kill anie person or personnes in anie
maner attainted, or hereafter to bee
attainted of ỳ in, or vppon anye

premunire

Pretence

Execution

Iudgmt

Summons Sentence Excommunication D. of Rome

Indicted Iyding

Bail Re.

pmunire by pretence, reason, or auctoritie of any iudgment geuen or hereafter to be giuen in or vpon the same, or by pretence, reason, or force of any worde or wordes, thinge or thinges conteined or specified in any statut or lawe of pmunition & pmunire or in any of them. Any law or statut, or oppinion, or exposition of any lawe or statut to the contrary in anywise notwithstanding.

Saning alwaies the due execution of al and euery persone and persones attainted or to bee attainted for any offence, whereuppon iudgement of death now is or ought to be or hereafter may lawfully bee giuen, by reason of this statut or otherwise. And sauinge alwayes al and euerie such paines of death or other hurt or punishment, as heretofore might without daunger of lawe bee done vpon anie person or persons that shall sende or bring into this Realme or any other the Quenes dominions, or within the same shall execut any summons, sentence, excomunication, or other pcesse against any personne or persons from the Bishope of Roome for the time being, or by, or from the See of Roome, or auctoritie or iurisdiccio of the same See.

Pcouided alwaies &c. & no person or personnes shal hereafter be endicted for aiding, ayding maintaining, couering, or abbetting of any personne or persons for any the said offences, in cellolling, letting forth or deuising of the vsurped power & auctoritie of the bishoppe of Roome, vnlesse hee or they bee therof lawfully accused by such good and sufficient testimonye or proofe as by the Iury by whom he shall so bee endycted, shalbe thought good, lawful, and sufficient to proue him or them guilty of the said offices,

Anno Elizab.

[illegible] to calle when man bringe implened of landes, that hee holdeth in right of his wife, had lost the same by default, it was very harde, that the wife after death of her husband had none other recouery but by a writt of right: wherfore our soueraigne lord the king hath ordeined, that a woman after the death of her husbande, shall recouer by a writte of Entre, (whereto shee could not disagree during his life) which shal be pleaded in forme vnder written. If the tenant do except against the demaund of his wife, that her entred by iudgment, and it be found, that hir entre was by default, wherto the tenant might be bound to answere if it were demaunded of him, he be shal bee compelled to make further answere, and to shewe his right according to the fourme of the writt that he purchased before against the husband & the wife. And if he can verifie that he hath or had right in the land demaunded, the woman shal gain nothing by her writ, which thing if shee can not shew, the woman shall recouer the land being in demaund. Pouided alwaies that if the husband abbted him self, and would not defend his wifes right, or otherwise in his life would not answere, if the wife bee come in before iudgment, redy to answere the demaundaunt, and to defend her right, the wife shalbe admitted, likewise if tenant in dower, tenaunt by the lawe of the lande, or otherwise by terme of life, or by gifte, where as reuercion is reserued, doo make default, or will geeue vp: the heires or they, to whom the reuertio belongeth shal bee admitted to their answer, if they come in before iudgment. And if vppon such default or surrendre, iudgment happe to be geuen: then the heires, or they vnto whom the reuertion belongeth after the

Writt of Entrie

Default

against

Recouer

T. in dower

the death of such tenants, shall reconuey by a writ of entre, in which like processe shalbe obserued, as is afore said, in case wher ỳ husbãd leseth his wines land by defaut. And so in the cases afore said two accions do cõcure, one betweene the demaundant & tenant and an other betweene the tenant, shewing his right, & ỳ demãdant. W. 2. ca. 3. An. 13. E. 1.

¶ *Curtesy of England.*

WHe a man therfore shal take lãds in mariage with his wife, if hee haue borne of ỳ lãe his wife an heire sonne or daughter, which shalbe hard to erye, if the same husband ouerliue his wife, whether the heir liue or not the same land shall remaine to ỳ husband, & after the death of ỳ husband ỳ landes shall remaine to the donor or to his heire, but if hee haue no heire by his wife then after the death of ỳ wife, it shal remaine to ỳ donor or to his heire, and this is ỳ cause why in mariage homag is not accustomed to be receiued, for if any landes were so geuen in mariage or other wise, that when homage is receiued, it might then notwithstanding lawfully reuert to ỳ donor or to his heire as afore is said, and ỳ lãe iudgmẽt shalbe of ỳ second husband as is said of the first, if ther be left any heir of ỳ first or not.

¶ The staint of tenants by the lawe of England.

*Custome Customers & Controllers.*

SHall not demaund assesse nor take nor suffer to be taken more custõe of a fach of wolle of any Englishmã but halfe a marke only. And vppon ỳ woolfelles and lether the old custome. And the sacke oweth to conteine xxvi. stones, and euery stone xiiii. li. And ỳ euery man that shippeth wolles ouer the sea, English man or other reseant, inhabitinge or repairinge in England, shall finde good & sufficient suertie to ỳ customers before his passing, to bring again of euery sacke of woolle, plate of siluer, to the valure of two markes at his first retourn or repairing. And to bring ỳ same plate to the kings exchãge, & ther to receiue his money. And ỳ none sokel, wolles but in ỳ name of him ỳ shalbe owner of ỳ same. And if any bee fond otherwise sohetted, they shalbe taken in ỳ kings hãds as forfait, an. 14. E. 3. ca. 2.

¶ We, nor our heirs shal demaũde nor assesse, nor take, nor cause to bee take more of ỳ custome of one sacke of wolle of no Englishman but one halfe marke, & of CCCC. woolfelles half a marke, & of a last of lether one marke for custome onely, & the sacke ought to conteine xxvi. stone & euerie stone xiiii. pound, and ỳ euery one ỳ passeth ỳ wolles beyond ỳ sea English man or other reseant inhabiting & repairing into England, shal finde good and sufficient suertie before his passing to ỳ customers, to bring again of euery sacke of wolle, plate of siluer to the value of two markes within three monethes after that the woolles so charged shal passe out of ỳ port, & ỳ same plate to bee brought to ỳ kinges exchange and ther to receiue his money, ỳ is to say ii. markes. And ỳ customers of the port wher ỳ wolles shalbe so charged shall take of the in whose names the same wols shalbe charged such suertie for whome they will answer to bringe again plate in forme as afore said and that he shal certifie the wardens of the kinges exchange at ỳ next of Lonon vpon three times by ỳ yere, ỳ is to say at ỳ natiuitie of saint John ỳ Baptist, at al saints, and at ỳ Purification of our Lady, of ỳ names of al the which haue sõd such suertie and of ỳ number of sacks which they shal

Homage

Cryinge

Woll

Woolfelles
Lether

Shipping

Suerties

Plate
Siluer

Cocket

Fait.

Woll
Woolfells
Lether

Stone

Suerties

Plate

Eschenge

Certifie

shall haue charges, & in case ỳ sayd Warden hath not receiued plate in forme aforesaid of thẽ whereof ỳ certification shal cõe vnto him at S. John or before al saints next ẽsuing, then he shal thereof certifie ỳ Treasorer & Barons of the Eschequer, & the sayd Treasorer & Barons shal receiue the certification of ỳ said warden & shall make out such prores ỳ the plate bee brought to the kinges exchaunge in forme as afore is said aswel against ỳ customers, as against those which haue found such suertie, and haue not brought again plate as aforesaid, and in ỳ same maner it shalbe done at the purificatiõ, of ỳ certification made to the said Warden at al saints before, & also at S. John of the certification made to him by ỳ same customers at ỳ Purificatiõ before, and so frõ time to time at the termes aforesaid. And that none shal cocket wool but in the name of him to whom ỳ woles shall belong, & if any welles be foũd otherwise cocketted they shalbee takẽ into ỳ kinges handes as forfaited, An. 14. E. 3. Statut. Prelatorum. cap. 4.

Treasorer Eschequer

Prores

Shippes

Freight

Merchants Aliens Denizens

3 ¶ Itẽ ỳ no customer nor Controller, haue any ships of their own, nor medle of the freight of ships, and ỳ to eschewe, as wel the damage of our soueraign lord the king of his custões, as ỳ losse of the Marchants, repairig to ỳ port, aswell aliẽs as denizẽs. An. 14. R. 2. cap. 10. See the like infra. ii.

Accompt Eschequer Sworne

4 ¶ Euery customer from hencefoorth, vpon the yelding of his accõpt in the Eschequer, bee sworne by his oth, to aunswer lawfully to ỳ sãe our soeraigne lord the king, without fraud or male engin, of all maner profits & commodities for the paiment of any assignement, bee it by taile or in any other manner. Anno 4. Henrici 4. cap. 20.

Taile

5 ¶ No man that holdeth any comen hostery in any city or burgh of England, shalbe customer, controller, vnder, nor serchour of ỳ said soueraign lord the kinge, and that to eschewe the damage and losse, which thereof may happen by the fauour that such comen hostelers may or will doe to marchaunts and other theire hostes in their said offices. Anno ii. Henrici quarti capitulo secundo. See the like infra. ii.

Hosteries

6 ¶ Where as our soueraigne lord the kinge hath had the custome and subsidy in the forme contained in the graunt of his comens, and amongst other of euery cloth of Scarlet, & of other cloth of whole grein, a certain custome. Now so it is, that certain marchaunts aliens dwellinge in the Citie of London and other Townes haue taken and do hold great houses in which they bee sole inhabitaunts, and do buy sometime as in a yeare a thousand or two thousand cloths of fine white or more, and doe dye the same of their own graine in Scarlet or in sanguein, or in other colours of whole grain or half graine, and afterward do the same clothes to be cut to smal peces of v. or vi. yardes or more or lesse, and thereof make diuers garments, and packe the same in their said houses, & in the same packes subtelly do packe fine wolle gold & siluer in plate, or somtime they put such wolle gold and siluer in barreles and other vesselles, and bringe the same out of the Realme, without payinge any custome or subsidie for ỳ same vnder the colour of such garmentes so made, because that such garments be not customable, and so our said soueraigne lord the king by such marchãtz aliens so dwelling alone in their houses, is dayly defrauded, & greatly diseased of his customes and subsidye, to his great dammage, and preiudice

Subsidis

Cloth

Aliens London

Greyns

Garments

wooll

Gold

Siluer

Plate

in

Merchants Aliens

in this behalfe: It is therefore ordeined and stablished, that al marchãts aliens, from hencefoorth shal pay the customes & subsidyes aswell for such garments after the rate, that is to say if. iiii. or v. or vi. such garments doe contein one cloth of hole graine, that then they shal paye the customs and subsidy as for a whole cloth of scarlet if lesse, lesse, or if more, more, as also of grained clothes, and al other clothes of wolle. And moreover it is accorded and assented in the said parliament that commissions shalbee made to certaine persons, to inquire if the said aliens haue any thing done or attempted to the cõtrary of the said statuts, made before this time in this case, and thereof to certefye in the kinges Chauncery Anno. v. H. 4. cap. 7.

Comissions

Chauncery

7 If any custumer, collectour, or controller of the kinges customs of coketes of clothes, of subsidies, of tunnage or pondage in anie porte or place of England, be duely attainted or connict at the kinges suite of false coreling of the kinges custome, or subsidie, duely entred & payd by any marchaunt, that then the sayd custumer, collectour, or controller so duely attainted or connict by the lawe, shal lose and forfait to the kinge the treble valour of the marchaundises so duly customed, and make fine and raunsom. And hee that wyll sue, shal haue ye third part for his labour. An. 3. H. 6. ca. 3.

Clothes
Subsidies
Tondage
Pondage
Attaint
Connict

Forf.

Fine

8 The customers and controllers shall writt and deliuer sufficiẽt warrantes, sealed with the seale of their office to bee ordined, to the said marchaunts, and to euery of them, for al and euery of their merchaundises euery time by them to the customers and controllers duely shewed. And that the said merchaunts nor none of them, shal any thing pay for the said warrantes but onely the true due customs. And in case that any customer or controller in any of the sayd portes do the contrary, that then euery marchaunt so greeued may haue an accion by vertue of this ordinaunce to pursue against euery custumer or cõtroller that doth the contrary in euerie court of recorde. And then euery custumer or cõtroller so attainted shal forfait to the king for euerie default x. li. And to the marchãt therby greeued ỳ will sue a C.s. Anno. 11. H. 6. capitulo. 15.

Warrants

Merchants Merchandizes

Accion

Attaint Forf.

9 Anno. 11. H. 6. cap. 16. an act was made to endure for iii. yeres against customes for makinge of blanck cockettes.

Blank cockets

10 Euery marchaunt denizen for woolles, woolfelles and tinne, which shalbe charged & shipped in any galy carake, or other vessel, to be brought and caried by the sea by the kinges licence, or otherwise, to other places & portes, then to the staple of the king, shall pay to the king such customes & subsidies and other dewties, as marchauntes aliens pay to the kinge for such marchandises. Prouided alwayes that this graunte or ordinaunce shal not extend to anie personnes which haue licences by the kinges letters pattentes to them made before this time, to shippe, cary, or bringe, anie woolles, woolfelles, or tinne to other places or portes beyond the sea, then to the staple of Calyes but that they shalbee of this ordinaunce clerely discharged and excepted. Anno. 20. H. 6. cap. 4.

Denizen
Wooles
woolfelles
Tinne

Licence

Letters patents

Transport

Calice

11 No custumer controller, of the custome, clerkes, deputies, ministers, nor theire seruaunts, factours nor secretours, controllers, or surueiours, of serches, nor their clerkes deputies, ministers or factours shall haue any

Shippes

shippes of theire owne, or shall buy or sel by way or by colour of marchãdise, nor they shal not medle with the frayting of shippes, or haue or occupy any such wharfes or keyes, or shall hold any hostries or tauernes, or shall bee any factours or atturneys for any marchant denizen or alien, nor shalbee hoste to any merchant alien, vpon the paine of xl.li. to bee forfayt as often as they do ỳ contrary, that is to saye, the one halfe to the kyng and the other half to him that wil sue in this case against any such pson doing ỳ cõtrary, this ordinãce to begin at ỳ feast of S. Michel next commig. An. 20. H. 6. ca. 5. Se ỳ like infra. 35.

Wharfes
Keyes
Hostries
Tauerns

Forf.

Moitie

12 ¶ An. 20. H. 6. ca. 7. it was enacted to endure to the next Parliamẽt ỳ if any marchaundise be discharged ỳ custome not paid, or if any marchãdise of ỳ staple bee caried ouer ỳ custome not paid, they should be forfait.

Forf.

13 ¶ An. 12. E. 4. ca. 3. It appeareth ỳ in An. 3. E. 4. a subsidie of tonnage & pondage was graunted to ỳ kinge for his life of certaine wares, And in the said act of 12. E. 4. ca. 3. it is further enacted as followeth.

Tondage
Pondage

No marchant denyzen or straunger shal set or sucker any cloth of gold, of siluer, bawdkin, velnet, damaske, saten, tartaron, or chamlet, nor none other cloth of silk, nor any corse of silke & of golde, nor of silke of the makinge of any of the parties beyond the Sea to sel, before that the collectours of ỳ subsidie of tonnag and pondage and the controller of the same in the port where such marchandise is set vpon land hath surueied and measured the sãe. And hath sealed euery pece ther of in the one end therof, with ỳ seale or mark especially to be ordeined for the same, whereof the same collectors haue the one part. And the cõtroller haue the other part seuerally in their custodie. And if anie such cloth of gold, of siluer, bawdkyn, velnet damaske, saten, sarcenet, tartaron, chamelet, and cloth of silke and of gold, be anye tyme hereafter set to sale not sealed, nor hauing such seale therupon. That then he which setteth such marchandise to sale, shall forfait the same marchandise or the value there of whereof two partes shalbee to the king. And the third part to ỳ finder: Also it is ordeined by the sãe auctoritie, that the collectours of the same subsidie, and the said controller shall at al times requisite, be redy to seale such marchaundise. And to seale the same at al times when they be requi red without delaye, or takinge any thing for the same in any wise vpon pain of forfaiture to the owner therof xx. s. for euery of the said collectours and controllers at any time that they refuse to seale such marchaundise after such request made, or taken anie thing for the sealing of any such marchandise. Also it is ordeined by thaut thoritie aforesayd, that all manner of such clothes of gold, of siluer, bawdkin, velnet damaske, saten, sarcenet tartaron, chamlet, and euery other cloth of silke, corse of golde and silke nowe being within this Realm: And after the feast of saint Michell thar changel next comming offered to sell shalbee sealed with the sayd seales before the said feast, vpon the paine before specified. Also where as it is expressed in the sayd graunt of ỳ sayd subsidie, that if any concelement be found in the marchaunts in the payment of the said duetie, that they for such concelment shal pay onely double subsidie without other payne or forfaiture therin, as in the same act is more fully conteined.

Forf.

Seale

Forf.

Refuse

Denizen
Cloth of gold

Silke

Conceale

Double
Subsidie

Measure
Seale

The king considering that notwithstanding the same ordinaunce, mar-

chants

chants do not regard to defraud him of his duety of the sayd subsidie in as much as they doue nothinge forsayte in that behalfe, but onely pay the double subsidie, by thaduise assent & auctho̅itie aforesaid hath o̅rdeined & established, ẏ ẏ sãe statut in this behalfe be voide, & of no strength. And if any marchandises, which be to be brought to the partyes beyonde the Sea, o̅r to bee caried out of this realme, whereof any subsidy is o̅r shalbee due o̅r perteynyng to the king, be hereafter shipped to bee caryed beyond the sea, the Collectours of the said subsidie not paied o̅r wo̅ut agreement w̅ the collectours of ẏ said subsidie for the same, ẏ then ẏ sayd marchandises o̅r the value therof, shalbee forfait to the king. Also where as diuers marchants strangers & other of tentimes in ẏ citie of Londõ, & in other places haue packed diuers woollen clothes, some in graine, some vngrained, & other clothes not grained, & the sãe so packed causeth to be carried by land from Londõ & other places to other portes, as to Sandwich Southampton & other portes, where as the customers for the time beig w̅out due packinge o̅r sight of such clothes, vpon the information of ẏ marchant, doth custome such clothes, as for course clothes, wherby ẏ king is greatly defeated of his dueтys therof aswel in the fines of such clothes, as in the not knowing of the number of the clothes so packed, Therefore the king by thaduise & assent aforesayd, & by the same auctho̅itie doth o̅rdeign establish & enact, ẏ in every port w̅in this Realm of England, wherin any woollen clothes shalbe packed after ẏ first day of may next cõming, in ẏ p̃sence of the collectours of thaforesaid customes & subsidies of the same port for the time being, ẏ al such customes & subsidies, due and perteyninge to ẏ kinge for the said clothes shalbe paid and contented to the same collectours where the said clothes bee so packed, o̅r els sufficient suertie shalbe therefore to them found, beefore that the same clothes bee carryed from the sayd port to any other port o̅r place, vpon paine of forfaiture of all the same clothes, o̅r the value thereof, to be had of thowner of the same. And if any woollen clothes to be caried ouer the sea, bee packed in any other manner, o̅r vnder any other forme, ẏ then the collectours of the port wher they be so packed o̅r brought to be packed, shall seale & there vnpacke all ẏ sayd packes and fardels, and survey all the clothes therein, so that our soueraigne lord the king maye be truely answered of his duty in this behalf without any fraude o̅r deceipt. And if any customer o̅r controller of ante port o̅r place be negligent o̅r slack in vnpacking of the said clothes o̅r surveying of them in the fourme aforesaide, that then and as often euerie such customer and comptroller for euery such defaute shall forfait to our soueraigne lord the king xx.s. for euery such cloth.

Moreouer it is o̅rdeigned by thaduise & assent aforesaid that euery of ẏ said collectours receiuing any custõe o̅r subsidie for any of the sayd clothes o̅r suertie for the same, shalbe therof charged and chargeable to our sourraigne lord the king vpon his o̅r their accompt.

And that the same collectour o̅r collectors shall from time to time make a coket o̅r coketes of al such clothes, directed to the collectours of the port where the same clothes shalbee shipped, witnessing their number, and ẏ he o̅r they haue receiued the customs and subsidies of the same clothes o̅r

suertie

Woyds

Forf.

Wolls cloth

London

Ports

Surrties

Forf.

Seals

Forf.

Charge

Accompt

Cocket

fuertie for the same. By which coket or cokettes the said collectours or the receiuours of them, shalbe therof discharged against our souereigne lord the king, & al other of al the sãe customes and subsidyes. Prouided alwaies that this act or ordinaunce bee not prejudicial nor in any wise hurtfull to any personne or personnes in or for any letters patents made by ỳ kinge our souereigne lord of ante graunt, of licence to shippe & cary out of this Realm of England any woollen clothes or other marchaundises especified in any of the said letters patents, to reteigne the customes & subsidies in their owne handes, or in the handes of any of them. And that the same letters patentes, bee to the sãe person or persons and euery of them good and effectual after the tenor of the same letters patentes and euery of them, this act or ordinaunce notwithstandinge, by what soeuer name or names any of the said personne or personnes bee named or called in any of the said letters patents, And. 12. E. 4. capitulo

Letters patents

Licence

14 ¶ Any pson made or hereafter to be made denizen shal pay for his marchandise like custome & subsidie as he ought or should pay afore ỳ he were made denizen, any letters patents or other ordinances by parliamẽt or otherwise contrary to this made not withstanding. Ann. H. 7. ca. 2.

Denizen

25 ¶ Euery marchant aswel denizen as straunger which shal bringe from hence forth any manner of goods into any port within this Realm by way of marchandise, and there doe enter the said goods or marchandises in the bookes of the customes of the sayd porte where the goodes or marchaundises shal first come to. And the kings ductie therof to the said customers cõtẽted, or therfore with him agreed and afterward that done, wil conuey or carie the same goods or marchandises from thence into any port within the said Realme: that then ỳ owner of the same goods and marchandises his factour or attourney shall bringe from the customers of the port, wher the said goods or marchandises were so entred, a certificat vnder the same customers seales directed to the customers of the port whereunto ỳ sayd goodes or marchaundises shalbe conueyed or carried, makinge mention within the same certificat as well of the naturall colour, length and value of al manner of marchandises so entred, vsed to bee mette with ell or yarde, as to the natural weight content or valore of al maner other marchaundises vsed to be waied or valued. And ỳ the same certificat so made be deliuered to the said customers before the said goods bee discharged, so that they maie see whether the nature, colour, length, value, content or weight, of the same doe agree with ỳ said certificat so that the king be not deceiued of his custome and subsidies therof due. And if any certificat bee made from henceforth by ante customer of any port whereunto any such goods or marchaundises shalbee first brought, and there in their bookes entred, not making mention according as is aforesaid, that then the sayd customer or customers, for their misbehauinge, shal leese their office and to make fyne with the king for ỳ same at ỳs pleasure. And furthermore if ante such goodes or marchaundises or any parcell therof bee discharged vnpacked or put to sale within any port then within the same wher they shalbee first entred before the sayd certificat be deliuered, and the same goodes and marchaundyses serue, contrary to as is aboue expressed:

Certificat

Colour

Length

weight

Office lost

Fine

Unpacked

That

Forf. That then all the said goodes or marchandiez be forfaited to the king our soueraigne lorde, the one halfe therof to remaine to his highnes, and the Moitie other halfe to him and them which shall proue any such goodes or marchaundises so forfaited. And the customer or customerz nor no deputy to any such comon officer to whom such certificat shal come, take nothing for the sight of the same goodes so certified. Also it is ordeined and established by authoritie aforesayd that no Denizen maner of marchant denizen nor strãger doe take vppon him to doo entre or cause to bee entred in the bookes of any customer of any port within thir realme any maner of marchandises comming into this his said Realm or goinge out of the same in any other Name marchaunts name, saiuing onely the name of the true merchaunt owinge the same vppon pain of forfaiture of Forf. all such goodes and marchandises so entred, and euery of the said marchauntes which so shall take vppon him to cause such vntrue entre to bee Impition made, to haue impitonment and to Fine make the fine therefore at the kings pleasure. And that no person take vpon him to be custumer controller, or Officer fercher in any citie, borough or towne where he is common officer, nor no deputie to any such common officer, Forf. vppon paine of forfaiture for euery halfe yere that he occupieth the sayd common office and offices of the customershippe, controller, or fercher, the summe of x.li. the one halfe therof to the kinge and the other halfe to Moitie him that will sue for it by writ, bill or information. Anno. 3. H. 7. cap. 9. See parte of this act altered here following. 16.

16 ¶ The custome and subsidie of woollen cloth all woollen clothes to be shipped and Shipped caried ouer the sea whereseuer they bee packed shalbe paied to the Customers of the port or portes wher any such clothes shalbee laded or shipped or to their deputies. This act (s. An. 12. E. 4. ca. 3. before) or any other act here before made to the contrary notwithstandinge, Anno. 11. Henrici. 7. cap. 6.

17 ¶ That all marchants straungers Straungers and other that bee made denizens by Denizens the kinges letters patents or otherwise pay frõ henceforth such customs Letters patents & subsidies for their goods & marchandize inward & outward as they shold haue paied if such letters patentes & graunts had neuer to them be made An. 11. H. 7. ca. 4.

18 ¶ See Bowes & Bowstaues. 5. ỹ Bowstaues no custome shalbe paied for certaine Bowestaues.

19 ¶ It bee lawfull from henceforth ỹ euery Englisheman, and all Englishmã other the kinges subiectes, haue in euery porte or hauen within this realm of England, Irelande, and Wales, and in the marches of the same, and Berwike in the towne of Berwike, where it shall happen any marchaundise to arriue or to bee charged & caried out to custome in hys name al manner of goods and marchandise of another Englishe man, or the kinges subiect. And in like fourme euery marchant straunger to custome in his name as ỹ goods or marchaundisez of any other marchaunt straunger so ỹ ỹ said Stranger marchant straunger, ỹ customed the goodes of an other marchaunt straunger, and the very owner or propietaris to the goods so customed, be charged with like custome, subsidy and other thinges, so that the kinges grace bee not defrauded of his right.

And if any marchant strãger or denizen, or any other the kinges subiectes custome any goodes or marchãdises of any other straunger or denizen, or

of

of any other the kings subiect, wherby the kings grace should lose his custom subsidy, or other his right or duty that they the sayd merchaunt Straunger or denizen or any other the kings subiect that so taketh vppon him or them to forfayte to our soueraygne Lorde the king the goods or marchandises so customed, & ouer that to forfayt to the party or parties in this behalfe greeued, as much money as the goodes or marchaundyses of the marchant straunger denyzen, or other the kynges subiect so canteously customed amounted vnto. And that no cytizen of London, or other the kynges subiects, inhabiting in the Cinque portes, or any other beynge free of pvylage, or butlarage of wines, by great custome or other wise, custome no wines of anie persone or persones not beeing free of any pvilage or butlarage. And if anie persone free of the sayd pvilage or butlarage so do, that then the sayd persone or persones that so do forfait to our said soueraigne lord the double value of the pvilage of the said wines so customed. And further that it bee lawfull to any person or persones greeued contrarie to thys act to haue an accyon of debte agaynst anie person or persones that so customed the goodes or marchandises in his name: and not in ỳ owners name, of the sume of the value of the said marchãdises so customed & forfeyted, in the which accõ, none essoin nor protection shal lie, nor the defendãt to wage his lawe. Anno. 1. H. 8. cap. 5. See before. 15.

Forf. Forf. Forf. London Portes Pvilage Butlarage Forf. Accion Dealing Forf. Delay

20 ¶ From henceforth the collectors and controllours of the sayd subsidye. (5. in 12. E. 4. ca. 3. before. 13) nor their clerks, nor any of thẽ take for the sealyng of any pieces of the said marchãdises aboue rehearsed (s. in 12. E. 4. cap. 3. before 13.) any thyng vppon paine of forfaiture at euerie time. xx. pounde. And also bee it &c. ỳ if and as often as the same collectours & controllours, or anie of them, vnreasonably delaye or tarry the sayd marchauntes or any of them, for and about the sealyng of the same marchaundises, that then and so often the same collectours & controllours and euery of them so vnreasonably delaying & tarrying ỳ same marchaunts, or anie of them, to forfeyt for the same xl. s. The one moity of euery of ỳ said penalties so forfeited to bee to the kyng our soueraigne lord. And the other moity thereof to the marchaũt so greeued, that will sue for the same by way of information in the kynges eschequer, or by accion or bill of debt after ỳ order of ỳ common law, as in anie other accion of debt is vsed. In which accion the defendãt shal not bee admitted to wage his law, nor protection nor essoyne to be to him allowed in the same suit for the said forfeiture. An. 4. H. 8. cap. 6.

Forf. Moitie

21 ¶ Se Englishmẽ. 2. ỳ Englishemen sworne to foreine Princes shall pay custome as straungers.

22 ¶ Se Cordiners. 11. for ỳ customs of leather.

Lether

23 ¶ If any straunger born, Denizen or not denizen or any of the kings subiects, do at any time from or after the last day of March next comming, any act or thyng contrarie the true meanyng, tenour, and purport of the same former act & statute (S. An. 1. H. 8. ca. 5. before 19.) ỳ then he and they so offending, shall lose and forfayt all his and their owne goods and cattels personalles for euer. The one moytie of whych forfeyture shalbee to the kyng & the other moity to him or them that wil sue for the same, by bill, plaint, acci of debt or information, in which bill plait, accion of debt, or information, no wager of law, essoin or protection shal bee admited or allowed. Prouided alway & be it &c. ỳ euery such bill, plaint, accion or information shalbe had & pursued within three yeres next ensuyng any such offence committed or done or els the offender to be clerely free, and discharged thers of any law or statute

Denyzen Forf. Moitie Writ Discharge

to the contrary had or made, notwithstanding. An. 2, E. 6. ca. 22.

¶ *Customes & vsages.*

Lordships Maiors

Iudgmens

Cromwell

Cheney

Gauelkind

ASwel all the lordshipps, manors, landes, tenementes, woodes, pastures, rentes, seruices, reuercyons, remaynders, aduowsons, and all other whatsoeuer hereditaments, sett, lying and beeing within the county of Kent of the which Tho. Cromwell knyght of the honorable order of the Garter, lord Cromwell of Wimbildon, Lord prinie seale, Tho. Burgh knight, Lord Burgh, George Brooke knyght, Lord Cobham, Andrew Windsore knight, lord Windsore, Tho. Cheney knight, treasorer of our sayd Soueraigne lord the kinges most honorable houshold, Chrystopher Hales knight, Master of the Rolles of our sayd soueraygn lords court of Chaunceris, Thomas Willowby knight, one of the iudges of the kings court of the common place, Antony Seyntleger knyght, Edwarde Wotton knyght, Edward Bouton knight, Roger Cholmeley knight Sertant at law, John Champneis knyght Jo. Baker squire our saide soueraigne lord the kings general atturney, Reynold Scot squire, Jo. Gulford squire, Tho. Kepe squire, Edward Twaites squire, Will. Rooper squire, Antonie Sandes squire, Edward Isaac squire Percyuall Hart squire, Ed. Monyns squire, Will. Whetnall squire, John Fogge squire, Edmund Fetyplace squire, Tho. Hardres squire, William Waller squire, Tho. Willford squire, Tho. Moyle squire, Tho. Harlekilden squire, Geoffry Lee squire, James Hales, Henry Hulse, & Tho. Roydon gētlemē, or any of them is or be seysed to his or their owne vse or vses, in fee simple or in fee taile, the which nowe been of the tenure and nature of Gauelkind, and heretofore have beene departed, or be departible betweene heirs males, by the custome of Gauelkynd, shall from henceforth bee clearelie changed from the said custome, tenure & nature of Gauelkind and in no wyse hereafter be departed or departyble by the sayd Custome of Gauelkynd, betweene heir males, but shal remain reuert abyde discend come and bee after and according as lordships, manors, landes, tenements and other hereditamentes do or maie discend, remayne, reuert, abide come or bee, according to the common lawe of this realme, and as other manors, lands & tenements, beeynge in the sayd countie of Kent, which neuer were holden by seruice of Socage, but bee and alwaies have ben holden by knights seruice, do discend, remayne, reuert abide come and bee: And in like manner to discend, and bee descendable, remaine, reuert come and bee inherytable to the heirs or heires, after and accordyng to the sayd common lawes of this realme of England. And that al and singuler the said lordships, manours, landes, tenementes, and other hereditaments with the appurtenances of the sayd Lord Cromwell, lord Burgh, lord Cobham, Lord Windsor, Thomas Cheyny, Chrisopher Hales, Thomas Willowby, Antony Seintleger, Edward Wotton, Edward Boueton, Roger Cholmeley John Champneis, John Baker, Reynold Scott, John Gulforde, Thomas Kempe, Edward Twayts, William Rooper, Antony Sandes, Edwarde Isaac, Percual Hart, Edward Monins, Willia Whetnall, John Fogg. Edmūd Fetiplace, Thom. Hardres, William Waller, Thom. Wilford, Thom. Moile, Thomas Harlekilden squire, Geoffrey Lee, James Hales, Henry Hulses, & Tho. Roydon or of any of them, and which before the making of this acte haue been of the sayd nature and tenure of Gauelkind in ỹ sayd county of Kent, shal from henceforth be excepted, taken enherited deemed and iudged to bee, lyke as Lordships, manours, lands, tenements, & other hereditamentes at the common lawe

Rent Socage & seruice

Common Law

law of this realme, and in such maner and fourme as if the same mannours, lordships, landes, tenementes and other hereditamentes, had neuer beene of the sayd nature of Gauelkynd, anie vsage or custome in the sayd county of Kent, heretofore had accepted or vsed to the contrary notwithstanding. Sauing alwaies and reseruing to all and singuler persons, other then the sayd Lord Crumwell, Lord Burgh, Lord Cobham, Lord Windsor, Tho. Cheyny, Christopher Hales, Thom. Willowby, Antony Seintleger, Edward Wotton, Edward Boureton, Roger Cholmeley, John Champneis, John Baker, Reynold Scot, John Gulford Thomas Kemp, Edward Thwayts William Kooper, Antony Sandes, Edward Isaac, Percuall Hart, Ed. Monins, Williã whetnal, John Fog Edmond Fetyplace, Thomas Hardres, Williã Waller, Thomas Wilford, Thomas Mosle, Thomas Harlakinden squire, Geoffrey Lee, Jamez Hales, Henrie Hales, and Thomas Royden, or any of them, and to euerie of them against any other of them, all such right, title, interest & inheritance, as they or any of them had before the making of this act, of, to, or in anie of the sayd manours, landes, tenements woods, pastures, rẽts, seruices, reuercions, remainders, aduowsons, & other the premisses as if this present act had neuer been had nor made. Anno. 31. H. 8. cap. 3.

Forf. 2 ¶ Se Forfeiture. 5. of customes of forfeiture for felony in Glocester, and Kent, & of ẏ custome of dower & particiõ among heires males in Kent.

3 ¶ Se for the customes of Kent, in ẏ new printed booke commonly called Magna carta late printed by Rychard Mottle. An. domini. 1556. Fo. 147.

4 ¶ An. 32. H. 8. cap. 29. it is enacted ẏ ẏ lands in Oswalbeck soke in Nottinghamshire shal discẽd to ẏ heir at ẏ cõmon lawe, & shall not bee partable betweene heirs males by ẏ custome.

NO person or persones shal from hẽceforth be nominated and appointed to the sayd office and offyces of the Custos rotulorum, within anie shire of this realm of Englãd, Wales and other the kinges dominions marches or teritories of the same, but such as shal haue a bill signed with the kinges hand for the same, which bil signed shalbe a sufficient warrant by the auc- Bill signed
thoritie aforesaid to the said lord Chã- warrant
celler of England, & the Lord Keeper Chaũcelor
of the great seale for the time being to Commissi-
make from time to time commission ons
& commissions assigning & authorysing therby the same person to be Custos rotulorum, vntill the kyng hath by an other bill assigned wyth hys owne hand, appointed & ordeyned one other person to haue, occupie and exercise the same office of ẏ Custos rotulorũ, and that the sayd person appoynted & assigned to bee Custos rotulorum, as is aboue sayd, shal and may occupy, exercise and enioy the same office of the Custos rotulorum, by himselfe or hys sufficient deputie, learned in the lawes of this realm, & meete & able to supply the said office, according to ẏ tenor of ẏ said grãt or cõmission (this article aforsaid is altered as appereth hereafter)

2 ¶ And be it &c. ẏ euery Custos rotulorũ for ẏ time being, shal at all times hereafter in euery shire of this realm, Wales & other the kingcs dominions marches and terytories of the same, nominate, elect, appoint and assign all and euery person and persones which hereafter shalbee clerkes of the peace Clerks of
within any of the sayd shires of thys the peace
realme of England, Wales and other the kings dominions marchez & territories of the same, and to geeue and graũt the same office and offices of ẏ clerkshyppe of the peace to such able person instructed in the lawes of thys realme, as shall bee able to exercyse and occupie the same, to hold and enioy the same, during the time that the Custos rotulorum shall occupie and

exercise the said office of Custos rotulorum, so that the sayd clerke demeane hym in the sayd office iustlie and honestly. And that it shalbe lawful to euerie such graunted of the sayd clerkship, to occupie and enioy the same office of the clerkshyp of the peace by himself or by his sufficyent deputie, instructed in the lawes of this realme, so that the same deputie bee admytted, taken and reputed by the sayd Custos rotulorum, to bee sufficyent and able to exercise, occupie, keepe & inioy the same office of the clerkshyppe of the peace. Prouyded alway and bee it &c. that all such as nowe haue anie of the sayd offices of Custos rotulorum, or clerkship of the peace, by the kinges letters patentes, or commission to thē made, shal and may enioy, haue and exercise their said offices, by vertue of the same letters patentes, or commission by thē selfe or by their sufficient and hable deputie, instructed in the lawes of thys realme: Anie thing in this present act had or made to the contrary notwithstanding. Prouyded also, and be it &c. that the Archbishop of Yorke, the bishop of Durham, the Byshop of Elye, and euery such person and persones, corporations, and bodies corporated, to whō the kynges maiestie or anie of his noble progenitours, by hys or their letters patentes, haue geuen and graūted anie libertie and auctoritie or otherwise haue auctoritie by other lawfull meanes or wayes to ordein, make and constitute anie of the sayd officers of Custos rotulorum or clerke of the peace within any countie Palantine or other place, shal and may haue and enioy the same libertie and auctority accordyng as they haue hadde and enioyed the same anie thynge in thys present act had or made, to the contrarie notwithstandyng. Anno. 37. Henrici 8. cap. 1.

Deputy

Letters patents

Archbishop

Corporations

Letters patents

2 ¶ That the Chauncellour of England or lord Keeper of the great seale for the time being, shal at all time and times hereafter, & from time to tyme wythout anie bill or billes, to bee assigned wyth the kynges hand, name, elect, assigne, and appoynt such person and personnes, to bee Custos rotulorum, wythin euerie shire of thys realme of England, Wales, and other the kynges dominions, marches and territories of the same, or by anie of them, as by the discretion of the said lord Chauncellour or Lord Keeper of the great seale for the time being, shal bee thought able and meete to haue & exercise the same. And that the sayd person and personnes, so to bee appointed, elected, named, and assigned, by ỳ sayd Lord Chauncellour or Lord Keeper of the great seale for the tyme beeing, shal and may occupy, exercise and enioy the same office of Custos rotulorum, by him selfe, or by his sufficient deputy or deputies, in as ample & large maner and fourme, as if the said acte had neuer been had ne made, the beefore rehearsed act, or any thing therin conteyned to the contrary hereof in anie wise notwithstanding. Prouyded alway and be it &c. that al such as nowe haue any of the sayd offices of Custos rotulorum by the kinges letters patentes, or commission, to them or any of them made, shall and may enioy, haue and exercise their sayd offices, by vertue of the same letters patentes or commission by him selfe, or his sufficyent and able deputie instructed in the lawes of this realme any thing in this present act had or made to the cōtrarie notwithstanding. Prouyded also, and be it &c. that the Archbishop of Yorke, the bishop of Durham, the Byshop of Elye, and euery of their successoures, the Chauncellor of the Duchy of Lancaster for the time beeing, and all and euery person and persones, corporations, and bodies corporated, to whom ỳ kynges maiestie or anie of hys noble progenitours, by hys or their letters patentes, or act of parlyament, haue geuen and graunted anie libertie and auctority

Chauncellor

Letters patents

authoritie or otherwise haue authoritie by other lawfull means or waies to ordeyne, make and constitute anie of the sayd officers of Custos rotulorum within anie countie Palantine, or other place that and may haue and enioy the same libertie and authoritie according as they haue had & enioied ỹ same any thing in this present act had or made, to the contrary notwithstanding. An. 3. E. 6. cap. 1.

¶ *Daies in banke.*

1 If a writt come within the vtas of Saint Michael, a day shalbee geeuen that vpon vnto the vtas of Saint Hillarij, and if it come in the quinzime of Saint Michael, day shalbee geeuen vnto the quinzime of saint Hillarij. If it come in the iij. weekes after S. Michael, the day shalbe Crastino Purificationis. If within a moneth after Michaelmas, in the vtas of the Purification. If in Crastino animarum, then in the Quynzyme of Easter. If in Crastino Martini, then in the three weekes after Easter. If in the vtas of Saynt Martin, then in Easter moneth. If in the quinzime of S. Martin, then within v. weekes after Easter, & also there is day specially geuen in crastino Ascencionis, & it counteruayleth as much as within fiue weekes after Easter. If in the vtas of saint Hillarij, in the vtas of the Trinitatis. If in quindena Hillarij, then in quindena Trinitatis, and sometime in crastino of saint John Baptiste. If in crastino Purificationis, then in crastino ỹ vtas of saint John Baptist, if in the vtas of the Purification, then in quindena of John Baptist, if in quindena Pasche, then in the vtas of Saynt Michaell. If within iij. weekes after Easter, then in quindena of saint Michael. If within Easter moneth, then within three weeke; of the feast of saint Michael. If within fiue weekes after Easter, or in crastino Ascensionis, then within a moneth after the feast of saint Michaell. If in the vtas of the Trinitie, then in crastino animarum. If in Quindena Trinitatis, or in crastino of saint John Baptist, then in crastino Martini. If in the vtas of S. John Baptist, thē in the vtas of saint Martin. If in quindena of saint John Baptist, thē day shal be geuen vnto quindena Martini. Anno. 51. H. 3.

2 ¶ If the writ do come in octaus Michaelis, day shalbe geeuen vntill crastino animarum. If it come in quindena Michaelis, day shalbee geeuen vntill the crastino Martini. If in mensi Michaelis, then in quindena Martini. If in crastino animarum, then in octaus Hillarij. If in crastino Martini, then in quindena Hillarij. If in octaus Martini, then in crastino Purificationis. If in quindena Martini: then in octaus Purificatiōis. If in octaus Hillarii, thē in rv. Pasche. If in quindena Hillarij, then in tribus septimanis Pasche. If in crastino Purificationis, then in mensi Pasche. If in octaus Purificationis, thē in crastino Ascensionis, If in quindena Pasche, then in octaus Trinitatis. If in tribus septimanis Pasche, thē in quindena Trinitatis. If in mensi Pasche, then in crastino Johannis Baptiste. If in quinque septimanis Pasche, then in octaus Johannis. If in crastino Ascensionis, then in quindena Johannis. If in octaus Trinitatis, then in octaus Michaelis, If in quindena Trinitatis, thē in quindena Michaelis. If in crastino Johānis Baptiste, then in tribus septimanis Michaelis. If in crastino Johānis Baptiste, then in mensi Michaelis. If in quindena Johānis Baptiste, then in crastino animarum. Dies in bote. An. 51. H. 3.

3 ¶ In a plea of dower, that is called (Vade nihil habet) from henceforth dower daies shall be geuen in the yere at the least, and moe, if it may conueniently bee. So that they shal haue dower or fiue daies at ỹ least in the yere.

Dower

In assise of darrayne presentment, if the

Quare impedit

In a plea of Quare impedit of churches vacant, dayes shall be geuen from xv. to xv. or from three weekes to three weekes, as in the place shall happe to bee neere or farre. Parliam. cap. 12. Anno 52. H. 3.

4 ¶ The King vnto his iustices of the bench, greeting. Know yee that where within our realm of England, it was doubted of the yere and day that were wont to be assigned vnto sicke persons being impleaded, when & from what day of the yere going before vnto another day of the yere following ꝑ yere & day, in a leape yeare ought to bee taken and reckened howe longe it was. Wee therefore willing that a confirmitie be obserued in this behalfe euery where within our realm, and to auoyd all daunger from such as bee in plea, haue prouided and by the counsayle of our faithfull subiects haue ordeined, ꝑ to eschue from henceforth al doubt and ambiguitie that might arise here vpon the daye increasing in the leape yeare shall bee accompted for one yeare, soe that because of that day none shall bee preiudiced that is impleaded, but it shall be taken & reckened of the same moneth wherein it groweth, and that daye and the daye next going before shall bee accompted for one daye. Wiseptile An. 21. H. 3.

Leap yeare

Trinitie terme

5 ¶ In the said Trinitie terme shalbe fower common dayes of retourne only and not aboue, that is to say, ꝑ first day of retourne shalbee and bee called in crastin. sancte Trinitatis, the secõd daye of retourne of the same terme shall bee and bee called, in octabis sancte Trinitatis, the thirde daye of retourne of ꝑ same terme shalbe and be called, in Quindena sancte Trin. and the fowerth daye of retourne of the same terme shall bee and bee called, a die sancte Trinitatis in tres septimanas. And that the same daies of retourne shall bee obserued and kept in all our soueraigne Lord the Kings high courtes of Record, hare after to bee holden at Westminster, or other place or places, at the assignement, appointment or agreement of our sayde soueraigne Lorde hys heyres or successoures: And that from or after the feast of saint Michaell the archangell next comming there shall not bee nor bee called anie dayes of retourne, in crastino sancti Johannis Baptiste, octabis sancti Johannis Baptiste, nor quindena Sancti Johannis Baptiste nor any of them. And bee it further enacted &c. that the said terme of the holye Trinitie, shall yearelie for euer, from the sayd feaste of Saunct Michael tharchangell next comming beeginne the mon daye next after Trynytie Sundaye, when so euer it shall happen to fall, for the keeping of thestoignes profers returnes, and other ceremonies heretofore vsed and kept in lyke manner & fourme as in times past hath ben vsed to bee done in the day of retourne commonly called in octabis sancte Trinitatis. And that the full terme of ꝑ said Trinitie terme shall yearely for euer begin and take his commencement ꝑ fryday next after Corpus Christi day, in suche and like manner and fourme to all purposes, intentes, & respectes as heretofore hath been vsed the wednesday next after Corpus Christi day. And that from and after the said feast of Saint Michael tharchaungell next commynge, the sayd second and third daies of retourne called octabis sancte Trinitatis, & quindena sancte Trin. shall take theire commencement and beginne as in times past hath bene vsed. And that the said fowerth day called a die sancte Trinitatis in tres septimanas shall take his commencemẽt and begin from the said Trinitie sunday into three weekes then next following, and shal haue hys returne with the fowerth date as is accustomed in other lyke dayes of retourne. And bee it &c. that if after the sayd feast of S. Michael tharchaungel next comming, any

Begynne

any writt in anie reall accion come in and be retornable into any of our said soueraigne lord the kinges court in octab. sancti Hillarij, then day shalbe geuen, in crastino sancte Trinitatis. If in quindena sancti Hillarij, in octabis sancte Trinitatis. If in crastino Purificationis beate Marie, in quindena sancte Trinitatis. If in octab. purific. beate Marie, then a die sancte Trinitat in tres septiman. And if after the same feast of saint Michaell tharchangel, any writt in any reall accion come into any our sayd soueraigne Lord the kinges courtes retournable in crastino sancte Trinitat, then day shalbe geuē in crastino animarū. If in octabis sācte Trinitatis, in crastino sācti Martini. If in quindena sancte Trinitat, in octabis sācti Martini, if a die sācti Trinitat in tres septim. in quindena sācti Martini. And be it &c. ẏ if after the said feast of saint Michaell tharchangell nert commyng anie writte of dower, come into anie of our soueraigne Lord the kinges courtes and bee returnable in quindena Pasche, then day shall bee geuen, in crastino sancte Trinitatis. If a die Pasche in tres septimam. in octabis sancte Trinitatis. If a die Pasche in vnum mensem, in quindena sācte Trinitatis. If a die Pasche in quinque septimanas or in crastino Ascencionis domini, then day shalbee geuen into the day of a die sancte Trinitatis in tres septimanas. And if after ẏ sāc feast of saint Michael tharchāgell nert comming anie writte of dower come into any of our said soueraigne Lorde the kinges courts of record in crastino sancte Trinitatis, then day shalbe geuen in octabis sancti Michaelis. If in octabis sancte Trinitatis, in quindena sancte Michaelis. If in quindena sācte Trinitatis, a die sancti Michaelis in tres septimanas. If a die sancte Trinitatis in tres septimanas, a die sancte Michaelis in vnum mensem, or otherwise as is appointed, limitted, & declared by the statut of Marlebridge in the 13. Chapter therof made & prouyded. And it is &c. ẏ al common writz & proces as wel pional as mixt, which shall fortune to bee retournable in the sayd Trinitie terme shal haue and kepe the said returnes of crastino sancte Trinitatis octab. sācte Trinitat, quindena sancte Trinitat, & a die sancte Trinit in tres septimanas, or anie one of thē. Prouided alway & it is &c. ẏ in such & like cases and proces as specyall dayes haue been vsed to bee appointed assigned and geuen for ẏ returning of writz & proces, it shalbe lawful to the Iustice of euery of the kings said courts of record for the time being, in all the proces by thē awarded, to assigne & appoint special daies of returnes as by their discretions shalbe thought cōuenient. Prouided also & be it &c. ẏ the daies in assise of darrayne presentment, & in plee of Quare impedit limitted & appoynted by the statut of Marlebridge (3. ca. 13. before. 3.) & also the daies to be geuen in attaint limitted in the statute made in the fift yere of the reigne of the noble king Edward the third (3. capit. 8. vvhich is in attaint. 4.) being not cōtrariāt to the tenor of this act shalbee holden firme & stable, & shal stand in their full force & effect. An. 32. H. 8. ca. 21.

Reall accion

Dower

Proces

Iustices

Attaint

## ¶ *Damages & costes.*

VVHereas heretofore dammages were not awarded in assises of nouel disseisin, but only against ẏ disseisours, It is prouided, ẏ if the disseisors do alien the lands, & haue not wherof, there may bee damages leuied, ẏ they to whose handes such tenements shal come, shalbe charged wᵗ ẏ damages, so ẏ euery one of thē shalbe charged wᵗ the damages for his time. It is prouided also, ẏ the disseisie shal recouer damages in a writ of entre grounded vpon disseison, against him ẏ is found tenant after the disseisour. It is prouided also, ẏ wher before this time damages were not awarded in a plea of Wast dāt disseisour (but in case wher lāds were

Assise Disseisors

Writ of Entrie

Wast.

recouered agaynſt chief lordes) ẏ from henceforth damages ſhalbee awarded in all caſes, where a mã recouereth by aſſiſe of Mortdauncestour, as before is ſayd in Aſſiſe of nouel diſſeyſin. And likewyſe damages ſhalbe recouered in Cosinage writs of coſinage, ayel, & beſaiell. And where as beefore time damages were not tared, but to the value of the iſſues of the land: It is prouided, that the demaundant ſhal recouer againſt the tenaunt the coſtes of his writ purchaſed together with the damages aboueſaid. And this act ſhal hold place in all caſes where the party is to recouer damages. And euery man from henceforth ſhalbee compelled to render damages where the land is recouered agaynſt him, vpon his own inſtruccion, or his own act. Gloceſter. ca. 1. An. 6. E. 1.

2 ¶ The king of his ſpecial grace grãteth vnto his citizens of London, that London wher as before tymes they that were diſſeyſed of their freehold in the ſame City, could not recouer their damages before the commyng of the Juſtyceers to the Towre, that fromhenceforth Diſſeſſees the diſſeyſies ſhall haue dammages by recognizance of the ſame aſſyſe, wherby they recouered their lands. And the Amerce diſſeyſours ſhalbe amerced before two Barons of the Eſchequer, which ſhal reſort once a yeare into the City to do it. And it ſhalbe commaũded vnto the Barons, and to the treaſorer of the eſchequer, that they ſhall cauſe it euerie yeare to bee leuyed by two of them at their vprysing. And the amercements by the ſimmons of theſchequer ſhalbee leuyed to the kynges vſe, and be deliuered in the eſchequer. Eſchequer Gloceſter. cap. 14. An. 6. E. 1.

3 ¶ For entries by diſſeiſin, damages ſhal rẽne from the time of the ſtatute publiſhed. In the ſame wyſe, for dammages in writtes of Entre vpon diſſeyſon, and in al writtes of Mortdaunceſtour, coſinage, ayell or beſaiel. Touchyng intruſion by ones own act Intruſion by any maner of writt, damages ſhal renne after the writte purchaſed agaynſt them that held by ſtatut, albeit that their auncestours dyed ſeyſed thereof. Expoſition of Gloceſter. Anno 6. Ed. 1.

4 ¶ Where oftentymes plaintyfe or demaundaunt, plaintyfes or demaundants that haue iudgement to recouer Judgemẽt bee delaied of execution for that the defendaunt or tenaunt, defendauntes or tenaunts agaynſt whom iudgement is geeuen or other that beene bounden by the ſayd iudgement, ſueth a writte or writtes of errour, to annull and reuerſe the ſayd iudgement to the intent Errour onely to delay execution of the ſame iudgement. It is enacted, ordeyned and eſtabliſhed by thaduyſe of the Lordes ſpirytuall and tempozall, and at the prayer of the commons in the ſayd Parlyament aſſembled, and by authority of the ſame, that if any ſuch defendaunt or tenaunt, defendaunts or tenauntes, or if any other that ſhalbee bound by the ſaid iudgement ſue afore execution had anie writte of errour to reuerſe anie ſuch iudgement in delaying of execution: that then if the ſayd iudgement bee affirmed good in the ſayd writte of errour and not erroni-ous, or that the ſayd writ of errour be dyſcontinued in the default of the par-tie, Diſcõtinus or that the perſonne or perſonnes that ſueth writ or writts of errour, be nonſued in the ſame, that then the ſaid Nonſuit perſonne or perſonnes agaynſt whom the ſayd writ of Errour is ſued, ſhall recouer hys coſtes and dammages for hys delay and wrongfull veration in the ſame by the diſcretion of ẏ Juſtice afore whom the ſaid writ of errour is ſued. An. 3. H. 7. cap. 10. And An. 19. H. 7. ca. 20. It is enacted ẏ this act bee good & effectual, & that fro thenceforth duely put in execution.

5 ¶ De Auowry. 1. and recoueries. 1. Auowry that the auowant ſhall recouer damages and coſtes.

6 ¶ If any perſon or perſonnes at anie time after the feaſt of the purification of our

of our Ladye, in the xviii. yeare of the raigne of our soueraigne Lord kinge Henry the eight, commence or sue in any court of recorde or elswhere, in any other court, any accion, byll or playnt of trespasse vppon the statute of kinge Richard the second, made in the v. yere of his raigne (s.ca.7.) for entries into landes and tenementes, where none entry is geuen by the lawe, or any accion, bill, or plaint of debt or couenant vppon any especialtie, made to ỹ plaintife or plaintifes, or vpon any contract supposed to bee made betweene ỹ plaintife or plaintifes, and any persone or persons, or any accion, bil, or plaint of detinue of any goodes or catels where of the plaintife or plaintifes shall suppose that the propertie belongeth to them or to any of them, or any accion bill or plaint of accompt, in the whych the plaintife or playntifes suppose the defendaunt or defendauntes to be their bailife or bailifs, receiuour or receiuors of their manor, mese money, or goods to yelde accompt, or any action, byl, or plaint vppon the case or vpon any statut for any offence, or wrong personal immediatlye supposed to bee done to the plaintife or playntifes, and the plaintife or plaintifes in any such kind of accion, byll, or plaint after appearee of the defendaunt or defendauntes bee nonsuted, or that any verdicte happen to passe by lawefull tryal against the plaintife or plaintyfes in anie such accion, byll, or plaint, that then the defendaunt or defendauntes in euerie such action, bill or plaint, shall haue iudgement to recouer his costes, against euery such plaintife or plaintifes. And that to bee assessed and taxed by the discretion of the iudge or iudges of the court, where anie such accion, byl, or plaint shalbee commenced, sued or taken. And also that euerie defendaunt in such accion, byll, or plaint, shal haue such proces and execution for the recouery and haulinge of his costes against the same plaintife or plaintifes, as the same plaintife or plaintifes shoulde or might haue had against the defendaunt or defendauntes in case that iudgment had been geuen for the part of ỹ sayd plaintife or plaintifes in any such accion, byll, or plaint. Prouided alwaye, that all and euerie such poore persone or personnes being plaintife or plaintifes in any of the said actions, billes, or plaintes whych at the commencement of their suites or accions bee admitted by discretion of ỹ Judge or Judges, where such suites or actions shal bee pursued or taken, to haue their procesle and counsaille of charitye without any money or fee paying for the same, shall not bee compelled to paye anie costs by vertue or force of this statut, but shall suffer other punishment, as by the discretion of ỹ Justices or iudge afore whom such suites shall depende, shall be thought reasonable, any thing afore rehearsed to the contrarie hereof notwithstandinge. Anno. 23. H. 8. cap. 16.

Debt
Detinue
Accompt
Verdict
Def:
Taxe Judge
Proces
Poore
No costs
Punishmẽt
Judges

7 ¶ Albeit that plaintife or plaintifes, bee or shalbee nonsuted in anie whatsoeuer action, suit, bill, or plaint commenced, or to be commenced, sued or to bee sued, to the vse of our sayd soueraigne Lord the kinge, his heires or successours, kinges of Englande, or that it shal happen any verdict to passe against any such plaintife or plaintifes in any accion, suit, byll, plaint, sued or to bee sued to the kinges vse: the defendaunt or defendaunts shall not recouer any costes against any such plaintife or plaintifes, any act or statut made in this present parliament, or any other thinge to the contrarie beinge in anie wise notwithstanding. Anno. 24. H. 8. cap. 8.

Pr.
Verdict
Def:

¶ *Barren presentmentes.*

A Stile of barren presentmẽtes shalbe taken alway before our Justices of ỹ peace, ther shalbe determines. Mag. Carta. cap. 15.

1 ¶ As

Iurour

As to the article of iurours, in the xxviii. yeare, it is assented and ioyned to the same, that if any iurours in assises swozne, and other enquestes to bee taken betweene the king and party, oz partie and partie, doe any thing take by them oz by other, of the partie plaintise oz defendaunt to say their verdict, and therof be attainted by procesle contained in the same article, bee it at the suite of the partie that will sue foz him selfe, oz foz the king, oz any other persoune, euery of the said iurours shal pay x. times almuch as he hath taken, And hee that wil sue, shall haue the one halfe, and the king the other halfe. And that al the imbzaceours to bzinge fozth oz procure such enquestes in the countrey to take gayne oz profite, shalbee punished in the same maner and fozme as the iurozs. And if the iurour oz imbzaceour so attainted, haue not where of to make gree in the maner afozesaid he shal haue the imprisonment of one yeare: And the intent of the kinge, of great men, and of the cõmens is, ỹ no iustice noz other minister shall enquire of office vppon any of the pointes of this article, but onely at the suit of the party, oz of other, as afoze is said, An. 38. E. 3. ca. 13.

Assise Enquests

Reward

Attaint

Foyr. Moitie

Imbzaceoz

Punish

Imprison

No enquirs

¶ *Declaration.*

By the auncient tearmez & fozmes of declarations, no mã shalbe preiudiced, so ỹ ỹ matter of ỹ accion bee fully sheived in ỹ declaratiõ & in ỹ writ An. 36. E. 3. ca. 15.

¶ *Deeds and writings.*

Ann. quinto Richardi secundi capitulo octauo. It was enacted ỹ they whose writings were destroyed in the last insurrectiõ should haue remedy by the councell.

Insurrectiõ

2 ¶ Al statuts, recognisaunces, indentures, and other writinges, whatsoeuer knowledged, oz made by oz to any person oz personnes, bodies politike oz corporat being the Quenes subiectes since the firt daie of July last past and before the first day of August thẽ nert following vnder the name of the raign of any other personne then vnder the name of our souereign Lady ỹ Quen shalbe as good and effectual in ỹ laive to al intentes, purposes, constructions and meanings, as if vppon the making therof, the name of our souereign Lady the Queenes maiestie with her style appropriate, and vnited vnto her maiesties Imperiall Crowne, hadde beene fully and plainly expressed, and conteyned in the same obligatyons, recognisaunces, indentures, and other writinges. And that the same obligations, recognisaunces, indentures, estatutes, and other writings, shall and may be sued and ministred in barre exhibited, averred, vsed and pleaded in ỹ name, title and stile of our souereigne Lady the Queenes maiestie, in such and the same manner and fourme, as though the name of the same our souereigne Lady ỹ Quen, with her graces vsuall stile had beene expressed, written, and conteined in the same, the lacke of the nanninge oz mencyonyng of the name of our souereigne Lady ỹ Queene, of her maiesties style, in the date oz tyme of the makinge of ỹ sayd estatutes, recognisaunces, endentures and other writtinges, in the said estatutes, recognisaunces, oz other writinges, in anywise notwithstanding. Prouided alwaies that this act, noz any thinge therein conteyned shall not extend to make good any letters patents, commissions, giftes, graunte, leases, dimises, oz other writigs made by the sayd Lady Jane Dudley, otherwise called the Lady Jane Graye, sythence the said firt daye of Julye laste past, of any mannours, landes, tenementes, hereditamentes, offices fees oz other writtigs, whatsoeuer, now oz then being by any waies, oz meanes parcel, member, oz belongings to the said imperial crowne, oz to make good any

Obligation

Date

Letters Pt. Cõmissiõs Leases

L. Jane

Statuts Recog. Indentures

any other writings, whatsoeuer made by the sayd Lady Jane, sithen the sayd fifte day of July: But that they and euery of them shall remaine and be vtterly void and of none effect any thing aforesaid to the contrary notwithstanding, Anno primo M. 1. parliamento cap. 4.

Void

3 ¶ See Roome, 4. that deedes & writinges beefore made with ỳ seale of the supremacy should bee good and pleadable.

Seale

¶ *Denizens.*

ONe acte was made concerninge Frenche denizens. 4. & 5. Philipp & Mary, which was to cõtinue but during ỳ life of Quẽn Mary.

¶ *Denmarke.*

Anno. 8. H. 6. ca. 2. an act was made concerninge Englishe men to remain to the staple in Denmark, but it is repealed by 1. H. 8. ca. 1.

Staple Repealed

2 ¶ An. 10. H. 6. cap. 3. it was enacted that the garden of the priuy seale should make letters of requeste vnder ỳ priuy seale to the kinge of Denmarke to haue restitution of Englishmens goodes take by him or his subiects. And if thereby restitution were not made, ỳ kinge by aduise of his counsell should prounde remedy for the sãe party greeued. See breakers of truce. Ann. 4. H. 5. ca. 7.

Priuy seal

Restitution

¶ *Debt.*

IT is prouided also, that in no Citie, Borough, towne, market, nor faire, there be no forreine persone (which is of thys Realme) distrayned for anie debt, wherefore hee is not debtour or pledge. And whosoeuer doth it, shalbee greeuously punished without delay, & the distres shalbee deliuered vnto hym by the Bailifes of the place, or by the kings bailifes, if neede bee. Wi. 1. cap. 23. An. 3. E. 1.

Distrein

Punish

2 ¶ See of an action of debt against a gaylour, Accompt. 2.

Gayoler

3 ¶ See recogn. 2. of an actiõ of debt against the gailour ỳ will not receyue one sent vnto him vppon a statute marchant, or if hee receiue him and after let him escape.

4 ¶ From henceforth no warden of ỳ Flete shal suffer anie prisonner there being by iudgment at the suit of ỳ party, to goe out of prisonne by mainprise, baile, or by bailbonne, without making gree to the said parties of that whereof they were iudged, vnlesse it be by writt or other commaundement of the king, vppon paine to lose his office, and the keepinge of the said prison. And moreouer, if any such Wardene from hence fourth bee attainted by due processe, that hee hath suffered or lette such prisoner to go at large against thys ordinance, then the plaintifes shall haue their recouery against the same Wardeins, by writt of debt. And also it is ordained, that if any at the suite of ỳ party iudged to any other prison for debt, trespasse, or other quarell, and will confesse him selfe voluntarilie, & by sayned cause debtour to the kinge, and by so much to bee iudged to the sayd prysone of the Fleete, there to haue greater lybertie of prison then elsewhere, & so to delay the party of his recouerie, the same recognisaunce shal be ther receiued, and if hee be not debtour to the kinge of record, his body shall incontinently, bee remaunded to the prison where he was before, ther to remaine til he hath made gree to the said party, and the same gree made, he shalbe immediatly sent again to ỳ Fleete, there to abide, till hee hath made gree to the king of his recognisance aforesaid. An. 2. M. 2. ca. 12. See ỳ like matter Recognisance. 2.

Warden of the Fleete

Prisoner

Writ

Fort.

Attaint

Debt to the king

Recog.

Remaund

5 ¶ In case of debt, where the debtours make feygned gyftes and feffementes of their goodes and landes to their freendes and other, and after withdraw them selfe, and flee into places of

Gifts Feoffements

Sanctuary

of holy churche priuileged, and ther hold them a long time, and take the profit of theire sayd landes and goods to geuer by fraude and collusion, whereby

Creditors

their creditours haue beene long and yet be delayed of theire debts and recouery, wronge fullie and agaynst good faith & reason: Ye is ordeined and stablished, that after that the said creditors haue thereof brought theire writtes of

Capias Shirife

debt, and thereuppon a Capias awarded, and the Sherife shall make his returne, that hee hath not taken the sayd personnes bycause of such places priuyleged, in which they bee or shal be entred, then after such returne made, an other writte shalbe graunted & made to the Sherife, in which writte shalbe

Proclamation

compised, that proclamation be made openly at the gate of the place so priuileged, where such persons bee entred, by vi weekes continually, euery weeke once, that the same personne bee at a certaine day, compised in the sãe writt before the kinges iustices, there to answere to the plaintife of his demaund, and vppon this writt returned by the sayd Sherife, that Proclamation is made in the sayd fourme, if the said personnes called, come not in proper personne nor by atturney, iudgement shal bee geuen against them vpon the principal for theire defaut. And out of the

Judgemẽt Execution

same iudgment execution shalbe made of theire goodes and landes being out of the place priuileged, as well that is to saye, of those landes and goodes so geuen by collusion as of any other out of the same fraunchise, after that such

Goods, Landes

Collusion

collusion or fraud be duely found in the same manner as that ought to haue beene if no deuyse hadde been thereof made notwithstandinge the same deuyse. But it is not the kinges mynd, that by vertue of this statut any man bee barred of his suite against such debtours by the common course of ye lawe before this present statute vsed. Anno. 2. Richard. secundo, Rastall in 2. capitulo. 3.

WEe nor our bailifes, shal not seale any land or rent for any debte, as longe as the present goodes and cattels of the debtour, doe suffyce to paye the debt, and the debtour hym selfe be redy to satisfie therefore. Neither shall the pledges of the debtour bee distrayned, as long as the principall debtour is sufficient for the payment of ỳ debt. And if the principal debtour faile in payment of the debt hauing nought wherewith to pay, or will not pay, where hee is able enough, then the pledges shall aunswere for the debt, and if they will, they shal haue the landes and rents of the debtour, vntil they bee satisfied of ỳ which they before payd for him, except that the debtour can shewe him selfe to be acquited against ỳ said suerty. Mag. Car. cap. 8.

Bailifes

Landes Goods

Suerties Distrein

2 ¶ If any man that holdeth of vs laye fee, doe dye, and our sherife or bay lyfe dooe shewe our letters patentes of our simmons for debt, which the dead man did owe vnto vs. it shall be lawfull to our sherife or Bailife to attach and arrest al the goodes and cattels of the dead man, beeing found in the said fee, to the value of the same debt, by the sight and recorde of lawfull men. So that nothing thereof shalbe take away vntil wee bee clerely payed of the debt. And the residue shal remaine to the executours to perfourme the will of him that is dead. And if it bee found that he owe nothinge vnto vs, all the goodes and cattels shal goe to the vse of ỳ dead man, sauinge to his wife and children their reasonable partes. Magna. Car. cap. 18.

Lay fee Shirife Bailife Letters P.

Attach Goods

Executors will

3 ¶ In right of Sherifes or other, which aunswere by their owne hands vnto the eschequier, and which haue arrerages of the kinges fathers debtes, or the Kinges owne debtes before this tyme and haue not acquited the debtours in the eschequier. It is prouided, that the King shal send good and lawful mẽ thorough euery shire, to heare al such as will complaine thereof, and to

Shirifes

Eschequer

Shire

Determin to determine the matters ther that all such as can proue that they haue paide shalbe therof acquited for euer, which (whether the Shirifes or other bee lyuing or dead) shall haue restitution of theire owne in a certaine fourme that shalbee deliuered them. And such as haue not so done (if they bee lyuinge) shalbee greeuously punished. And if they bee dead theire heires shall aunswere and bee charged with the debte. And the kinge hath commaunded that shirifes and other aforesaid, shal from henceforth lawfullye acquite the debtours at the next accompt after they haue receiued such debtes, and then ẏ debt shalbee allowed in the eschequer so that it shal no more come in the somons. And if the sherife otherwise do and therof bee attainted, he shal paye to the plaintife thrise as much as hee hath receiued, and shal make fyne at the kinges pleasure. And let euery shirife take hede, that he haue such a receiuour, for whom hee wil aunswere, for the king will bee recompensed of al of the shirifes and theire heires. And if any other that is aunswerable to the eschequer by hys owne handes so doe, hee shal render thrise so muche to the plaintife, and make fine in like maner And that the shirifs shall make tasles to al such as had paied their debt to the kinge, and that the sommons of the eschequer bee shewed to al debtours ẏ demaund a syght thereof, without denying to any, and that without taking any money or reward, and hee that doth contrary, the kinge shall punishe him greeuously. W. 1. cap. 19. Ann. 3. E. 1.

Punished heires

Accompt

Attaint ij. valus fine

Fine Tasles

Somons

No reward

Distres

4 ¶ Such distresses as are to be taken for his debtes shall not be made vppon beastes of the plough, so longe as they may find any other, vpon ẏ same pain that is ordeined by estatute. And hee will not that ouer great distresses to be take for his debts, nor driuen to farre,

Suertie and if the debtour can finde able & conuenient suertie for a day with in which a man may purchase remedy for to agree for the demaund, the distres shal bee relessed in the mean time, and hee that otherwise doth shalbe greeuously punished. Articuli super chartas ca. 12. An. 28. E. 1.

Release

Punish

5 ¶ For ẏ ease of the people which hath beene before this time greued by outrageous leuying of the kings debts, The kinge wil and graunteth that the treasourer and barons of the eschequer maye determyne and ordeine cueris debt due to the kinge of the summe of CCC. li. according to the estate of the debtour, sauinge alwaies their countenaunce. And that they shal not charge the sherifes, bailifes of liberties, nor none other accomptaunts in the eschequer to leuy any summe of any person if he doe charge him of as much as hee may leuie by his othe, without abating the debtours countenaunce, but ẏ aunsweres of the Shirifes and of other ministers shalbee taken according to ẏ point of theire othes, Anno 1. E. 3. ca. 4. stat. 2.

Treasorer Barons

Shirifes Bailifes Eschequer

Oth

6 ¶ Bee it declared and enacted ẏ al lands tenements, profites, commodities, and hereditaments, which ante Treasorer, or receiuer, in or belonging to any of the Queens maiesties courts of the Eschequer, Wardes, and Lyueries, or duchy of Lancaster, Treasorer of ẏ Chamber, Coferer of ẏ houlholde to the Queenes maiestie, her heires or successours, Treasourer for ẏ warres, treasourer of any port, town, or castell where any garison is or shal bee kept, treasourer of the Admiraltie, or Naue, treasorer, vnder treasorer, or other personne accomptable to the Queenes maiestie, her heirs or successors, for any office or charge, of or in the mint, Treasorer or receiuer of any summes of money in prest, or otherwise for the vse of the Queenes maiestye, her heirs or successors, or for prouisions of victual, or for fortifications, buyldings, or works, or for any other prouisions to bee vsed in any the offices of ẏ

Lands Treasorer Receiuer

Eschequer

Queens

Queens maiesties ordinaunce and artillerie, armorie, wardrope, tentes, & pauilions, or reuels, customer, collecter farmer of customs, subsidies, impostes or other duties, within any port of ỳ Realme, collecter of the tenthes of the cleargie, collected of any Subsidie, or Fifteene, receyuer generall of the reuenues of any countie or counties answerable in the receipt of ỳ Exchequer or in the court of Wardes and liueries of the duchye of Lancaster, clarke of ỳ Hamper, nowe hath, or at anie tyme hereafter shal haue, within the tyme whilest hee or they, or any of thē shall remaine accomptable, shall for ỳ payment and satisfaction vnto ỳ Queens maiestie, her heires, and successours, of his or theire arrerages, at anie tyme hereafter to bee lawfully, accordinge to the lawes of this Realme, adiudged and determined vppon his or their accompt (al his due and reasonable petitions beeing allowed) be lyable to the payment thereof, and bee put and had in execution, for the payment of such arrerages or debtes, to bee so adiudged and determined, vppon any such treasourer, Receiuer, Teller, Customer, Collecter, Farmer, Officer, or Accõptaunt as is before named, in like, and in as large and beneficiall manner to al intentes and purposes, as if ỳ same Treasorer, Receyuer, teller, customer farmer or collecter, vppon whom any such arrerages or debtes shalbee so adiudged or determined, had the day hee became first officer or accõptãt, stand bound by writting obligatory, hauinge the effect of a statut of the staple, to her maiestie, her heires or successours, for the true answeringe & payment of the same arrerages or debts.

Payment

Liable

Execution

Arrerages

Statut Staple

And for asmuch as many tymes it may come to passe, that the Queenes highnes, her heires or successors, shall not or may not bee conueniently satisfied of the debt to be determined or due vppon any accompt or farme, as is afore saide, by way of extent, for ỳ ỳ yerely value of the lands extended wil not satisfie her highnes, her heires, or successours within the compasse of many yeares, so as therby great losse might ensue to her highnes, her heires & successours. For remedy thereof, be it further enacted, that if any Treasourer, receyuer, collector, farmer, customer, teller, collecter of custome, subsidie, or Impost, or other persone accomptant before mencioned, which shall from or after the feast of Saint Michael ỳ Archangel now nert comminge, receyue or bee chargeable with anie money or treasure of our said soueraigne Lady ỳ Queene, her heires or successours, and shal vppon the determining of hys or theire accompt (al his and theire due peticions to them vppon the same accompt beeing allowed) or by reason of any farme as aforesaid, bee founde in arrerages, or to owe vnto our said soueraigne Lady the Queene her heires or successours, any summe or summes of money, and shall not wythin the space of sixe moneths next after hys or their accomptes finished, or debt knowen (hauing allowaunce of his or theire due and reasonable peticions as is aforesayd) truely satisfie, and pay al such arrerages and summes of money, as hee or they shall owe vppon determynation of his or theire accompt, or vppon his or their debt knowen, as is aforesaid: that then it shal and may bee lawfull to the Queenes highnes, her heires and successours, at any tyme, & from time to time, after the sayd sixe moneths ended, to make sale by her or their letters patentes, vnder the great seale of Englande, of so muche of the landes, tenementes, and hereditamẽtz of euery such accomptaunt or debter, so being found in arrerages, or in debt as is aboue mencioned, as maye suffice cure saide Soueraigne Lady the Queene her heires or successours, for the satisfaccion of his or their debte or arrerages to bee determined or adiudged vpon his or their accompt or farme as

Accompt

vi. moneths

Satisfie Arrerages

Sale Letters patents

Lands

Extent

as is aforesaide (all due peticions beeing allowed, as is aforesaid) vntill her maiestie, her heires or successours, bee by such sale fullie satisfied and payed of such arrerages and debt to be found vppon accompt or farme, as is aforesayd: and if anie ouerplus of money shalbe reserued or hadd vpon any such sale, then the same shalbee paid & deliuered to the accomptant or farmer, or his heires, by the officer that shall receyue the money vpon any of the sayd sales, wout any further or other warrant in that behalfe to be made, or obtained.

Farme Ouerplus

And be it further enacted by the authoritie aforesaid, that all the sayd sales to be made by the Queens Maiestie, her heirs or successours, as is aforesayd, shalbee good and auailable in lawe against the partie accomptaunt, indebted as is aforesaid, and his heirs claymynge as heires, and agaynste the Quenes Maiestie, her heyres and successours, notwithstanding any former charge, or encumbraunce to her Maiestie, her heires or successours, by the persoune or personnes for whose debt or duetie the same shall fortune to bee solde.

Sales

And bee it further enacted by the authoritie aforesaid, that if any persoune or personnes accomptaunt or indebted as is aforesaid, shall at any tyme after he or they shal become accomptaunt, or chargeable as is aforesaid, purchase and buye, or cause to be purchased and bought, any lands, tenementes, or hereditaments, and cause the assuraunce thereof to be made in the name of any other persone or personnes, where the same is in deede meant or intended to the vse, profites, or behoofe of such person accomptaunt or indebted, or of any other person or persons, and that the same manner of purchasinge, and secret vses, profites, or behoofes, shalbee found by office or inquisition: that then all and euery landes, tenementes, and hereditamentes, so to bee bought or purchased, or caused to be purchased, as is beefore mencioned in this last prouiso, shal by vertue of this act, be taken deemed, and vsed for the satisfaction of the arrerages and debt of euery such accomptaunt or debter, as is aboue mencioned, to al intentes and purposes, as though the person or persons indebted, vppon his or theire accompt or farme, were thereof actually seased of such estate, as was conueyed to any person or persons, by any such accomptant or debter, or by his meanes, as is aforesaid: and that al sales to bee thereof made by the Queenes Maiestie, her heires or successours, for satisfaction of such debt or arrerages, as shalbe found as is aforesaid, to bee due and owinge to our said soueraigne Lady ye Queene her heires or successours, shalbee of the like effecte, and bee vsed and done in such like manner and fourme, as is beefore expressed.

Purchase Landes

Collusion

Inquisition

Sales

And wher as heretofore some treasorers, Tellers, receauers, collecters, and others, hauinge had charge of the Quenes Maiesties money and treasure, haue gotten into theire handes great summes of the Quenes Maiesties money and treasure, sithence the beegynninge of her Maiesties raigne, and haue most fraudulently employed her maiesties money & treasure which they had in theire charge, in sundry wise to their owne vses, partly in the purchasing her Maiesties own landes, and partly in purchasinge landes of others, and to thintent the same should not be liable to satisfy & pay her Maiestie, her heires or successours, of that which to her or the should appertayn, haue purchased the same sometymes in theire owne names and sometimes in the names of sundry theire frendes and kinsfolkes, wyues, or chyldren, and yet neuertheles haue taken and receaued the rents & reuenues thereof to their own vses. Be it therefore further enacted and ordained by the authoritie aforesaid, that all and singuler landes

Lands Treasozer Receiuer Teller Customer Collectoz Officer

landes tenementes, and hereditamēts which any treasourer, receiuer, teller, customer, collecter, officer, oz accomptaunt beefoze named, hath heretofoze since the begynnynge of the Queenes maiesties raigne purchased, oz caused to bee purchased, to thintent the same should not bee lyable, as is afozesayde (the fraude and couin afozesayd, being first found by office oz inquisition) shall & may be sealed and take by her maiestie, her heires and successours, and retayned by her Maiestie, her heirs and successours in fee simple, to be sold, oz otherwise vsed at her and their willes and pleasures, towardes the payment and satisfaction of al and euerie arrerages alredy set oz determined, & abridged, oz that hereafter shalbee sett, determined, oz abridged, vppon hys oz theire accompt, (al reasonable and due petitions beeinge allowed) at such rate and value, as the same wer purchased and bought, oz caused to bee purchased oz bought by any such treasourer, receiuer, teller, customer, oz collectour, beefoze named, oz by any other person to their vse.

Fraud

Fee simple

Lands

Prouided alwayes, that if the lands and tenementes so to be sealed, taken oz solde, by her Maiestie, her heires oz successours, as is laste aboue mencioned, doe surmount after the rate and value afozesaid, ẏ debts & arrerages to bee set, determined, oz abridged, vppon the accompt of any Treasourer, receiuer, teller, customer, Collecter, oz accomptaunt beefoze named: that then her maiestie, her heirs and successours shall take and seale onely so much as shall amount after the rate and value afozesaid, to the full payment and satisfaction of such debt and arrerages, as hath ben, oz shalbe, set, determined, oz abridged, vppon his oz their accōpt, as is afozesaid.

Bishop

Prouided alwayes, and bee it further enacted by the authoritie afozesaid, that no Bishoppe, hauing the collection of any subsidie, oz tenthes, oz any his landes, tenementes oz hereditamentes, wherof hee is seased in the right of his Bishoppricke, shalbee charged by vertue of this act, foz any arrerages of tenthes, oz subsidie, otherwise, oz in anie other manner thē he might lawefully haue beene befoze the making of this act: any thing herein contained to the contrary therof notwithstanding.

No sale

Accompts

And bee it also further prouided and enacted by the authoritie afozesaid, that this act, oz any thing therin conteined shal not in anywise extend to charge any Treasourer, receiuer, teller, customer, collecter, oz accomptaunt afozesaid, hauing any yerely receipt, noz any their landes, tenementes, oz hereditamēts, whose yerely receipt, collectiō and charge oz whole whole receipt, frō ẏ beginninge of his charge, is not, oz hath not beene, oz hereafter shall not be, aboue the summe of three hundred poundes, otherwise, oz in any other manner and fourme, then hee oz they might lawfully haue beene charged before the making of this act: any thinge herein contained to the contrary therof notwithstanding.

Receipt

bi. month

And foz asmuch as sundrie the accomptauntes beefoze named, namely the Treasozer of the chamber, and coferer of the houshold of our said soueraigne lady the Queene, her heires and successours, Treasourers of warres, oz garrisons, Treasourers of the Nauy, treasourers oz receiuers of any summes of money foz prouision of victual, oz foz fortifications, oz foz buildinges, & master of ẏ wardrope, are by ozder of their offices & charge, after their accomptes ended and determined, to disburse, expend, and defraye the debt remaining vppon their accompts, in such charges as are necessarily and incidently to bee spent and prouided in their offices and charges, so as they are not of such summes of money oz debt remaining vpō theire accompt, to make patent payment and satisfaction as other accomptantes

Shirife Escheto Bailife

Coferer

Heires

Sale of lād

tauntes are: Bee it therefore enacted & ordained by the auctoritie aforesayd, that this act or any thing therein conteyned, shall not extende to geue any power or auctoritie to make sale of any landes, tenementes, or hereditaments, for any suche debt to be set & adiudged, in any of his or theire accomptes mencioned in this brauncb, vnlesse the Queenes Maiestie, her heires and successours, vppon the ending or determining of his or their accõpts (all his or their due petitions to them vppon the same accomptes beeinge allowed) require, or commaunde present payment thereof, or otherwise estsones require a new accompt of the same debt, so set or remayning in any the accompts mencioned in this brãch, and that then the same debt, or anye part thereof, shall bee founde to bee owyng and vnerpended in the matters or charges perteining to anye of their sayd offices, or charges mencioned in this branche, and the same debt remaine vnpayed by the space of sixe monethes after suche request or commandement:

No sale

Accompts

vi. monethes

Prouided alwaye, that this act shal not extende to charge anye Sheriffe Escheto, or Bailiffe of liberties, or the landes, tenementes, or hereditamentes, of any Sheriffe, Eschetour or Baylif of liberties, nor of any theyr heyres, or assignes, for anye thinge touching his or their office of Sheriffewike, Escheotrship, or Baylifwyke, nor for any money by him or them receaued, or to bee receaued, by reason of any theire sayd offices, otherwise, or in any other manner then hee or they might lawfullye haue been charged before the making of this act: any thing therein conteined to the contrary, notwithstanding.

Shirife Eschet or Bailife

Heires

Prouided also, that this act as touching onely the sale of anye landes or tenementes, shall not extende to anye landes, tenementes, or hereditaments, which any person or persones now haue or enioye, & haue purchased or obtained bona fide, and not being priuie, or consenting vnto any such intent, to defraude the Queenes Maiesties, as is aboue said, and that it shalbe lawfull to euery person and personns, whose landes, tenementes, or hereditamentes, shall by anye office or inquisition be founde to be fraudulently conueied, or assured, as is aboue said, to haue his and their lawfull trauers to euery such office or inquisition: & if it be found with the party that tendereth ẏ trauerse, ẏ then he shal haue ẏ said lãds out of the princes hands, without any petition, liuerie, or ouster le maine, or anie other suit to be had, made, or vsed: and the same being found, for such persone or personnes so trauersing, the same lands, tenements, and hereditaments, shalbee adiudged as not liable, chargeable, nor to bee sold by force of thys statute.

Sale of lãds

Defraud

Trauerse

Ouster le maine

Prouyded also, and bee it enacted, that if the Queenes Maiestie, her heires or successours: shall by anie sale of landes by force of this statute, be fully satisfied of the debt or arreragez of any such accomptaunt or debtour, or anie part thereof, then the suertyes of such accomptaunt or debtor, shalbe discharged of so much of the sayd debt, for sayture, and arrerage, as so shalbe satisfied, and for the residue onely, shalbe ratably accordyng to their habylyties charged: anie thing in this or anie other statute to the contrary, notwithstandyng.

Suertyes Discharge

Prouyded alwayes, that this acte, nor any thing therein contayned, shall in anie wyse extend to charge Henry Golding Esquire, & Thomas Neale, one of the Queenes maiesties Audytors, or the landes or tenements of eyther of them, to whom the Queenes maiestie hath demised any customes, subsidies, or impostes, in any thing onlye touching the sayd demise and lease, otherwise or in any other maner, then they might haue ben lawfully charged

Audytors

yf thys act had neuer bē had or made, except they or eyther of them, do hereafter take anie of the profyttes of the sayd Subsidyes, customes, or impostes by force of the sayd demyse, any thing therein conteyned to the contrary therof notwythstandyng. Anno. 13. Elizab. capitulo. 4.

Collectors

7 ¶ For auoydyng & redresse of great deceyptes done to the Queenes Maiestie, and to the Prelates and Cleargie of this realme, by vnder Collectours of the tenthes and subsidyes of the Cleargie, appointed by and vnder the Archbyshops and Bishops of this realme, and Deanes and Chapters, (Sede vacante:) Be it enacted, that the statute made in the xiij. yere of her maiesties raigne, to make the landes, tenementes, goodes, and cattalles of tellers, receyuers &c, to bee lyable to the payment of their debtes, shall to al intentes and purposes, as amplie and largely extend, and be construed to extend to all such vnder Collectours of tenthes and subsidies of the Cleargie, and to their landes, tenementes, and hereditaments, goods and cattals, for satisfying of such money as they haue collected, or shall collect of the sayd tenthes and subsidies, to the vse of the Queenes Maiestie, her heires or successours (of what yearely summe soeuer the charge of their collection is, or shalbee) in lyke fourme as it doth extend to the Tellers, Receyuers, and other personnes accomptaunt, whom the sayd acte specially and expresselie concerneth, and in as ample wise, as if such vnder Collectours were immediatelie accomptaunt to the Queenes Maiestie, her heires or successours: anie prouision in the said statut, or other matter whatsoeuer to the contrarie, notwithstandyng.

Sta. of An. 13. Eliz.

Lands Goods

Tenthes Subsidies

And that euerie such vnder Collectour, shall vppon processe to bee awarded out of the court of Exchequer, bee chargeable to accompt for his receypt of such tenthes and subsidies, as anie Receyuer, immediately accomptaunt to her Maiestie, is or ought to be: and that euerie Archbyshoppe and Bishop and Deane and Chapter, (Sede vacante) to whose charge the collection of such tenthes or subsidies doth or shall appertayne, shalbee discharged of so much of the sayd tenthes and subsidies as shalbe satisfied to the Queenes maiestie, her heires or successours, of or by the landes, tenementes, hereditamentes, goodes or cattayles of such vnder Collectour, or his heires, wythout anie other warraunt whatsoeuer, in that behalfe to be obteyned. An. 14. Eliz. capitulo. 7.

Archbishop Bishop

Discharge

Process Exchequer

¶ *Dilapidations.*

WHere diuers and sundrie Ecclesiasticall persons of this realme, beyng endowed and possessed of auncient palaces, mansion houses, and other edifices & buyldinges belongyng to their Ecclesiasticall benefices or liuings, haue of late yeres not only suffered the same for want of due reparations, partly to runne to great ruine & decay, and in some part vtterly to fall downe to the ground, conuertyng the tymber, leade, & stones, to their owne benefit and commoditie: but also haue made deedes of gift and colourable alienations, and other conueyances of like effect, of their goodes and cattels in their liues time, to thyntent and of purpose after their deathes to defeate and defraude their successours of such iust accyons and remedyes, as otherwise they might and should haue had for the same, agaynst their executours or administrators of their goodz by the lawes Ecclesiasticall of this realme, to the great defacyng of ỹ state Ecclesiasticall, and intollerable charges of their successours, and euill president and example for others, if speedie remedie bee not prouided. Bee it therefore enacted, that if any Archebyshoppe, Bishoppe, Deane, Archedeacon, prouost, treasourer, chaunter, chaunceller,

Reparations

Archbishop Bishop Deane

chaunceller, prebendarie, or anie other hauing anie dignitie or office in anie cathedrall or collegiat church wythin this realme: or if any person, vicar, or other incumbent of anie ecclesiasticall liuing, wherunto do belong any house or houses, or other buyldinges, which by lawe or custome he is boūd to kepe and maynteine in reparation, do from henceforth make anie deede or deedes of gift or alienation, or other like conueyaunces of hys moueable goodes or chattelles, to thintent and purpose aforesayd: that then the successour and successoures of hym that shall make such deede or deedes of gift or alienation, shall and may commence suit, and haue such remedy in any court ecclesiasticall of this realme, competent for ỳ matter agaynst hym or thē to whom such deede or deedes of gift or alyenation shalbe so made, for ỳ amendment and reparation of so much of the sayd Dilapidations & decayes, or iust recōpence for the same, as hath happened by his fact or defaulte, in such sort as hee might, should, or ought lawfully to haue, if he or they to whom such deede or deedes of gift or alienation shalbee so made, were executour or executours of ỳ testament & last will of hym that made such deede or deedes of gyft or alienation, or were administratour or administratours of hys goodes or chattels: anie law, custome, or other thing to the contrary in any wise notwythstanding. 13. Eliz. cap. 10.

Officer

Deedes of gift Alienation

Successour

Suit

Reparation

Executor

Administrator

And be it further enacted, that all summes of money hereafter to be recouered, for, or in name of dilapidatyons, by sentēce, composition, or other wise, shall within two yeres after such receipt, bee truely employed vpon the buyldinges and reparations, in respect whereof such money for dilapidations shalbee payd, on paine that euery persōne so receyuing, and not employing as aforesayd, shall forfayt double as much, as so shallbee by him receyued, and not employed, the wyche forfeyture shall bee to the vse of the Queenes maiestie, her heires & successours. An. 14. Eliz. cap. 11.

Reconer Sentence Cōpoſicion

Forf.

## ¶ *Disceipt.*

IT is prouyded also, that if any Serteant pleader or other, do any maner of dysceypt or collusion in the kynges court, or consent to it in disceipt of the court, or to beguyle the court or the partie, and thereof bee attainted, hee shall be impryſoned for a yere & a day, and from thencefoorth shal not be heard to plead in that court for any mā. And if hee bee no pleader, hee shalbe impryſoned in lyke manner by the space of a yeare and a day at the leaſt. And if the treſpas require greater punishment, it shalbe at the kings pleaſure. Wi. 1. ca. 29. An. 3. E. 1.

Sergeant

Collusion

Attaint Imprſi.

2 ¶ A writ of Disceipt shalbe maynteinable, and hold aſwell in the caſe of garnishement, touching plea of land, where such garnishment is geuen, as in caſe of ſummons in a plea of land, dated at Northampton. Anno. 2. E. 3. capitulo. 17.

Garnishment Sōmons

## ¶ *Diſcontinuance of right or eſtate.*

IF any woman which haue had, or hereafter shal haue any eſtate in dower, or for terme of life, or in tail ioint ly with her husband, or only to her ſelf or to her vſe in any maners, lāds, tenements or other hereditaments of the enheritance or purchaſe of her husbād, or geuen to the said husband & wife in taile or for terme of lyfe by any of the auncesters of the sayd husband, or by any other perſon ſealed to the vſe of ỳ ſaid husband or of hys auncesters, and haue or shall hereafter being ſole or wō any other after taken husband diſcontinued, or diſcōtinue, alyened, releaſed, or confirmed, alien, releaſe, or confirm with warrantie, or by coūn ſuffred or ſuffer any recouery of ỳ ſame agaynſt them or any of them, or any other ſeaſed to their vſe or to the vſe of either of

Dower

Taile

Diſcōtinue Alien Releaſe

them after the forme aforesayd: That all such recoueries, discontinuances, alienations, releases, confirmations, and warranties so had & made, and from henceforth to be had and made, be vterly void & of none effect. And that it shalbee lawfull to euery person & persones, to whom the interest, tytle, or inheritãce after the decease of the sayd women of the sayd manours, landes, & tenements, or other hereditaments, being discontinued, alyened, or suffred to bee recouered, after the first day of Decẽber next comming in the forme aforesayd, should appertayne to enter into all and euery of the premisses, & peaceably to possesse & enioy the same, in such maner and forme as he or they should haue done if no such discontinuaunce, warranty, ne recouery had ben had nor made. And ouer thys be it &c. that if any of the husbandes & women or any other seased, or that shalbe seased to the vse of them of ẏ estate afore specified after the said first day of Decẽber do make or cause to bee made or suffer any such discontinuaunce, alienations, warrantes, or recoueries, in fourme aforesayd, that then it shal bee lefull to the person or persons, to whõ the said manors, landes & tenementes, should or ought to belong after the decease of the sayd woman, to enter into the same, & them to possede and enioy according to such tytle and interest as they should haue had in the same if the same woman had be dead, no discontinuance, warrantie, nor recoueries had as against ẏ sayd husband duryng hys life, if the sayd discontinuance, alyenation, warranties, and recoueries, be hereafter had by or agaynst the same husbandes and women during the coverture and espousell betwyxt them. Prouided alway that the said women after the decease of their said husbands may reenter into the same manours, landes & tenemẽts, & them to enioy according to their first estate in ẏ same. And ouer this &c. that if ẏ said woman at ẏ time of such discontinuãce, alyenations, recoueries, warrantyes, after ẏ said first day of December in forme aforesayd, to be had & made of any of the premisses, be sole, that then she shalbe barred & excluded of her title & interest in the same from thencefoorth. And ẏ ẏ person & persons to whom the title, interest & possession of ẏ same should belong after the decease of ẏ said womẽ, shal immediatly after the discontinuãces, alienations, warranties & recoueries enter into ẏ same manors, lãds & tenements & other hereditaments, & them to possede & enioy according to his or their title in the same. Prouyded also that this acte extend not to auoyd any recouery, discontinuance, or warranty after the fourme aforesaid, afore this time had, made or suffred, but onlie where the said husband & womã or either of them now being alue or anie other to their vse now haue ẽtry & title to the said maner, lands, tenementes, or other hereditaments aliened, discõtinued or suffered to be recouered after the forme aforesaid, and thereof now taking ẏ issues & profits, or anie other person or persõs to their vse. Prouided also ẏ this act extẽd not to any such recouery or discontinuãce to be had with the heires nert inheritable to ẏ said woman, or he or they ẏ nert after ẏ death of ẏ same womã should haue estate of inheritance in the same manour, lãds, tenements, be assenting or agreable to the sayd recoueries where the same assent & agreemẽt bee of record or inrolled. Prouyded allso ẏ it shalbee lefull to euery such womã being sole or maried after ẏ death of her first husbãd to geue sell or make discontinuãce of any such land for terme of her life onely, after ẏ course and vse of the common law before the makyng of thys present acte. Anno. 11. H. 7. cap. 20.

Confirmation warranties

Voyd

Sole Barre

Issues Profits

Recoueries

Sell

women Reenter

¶ *Discontinuance of proces.*

OVr Soueraygne Lorde the kyng, consyderynge the great losses and damages

damages which oftetimes haue come & be likely to come hereafter, as well to him lefe as to many of his leges, for that that where as well diuers endictmentes and suites for our soueraygne lord the king, as other suites betwene party & party, haue ben taken before diuers Justices of the peace, assigned by diuers commissions of our sayd soueraigne Lord the king in diuers cõu-ties of England, and diuers pleas and procelles vppon those indyctmentes haue often been made, & hanging bre-fore ỹ same Justices not determined, the which pleas and procelles been of-ten discontinued by makyng of newe commissions of the peace in those cõu-ties, to the great losse of our said soue-raygne Lord the kyng and of his sub-iects in delay of the same pleas & suitz, and of the deliueraunce of his said sub-iects. And vppon that, our soueraygne Lord the kyng willing to prouide re-medy, of the assent and auctho'itie a-bouesayd, hath ordeyned and stablished that al such pleas, suites and procelles, from henceforth to be taken and to be made before Justyces of the peace in ante county of England, the said pleaz and procelles in such suites to bee done shall not bee discontinued by such newe commissions of the peace to be made, but those pleas and procelles shall stãd in their strength. And the Justices in the same newe commissions so assyg-ned, after that they shall haue the re-cordes of the same pleas and procelles before them: shall haue power and auc-thozitie to continue the sayd pleas and procelles, and the same pleas and pro-celles, and al that depend vppon them to heare and finally to determine, as the other Justices myght and ought to haue doone, of and in the same, if not newe commyssion hadde beene made. An. 11. H. 6. cap. 6.

2 ¶ By the death or demyse of the kinges maiestie that nowe is (whose life almightie God long preserue kepe and mayntaine in most royall estate) nor by the death or demyse of any that hereafter shalbe kyng of this realme, anie action, suit, bil, or plaint, nowe or that hereafter shall depend betweene partie and partie in any of the courtes aforesaid, shall not in any wise be dis-continued or put without day: But ỹ the procelle, pleas, demurres and con-tinuances in euerie action, actions, suites, billes, or playntes, which nowe, or that hereafter shall depend, shal stãd good and effectuall, and bee prosecu-ted, and sued forth in such maner and fourme, and in the same estate, condi-tion and order as if the same kyng had liued, or continued in full life, ỹ death or demyse hereafter of anie kyng of this realme notwithstãding. And that all and all manner of iudiciall procelle that hereafter shalbee had or pursued in the time of the raygne of anie other kyng then raigned at the time of pur-suit of the originall or other former procelle, shalbee made in the name of the kyng that for the time shall raigne and bee kyng of this Realme, and the variance touching the same procelle be-tweene the names of the kinges shall not be in any wise material as concer-ning any default to be alledged, or ob-iected therefore. And also be it &c. ỹ all & euery assise of nouel disseisin, assise of mortdancester, Juris vtrum & attaint which at any time hereafter shalbe ar-raigned, cõmenced or sued before anie of the kings Justices of assise shall not from hencefortly be discontinued or put without day by reason of death, newe cõmission, allotiation or not comming of the same Justices of assise or anie of them, but shall stand good and effectu-all in the lawe, to all intentes, con-structions and purposes, the death, newe commyssion, allotiation, or not commyng of the same Justices or any of them, in any wise not withstãdyng. And ouer that be it &c. that albeit anie demaundant or plaintif in any maner of action, byll, or suit shal fortune to be made or created Duke, Archbishoppe,



Just.p.

Pleas Suits Proces Just.p.

Cõmissiõs

Recordes

Oier and terminer

K. death

Demis

Action Suit

No discon-tinuance

Proces Demurres

good

shall goe

K name

Variance

Assise Mord. Juris vtrũ Attaint

Just. of ass.

Death Cõmission

Demaundãt Plaintife

Idwaunced Attring of addition

Marques, Earle, Vilcount, Barron, Bylhop, Knyght, Justyce of the one bench or of the other, or Seriaunt at lawe, depending the same action, byll or suit, yet that not withstanding, that no writte, action or suite, shall for such cause in any wise bee abatable or abated, but shal remaine in like force, goodnesse and strength, as the same was before, any law or vsage to the contrary in any wise notwithstanding. And also be it &c. that albeit any personne or personnes being Justice of assise, Justice of gaole delinery, or Justice of peace within any of the kynges dominions, or being in any other of the kynges cõmissions whatsoeuer, shall fortune to be made or created Duke, Archbishop, Marques, Earle, Vilcount, Baron, Bylhopp, Knyght, Justice of the one bench or of the other, or Seriãt at the lawe, or shirife, yet not withstandyng, he or they shall remaine Justice & commissioner, and haue full power & auctoritie to execute the same, in like maner and fourme, as he or they might or ought to haue done before the same.

Not abated

Just. of ass.
Just. of g.
Just. of p.

Shirife

This article touching shirifes to be iustices of peace is altered by. 1. M. 1. parliamento cap. 8. as appeareth in Sheriffes. 36. And bee it &c. that in all cases where any personne or personnes heretofore haue been, or hereafter shal bee found giltie of any maner of treason, murder, manslaughter, rape, or other felony whatsoeuer, for the which iudgement of death should or may ensue, and shall bee repried to prison without iudgement at that tyme geuen agaynst him, her, or them so found giltie, that those persons that at any time hereafter shall by the kings letters patentes bee assigned Justices to deliuer the Gaole where any such persenne or persons found gilty shal remaine, shal haue full power and auctority to geue iudgemẽt of death, agaynst such person so found gilty & repried as ỹ same Justices before whom such person or persons was or were found giltie myght haue ben if their cõmission of gaole delinery had remained & continued in full force & strength. And ouer that, ỹ noe maner of proces, or suit made, sued or had before any Justices of assise of gaole delinery, Oyer & terminer, Justice of peace, or other of the kinges commissioners, shal not in any wise be discontinued by the making & publishyng of any new commission or assotiatiõ, or by altering of the names of the Justices of assise, gaole delinery, Oyer & determiner, Justice of peace or other ỹ kynges commissioners but ỹ the newe Justices of assise, gaole delinery and of the peace, & other commissioners, may procede in euery behalfe, as if the olde commissions, & Justices, and commissioners had still remayned and contynued not altered. An. 1. E. 6. cap. 7.

Treason
Murder
Felony

Reprine

Letters P.

Judgemẽt

Proces

Just. p.

No discontinue

Altering

## ¶ Dispensation.

Vuls

Rome

Voyd

BE it enacted by auctoritie of thys present parliament, that all bulles, breues, faculties, and dispensations, of what names, natures, or qualities soeuer they bee of, heretofore had or obtained of the bishop of Roome, or of any his predecessours, or by the auctoritie of the see of Roome, by or to any subiects resiants or bodies politique or corporate, of or in this realme, or of or in anie other the kynges dominyons, shal from henceforth be clerely voyd & of no value, force, strength nor vertue, & shal neuer hereafter be vsed, admitted, allowed, pleaded or alledged in any places or courtes of this realme, or of any other ỹ kings dominiõs, vpon the paynes conteined in the statute of prouision and premunire, made in the xvi. yeare of the raigne of kynge Richarde the second. Yet not withstandinge, at the most humble peticion & intercessiõ of the lordes spiritual and temporall, & the cõmons in this present parliamẽt assembled, it may please the kings matie of hys most gracious benignitie, goodnes and blessed disposition, that it may be enacted by auctoritie of thys

perlia-

Mariages

parliament, that all mariages had and solempnized wthin this realme, or in any other the kings dominyons, before ẏ third day of Nouẽber, in ẏ xxj. yere of ẏ kings most gratious raign, wher of there is no deuorce or seperation had by ẏ ecclesiastical lawes at this realme, & which mariages be not prohibited by Gods lawes, limitted and declared in the act made in this present parliamẽt for the stablishment of the kinges succession, or otherwise by holy scripture, shalbee by auctoritie of thys present parliament, good, lawfull and effectuall, and shalbe from the beginnyng of such mariages, reputed, estemed, takẽ, adiudged, receiued, approued, & allowed by ẏ auctority of this psẽt pliament to all & singuler purposes, effects, and intents, as good, as sufficiẽt, & as payable as though no impediment of matrimony had euer been betweene thẽ, that haue contracted & solẽpnized such mariages. And that all chyldren procreated, & to bee procreated in & vnder such mariages shalbe lawfull to all intents & purposes. And that it may bee also enacted by the auctoritie of this psent parliament, ẏ all Archbishops & Bishops of this realme or of any the kyngs dominions consecrated, and at this psent time taken & reputed for Archbyshops and Byshops, may by auctoritie of this psẽt parliament, & not by vertue of any prouision or other forayne auctoritie, licence, facultie, or dispẽsation, kepe, enioy, & retaine their Archbishoprickes and Bishoprickes in as large & ãple manner, as if they had ben promoted, elected, confirmed & cõsecrated, according to ẏ due course of ẏ lawes of this realme. And that euerie Archbyshop & Byshop of thys realme & of other the kynges dominions may minister, vse and exercise al and euerie thyng and thynges pertelnyng to the office or order of an Archbishop & Byshop, with all tokens, enlignes & ceremonies thereunto lawfully belõging. And that all ecclesiasticall persones of the kynges Realme and dominions, which at this time bee taken, had & reputed for Abbots, Priours, Abbesses, Prioresses, & other heads of religyon (which be not, nother shalbe excluded from their dignities by the late act of suppression) and the religious persons liuing vnder their obedience, and al persones nowe taken & reputed as masters, presidentes, prouostes, and wardeins of Cathedrall churches and colledges, with the companies & felowships of the same, al priestes & clerkes which haue receiued any of the ecclesiastical orders, all Archedeacons and deanes, and others hauing offices, cures & dignityes spirituall may by auctoritie of this act, and not by the vertue of any forein power or auctoritie, administer, vse, and exercise all things perteining to their dignities, offices, orders, cures, religions, & fellowships, and may lawfully hereafter vse all tokens, inlignes and ceremonies, which they haue been accustomed to vse in times past (so it bee not expressely against ẏ lawes of God & this realme) any thing or things cõteined in any act or actes made sithen the beginnyng of this present parliament to the contrarie of anie the premysses, in anie wise notwithstanding. And where diuers & many of the kings said subiectes haue purchased and obtayned many dispensations, bulles, breues and facultes, of the Byshop of Roome for ẏ time beig or by auctoritie of ẏ see of Roome, as pluralities, vniõs, trialities, appropriations, commendations, exemptions & other bulles, breues, and faculties, for diuers causes & matters, other thẽ bee afore expressed, which bee of no strẽgth or vertue: It may therefore please the kings maiesty, that it may be enacted by auctority aforesaid, that al & euery his said subiects during the time of one whole yeare nexte after the feast of saynt Michael the Archaungell nexte comming, may enioy, vse, and haue by auctoritie of this present act, and not

Religeous Abbots

Masters of colledges

Priests

Archdeõs Deenes

Ceremonies

Faculties Rome

Pluralities

Childzen

Legitimate

Archbishops Bishops

Consecrated

Deuorce

by the vertue of the said bulles, breues and faculties, all and euery the effects conteyned and specified in such bulles, breues, and faculties, in all such cases only as may be dispensed with, by the Archbishop of Cauterbury, by auctoritie of ẏ lawes & statuts of this realm, And that it may be further enacted by auctority aforesaid, that all & euery ẏ kings said subiects bringing, rendring & deliuering to such persons of his counsel, or of the masters of his chauncerie as the kinges highnes shal name and appoint, any bulls, breues, or any other faculties, concerning any the premisses, that then if it shall appeare to such persons as the kings highnes shall so name & appoynt to receiue such bulles, faculties & breues, after due examynation therof had, that the effects conteined & specified in such bulls, faculties, & breues, or in any part thereof, may be lawfully graunted by the said Archbyshop of Caunterbury by auctoritie of ẏ lawes & statuts of this realme, ẏ then and in euery such case the kinges sayd subiects, making humble suit to haue the effects conteyned in the sayd bulls, breues & faculties, to be graunted vnto them, shal haue, receiue & obtain of the Chauncellour of England, or keeper of the great seal for the time being, by sufficient writing in due forme to be made and to bee sealed vnder the kings great seale, al and euery such effects conteyned and specified in such bulls, breues & faculties as may be lawfully graunted by the said Archbishop of Caunterburie, by auctority of the lawes and statutes of this realme, paying onely for the sealing of euery such writting. xx.s. iiij.d. and ouer that for the reasonable costes for paines of the writting therof iij.s.iiij.d. & not aboue, & for the paine taken for due examination of euery such bulles, breues, & faculties. iij.s.iiij.d. & not aboue. And that this present acte shalbe sufficient & immediate warrant to the chancellor or keeper of the great seale, for thensealyng and deliuerie of such licences, faculties, dispensations, & other writtings, which shalbe made, grãted & sealed vnder the kings great seale by vertue & auctority of this act. And it is also enacted by auctoritie aforesaid, that al and euery such licence dispẽsation, facultie, confirmation or other writing to be had, made or granted vnder the kinges great seale out of the said court of Chauncery by auctority of this acte, in forme as is aboue rehersed, shalbe good and effectual to ẏ sayd parties suyng for the same, according to the tenour and effects therof, and shalbe admitted, accepted and allowed in al courts & places of this realm and in al other the kinges dominions, any vsage, prescription, forayn lawes, customes or ordinance to the contrary thereof notwithstanding. An. 28. H. 8. capitulo. 16.

Dispensee Archb. of Canter.

Councel M. of the Chauncery

Suit

Chancelor

Sealing xx.s.

writting iij.s.iiij.d.

Warrant

Licence

¶ *Distresses.*

WHereas at the time of a commotion late stirred vp within this realm, & also sithence many great mẽ and diuers other refusing to be iustified by the king and hys court, like as they ought and were wont in the tyme of the kynges noble progenitours, and also in his time, but toke great pumyshementes and distresses of their neyghbours and of other, vntill they had amendes and fynes at their owne pleasure. And further some of thẽ would not be iustified by the kinges officers, nor would not suffer them to make deliuery of such distresses as they had takẽ of their owne auctoritie: It is prouided, agreed and graunted, that al persones, aswell of high as of lowe estate, shall receiue iustice in the kynges court: And none from henceforth shal take ante such distresse of hys own auctoritie, without award of our court, though hee haue dammage or iniurie, whereby he ought to haue amendes of hys neyghbour other higher or lower. And vppon the foresayd artycle it is prouyded and graunted, that if ante from

Commotion

Iustice

from henceforth take ſuch diſtreſſes of his owne auctho|rity, without awarde of our court (as beefore is ſayd) and be conuict therof, hee ſhalbe puniſhed by fine, and that accor|ding to the treſpas. And likewiſe if one neighbour take a diſtreſſe of an other wythout awarde of our court, whereby hee hath dam|mage, hee ſhalbe puniſhed in the ſame wiſe, and that after the quantitie of the treſpas. And neuertheles ſufficient & full amendes ſhalbee made to them ẏ haue ſuſteyned loſſe by ſuch diſtreſſes. Marlb. ca. 1. An. 52. H. 3.

Puniſhed Fine

2 ¶ Moreouer none (of what eſtate ſoeuer he be) ſhal diſtreigne any to cõe to his court, which is not of his fee, or vpon whom he hath no iuriſdiction by reaſon of his hundred or baliwike, nor ſhal take no diſtreſſes out of the fee or place where he hath no baliwyke nor iuriſdiction. And hee that offendeth a|gainſt this ſtatut, ſhalbee puniſhed in like maner, and that accor|ding to the quantitie of the treſpas. Marlb. cap. 2. An, 52. H. 3.

Court

Puniſh

3 ¶ If any of what eſtate ſoeuer he be wil not ſuffer ſuch diſtreſſes, as hee hath take, to be deliuered by the kinges officers, after the lawe & cuſtome of ẏ Realme, or will not ſuffer ſomons, at tachments, or executiõs of iudgments geeuen in the kinges court to be done, he ſhalbe puniſhed in maner aforeſaid as one that wyll not obeye the lawe. And if any, of what eſtate ſo euer hee bee, diſtraigne his tenaunt for ſeruices & cuſtomes, being due vnto him, or for any other thing, whereby the lord of ẏ fee hath cauſe to diſtraigne, and after it is founde, that the ſame ſeruices are not due, the lord ſhall not therfore bee puniſhed by fine, as in the caſes afore|ſaid, if he do ſuffer the diſtreſſes to bee deliuered accordinge to the lawe & cuſ|tome of the Realm, but ſhalbee amer|ced, as hitherto hath beene vſed, and the tenant ſhal recouer his dammages againſt him. Marlb. capitulo. 3. Anno 52. H. 3.

Officers

Amerce Damages

4 ¶ None from henceforth ſhall cauſe any diſtres that he hath taken to bee driuen out of the countie where it was taken, and if any neighbour do ſo to an other of his owne auctho|ritie and without iudgement, he ſhal make fine (as aboue is ſayd) as for a thinge done againſt the peace. Neuertheleſſe if the Lord preſume ſo to doe againſt his te|nant, he ſhalbe greeuouſly puniſhed by amercyament. Moreouer the diſtreſſes ſhalbee reaſonable, and not to great. And he that taketh great and vnreaſo|nable diſtreſſes ſhal bee greeuouſly a merced for the exceſſe of ſuch diſtreſſes Marlb. ca. 4. An. 52. H. 3.

Out of the County

Lord Puniſh

5 ¶ It ſhalbee lawfull to no man from henceforth for any manner of cauſe to take diſtreſſes out of hys fee, nor in the kinges highe way, nor in the common ſtrete, but onely to the kinge or hys officers, hauinge ſpecial aucthoritie to do the ſame, Marlb. ca. 15. An. 52. H. 3.

Out of his fee Highway

6 ¶ In right of that that dyuers per|ſons take and cauſe to be taken ẏ beaſ|tes of other, chaſinge them out of the ſhere where ẏ beaſtes were taken: It is prouided alſo, that if any frõhence forth do ſo, and if any do, he ſhal make a greeuous fyne, as is conteined in the ſtatute of Marlebrege, made in the time of king Henry, father to ẏ kinge that nowe is. And likewiſe it ſhalbee done to thẽ which take beaſts wrong|fully, and diſtraine out of their fee, and ſhalbe more greeuouſly puniſhed if the maker of the treſpas do ſo require, W. 1. ca. 16. An. 3. E. 1.

Out of the ſhire

7 ¶ It is prouided that if any from henceforth take the beaſtes of other, & cauſe them to bee driuen into a Caſtell or foꝛtreſſe, and there within the cloſe of ſuch caſtel or foꝛtreſſe, do withholde them againſt gage & pledges, where|upon the beaſtes be ſolemply demaun|ded by the ſhirife, or by ſome other bay lyfe of the kinges at the ſuite of ẏ plain tife, and the ſame Sherife or Baylife takinge with him the power of ẏ ſhire or

Caſtell Foꝛtreſſe

Demaund

Shirife Baylife

Plenis

or bailiwike dode assaie to make plevin of the beastes from him that toke thē, or from his lorde, or from other beinge seruaunts of the lord (what soeuer they bee) that are founde in the place whervnto the beastes were inchased: if anie before him of the deliueraunce of the beastes, or that no man bee founde for the lord or for him that toke them, for to awnswere and make the deliuerance after suche tyme as the Lorde or taker shall bee admonished to make delyueraunce by the shirife or Bailife, if hee bee in the countrey, or neere, or there wher as he may be conueniently warned by the taker, or by any other of his to make deliuerance, if hee were out of the countrey when the taking was, & dit not cause the beastes to bee delinered incontinent: then the kinge for the trespas and dispite shal cause the sayd castel or fortresse to be beaten down wout recouere: And all the dammages that the plaintife hath sustained in hys beasts, or in his gainure, or anie other wise (after the first demaund made by the Shirife or Bailife for the beastes) shall bee restored to him double by the lord, or by him that toke the beastes, if hee haue whereof, and if hee haue not wherof he shal haue it of ẏ lord at what time or in what maner the deliuerance be made after that the sherife or Bailife shal come to make deliueraunce.

Gastell Beaten downs

Deliuerace

And it is to wete, that wher ẏ sherife ought to retourne the kinges writte to the bailif of the lord of the castel or fortres, or to any other, to whom the retourne belongeth, if the Baylife of the fraunchise wil not make deliueraunce after that the Sherife hath made hys retourne vnto him, then shal ẏ sherife execute and do his office without further delaie, and vppon the forsaid pain notwithstandinge any such libertie.

Retvrne writt

Bailike

Payne Libertie

And if that bee done in the marches of wales, or in any other place, wher the kinges writtes be not currant, ẏ king, which is chirfe and soueraigne lord ouer al, shal doe right therevnto such as wil complaine. Wi. 1, cap. 17. An. 3. E. 1.

Marches

8 ¶ It is prouided that no distres shal be take, but by bailifs sworne & knowē And if they take distresses otherwise, & therunto be conuict, if the parties greued wil purchase a writ of trespas, they shalbe restored to their damages, & bee greuously punished towards the king. Wi. 2. ca. 36. An. 13. E. 1.

Bailife sworne Conuict writt

9 ¶ Also the kings officers, as sheriffes and other doe entre spirituall fees to take distresses, and sometime they take ẏ persons beastes in ẏ kings high way, wher they haue nothing but their glebe land. The awnsvvere. The kings pleasure is that from henceforth suche distresses shal neither bee taken in the kinges high way nor in the fees where with churches hath bene indowed, nevertheles he willeth distresses to be taken in possessions of the church newly purchased by ẏ person. Articuli Cleri. ca. 9. An. 9. E. 2.

Officers Shirifes

Spiritual fees.

10 ¶ For almuch as the comunaltie of the Realm hath sustained great losse & damage by wrongfull takinge of distresses, which haue ben made by Shirifes & by other the kinges Baylyfes for the kinges debt, or for any other cause. It is therfore prouided and ordained, that when a Sherife or anie other man doth take the beastes of other, they to whom the beastes doe be longe, maye geeue them their feeding without disturbaunce (so longe as they bee impounded) without geeuinge any thing for their keepinge. And that the beastes nor no other distresse take for the kings debt, nor for any other cause, bee geuen ne solde within xb. dnies after the taking, and if any bring a tayle of a payment made in the eschequer, ẏ distresse shal cease. And if he bring the tayle of any shirife or Bailife, of payment made to them of the thinge demaunded, and will finde pledges that he appere in the eschequer, vppon the next accompt to doe as right shall require, then the distres shall cease. And the

Shirifes Debt to the king

Impound

Tayle Eschequer Shirife Bailife Suerties Accompt

the sherife or bailife shal cause him to be attached that ought to haue acquited him, that he appeare vpō the same accompt to do as right shal require, & there shal haue the names of the pledges. yet it is prouided ỳ no man of religion, nor other shal bee distreined by his beastes that gaine his land, nor by his shepe for the kings debt, nor for anie other man, except they can finde no other distresse or cattalles sufficiēt wherof they may leuy the debt, or ỳ is sufficient for the demaund, except impoundinge of beastes that a man fyndeth in his ground dammage feasant after the vse and custome of the Realme. And that such distresses bee reasonable after the value of the debte or demaunde, and after conuenient estimation and not outrageous, howe bee it the kinge willeth and commaundeth that Sherifs or their Bailifes, ỳ haue receiued the kinges debt of the somons of the eschequer, and haue not acquited the debtours thereof at the nexte accompt shal be punished after ỳ statuts made therevppon, and the kinge wylleth that al debtes of somons of the eschequer ỳ the sherife or Bailife confesseth receipt shall be allowed him forthwith: so that whether he receiued al ỳ debt or part, it shall neuer come more in demaunde nor somons after the shirife hath confessed the payment. An. 51. H. 3.

Attach

Religious
Plough beasts
Sheepe

Impound
Damage feasant

Punish

II ¶ No distresse of cattel shalbe driuen out of the hundred, rape, wapentake, or lath where such distresse is or shalbe take, except it be to a pound ouert win the said shire not aboue three miles distant from the place wher ỳ said distresse is taken. And that no cattell or other goods distreigned or taken by way of distres for any maner of cause at one time shalbe impounded in seueral places whereby ỳ owner or owners of such distresse shalbee constrained to sue seueral replenies for ỳ deliuery of ỳ said distres so taken at one time, vpon pein euery person offending contrarye to this act shal forfait to the party greeued for euery such offence one hundred shillinges, and treble damages. And further bee it &c. that after ỳ sayd first day of April no person or persones shall take for keping in pound, impounding, or poundage of any maner of distresse aboue ỳ some of iiii. d. for any whole distresse that shalbe so impounded, and where lesse hath ben vsed, their to take lesse vppon the paine of v. pound to bee paid to the party greeued, ouer & besids such money as he shal take aboue the sume of iiii. d. any vsage or prescripcion to ỳ contrary in anywise notwithstanding. And it is &c. that euery sherife of shires being no cities nor townes made shires shall at his first county daye, or within two months next after he hath receiued his patent of his office of shirifewik, depute, appoint & proclaime in ỳ shere town win his bailiwik iiii. deputies at the least, dwellinge not aboue xii. miles one distaunt from another which said deputies so appointed and proclaimed, shal haue auctheritie in the shirifes name to make replenies and deliueraunce of such distresses, in such maner & forme as the sherife maye or ought to doe, vpon pain that euery shirife for euery moneth that he shal lacke such deputy or deputies shal forfait for euery such offence v. li. the one halfe of which forfaitures shalbe to the king &c. the other half to him that will sue &c. in which &c. An. 1. & 2. P. & M. ca. 12.

Hundred
Rape
Wapentake
Pound ouert iij. miles

Seueral pounds
Replenies

Fork.

3. damages

Poundage

Paine

Shirife

County day

Deputies

Replenies

Fork.
Hoūse

## ¶ *Douer.*

THe Constable of ỳ castle of Douer shal not from henceforth hold any plea of a forreine coūty, win the castle gate, except it touch ỳ kepig of ỳ castle, nor ỳ said Constable shal not distraine the inhabitaunts of ỳ v. ports to pleade any other where nor otherwise, then they ought after ỳ forme of their chartour obteined of kings, for their old frāchises confirmed by ỳ great chartors. Articuli super chartas, cap. 7. An. 28, Ed. 1.

Constable

Plea
Castell

Distreine v. ports

Frāchises

2 ¶ An.

Castelward Rents

2 ¶ Ann. 32. H. 8. cap. 48. it is enacted, that the tenauntes of the castell of dower, that hold by castel ward, shal pay their rents at the eschequer yerely at the feast of saint Simon and Jude or within 15. dayes after, and for defaut therof to double the rest, And that they that hold to repaire houses within that castel shall perfourme the same, and if the landes come into the kings handes, the rent of castel gard to be discharged, And the Constable of the Castell to haue yerely £li. paied at Canterburie at the dore of the carmon hal there. And the said constable, the wardens of the v. ports to survey and controll al ỹ newe castelles and fortresses in Kent & Sussex, and to reforme the faults there &c. An. 32. H. 8. 48.

Repaire

Canterbury

Warden of v. ports Survey

¶ *Dower.*

Widowes

FIrst of widowes, which after the death of their husbãds, are defforced of their dowers, ỹ may not haue their dowers or quarentine with out plea, wee will that whosoeuer defforce them of theire dowers or quarentine in the lands whereof their husbands died seased, and that the same widowes haue recouered after by plea, they that bee conuict of such wrongfull defforcement shal yelde dammages to the same widowes, that is to say, the value of the whole dower to them belonging, from the tyme of the death of their husbandes vnto the day ỹ the said widowes by iudgemẽt of our court haue recouered seasion of theire dowers, and the defforcers neuertheles shalbe amerced at the kinges pleasure. Herton ca. 1. See the like statut. in Part. Women. 1.

Quarentin

Seased

Conuict Damages

Amerce

Writt

2 ¶ In a writt of dower called (Vnde nihil habet) the writte shall not abate by the exception of the tenant because she hath receiued her dower of an other man before her writ purchased, vnlesse he can shewe, that shee hath receiued parte of her dower of him selfe, and in the same Towne, before the writ purchased. Wil. 1. capit. 48. An. 3. E. 1.

3 ¶ In case where the husband being impleded for land, geuing vp the land demaunded vnto his aduersary by coun after the death of the husbãd; the Iusticers shal awarde the wyfe of her dower, if shee demaund it by writ. But in case where the husband leeseth it by defaute the lande beeinge in demaund, and the wife after the death of her husbande, demaundeth her dower, it hath beene seene that some Iusticers haue awarded vnto the woman her dower notwithstandinge the default which her husbande made, other Iusticers beeing of the contrarie opinion, and iudginge otherwyse. To the intent that from henceforth such ambiguitie shalbe taken away and put in certaine: It is prouided, that in both cases, the woman demaundinge her dower shalbee heard. And if it be alleged against her, that her husbande lost the land, whereof the dower is demaunded by iudgment, whereby she ought not to haue dower, and then it bee inquired by what iudgement, and it be found that it was by defaut vnto the tenaunt must answere: then it behoueth him to answere further, and to shewe that hee had rightes, and hath in the forsayd lande according to the fourme of the writ, that the tenant before purchased against the husband. And if hee cannot shewe, that the husbande of such wife had no right in the lands, nor none other but hee, the tenaunt shal be quite, and the wife shal recouer naught of her dower, which thing if he can not shewe, the wife shal recouer her dower. And so in these cases, and in certaine other folowinge, ỹ is to saye, when the wife beeinge indowed leeseth her dower by defaut, & tenants in free mariage, by the law of Englande, or for terme of life, or in fee taile, diuers actions doe concurre for such tenãts, when they must demaũd the lande lost by defaute: And when it

Iustices writt

Defaut

Right

Frankmariage

it is come to that point ẏ ẏ tenãt must bee compelled to shewe his right, for as muche as the lawe will not compel them to make aunswere with out thẽ to whom the reuercion belongeth: therfore they are suffered to vouche to warrantie accordinge to the tenour of the writte, as if they were tenaunts. And if they haue a warrantie, when ẏ warrantour hath warranted, the plea shall passe betwene him that is seysed and the warrantour according to the tenor of the writte, that the tenaunt purchased before, and by which hee recouered by defaut, and so from many accions at length they shal resorte to one iudgment, which is this, that either the demandaũts shal recouer their demaund or the tenaunts shall goe quite. And if the accion of such a tenaunt, which is compelled to shew his right be moued by a writt of right, though ẏ the greate assise or battayle can not be feigned by the wordes accustomed, yet it shalbee feygned by wordes conuenient & vsed, for when ẏ tenant in ẏ that he sheweth his right which belongeth to hym by the writte that hee before purchased in steede of a demaundaunt, the warrantour maye well defende the right of the tenant, which commeth in place of the demandant as before is said and alledge the seisin of his auncestour, & to defende it by the body of a freeman or put him selfe in the greate assise, & praye recognisaunce to bee made therof whether hee hath more righte to the land being in demaunde, or else ẏ party beefore named, or it may bee ioined otherwise by the great assise: and so ẏ warrantour may defende the ryghte, and knowleged the seisin of his auncestour, and put him selfe in the greate assise &c. and praie recognisance to bee made, whether hee hath more right in the forsaid land, as in that whereof hee infeoffed such a man, or that such a one released and quited clayme, &c. or else the aforesaid partie &c. And where sometime it chaunceth that a woman which is not endowed of the land of an heire beeing within age, doth purchase a writ of dower against a gardeine, & the gardein endoweth the land by fauour, or maketh default, or by collusion defendethe the plea so faintlye, whereby the wife is awarded her dower in preiudice of the heire: It is prouided, that the heire, when hee cometh to full age, shall haue an accion to demaund ẏ seisin of his auncestor against his wife like as he should haue against any other defendour. Prouided alwais ẏ the wife shal haue her exception saued against the demaundaunt, to shew that she had right to her dower, which if shee can shewe, shee shal goe quyte and retaine her dower, and the heire shalbee greeuously amerced, according to the discretion of the Justicers. And if not, the heir shal recouer his demaũd &c. In like manner the wyfe shalbee ayded, if the heire or any other do impleade her for her dower, and if shee lese her dower by defaut, in which case ẏ defaut shal not be so preiudicial to her but that shee shall recouer her dower, if shee haue right thereto, and shee shal haue this writ.

Vouch warrantie
Judgemẽt
Accion
Graund aff.
Auncestor
Woman
Gardein
Defaut
Collusion
Heire
Accion
Seisin
Exception
Amerce

Precipe A. quod iuste. &c. reddat B. que fuit vxor F. tantam terram cum pertinenciis in C. quam clamat esse rationabilem dotem suam, vel de rationabili dote sua, & quod prædictus A. ei deforceat, &c. And to this writ the tenaunt shal haue his exception, for to shewe that shee had no right to bee endowed, which if hee can verifie he shal goe quite, and if not, the wife shal recouer the lande whereof shee was endowed beefore: And where as beefore time if a man had lost his lande by defaut, he had none other recouery then by a writte of righte, which was not maintenable by any that coulde not claime of mere right, neither of tenãts for terme of life, in free mariage, nor in taile, in which estates a reuersion is reserued: it is prouided, that from hẽce forth their default shal not bee preiudiciall

Exception

Defaut

Frankmariage

cial but that they may recouer their estate by an other writte, then by a writ of right, if they haue right. For lande in frée mariage lost by defaute, such a writte shalbee made. Precipe A. quod iuste, &c. reddat B. manerium de D. cũ pertinentiis quod clamat, esse ius et maritagium suum, & predictus A. ei deforceat. Likewise of land for terme of lyfe lost by defaute, this writte shalbee made.

Precipe A. quod iuste, &c. reddat B. manerium de D. cum pertinẽtijs, quod clamat tenere ad terminum vite sue, et quod predictus A. ei deforceat. Lykewise quod clamat teneri sibi, & heredib⁹ de corpore suo legittime procreatis, et quod p̃dictus A. ei deforceat. Westmunster, 2. capitulo. 4. Ann. 13. Edwardi. I.

4 ¶ See raps 2. how a wife shall lose her dower for goinge away with her adulterer.

Adulterie

5 ¶ De forfaitur. 5. concerning dower by the custome of Kent.

6 ¶ Albeit any person or personnes of what estate, condition, or degrée, he or they be, shal hereafter fortune to bee attainted, conuicted, or outlawed of anie treason, petit treason imputation of treason, murder, or felony whatsoeuer, yet that notwithstanding, euery woman, that is or shal fortune to bee wife of ỳ person so attainted, conuicted, or outlawed, shalbee endowable and enable to demaund, haue, & enioy her dower, in like maner & forme, as though her husband had not ben attainted, conuicted, or outlawed, any statute, lawe, vsage or custome to the contrary in any wise not withstanding. Sauing to al & euery other person or persons, bodyes politike and corporat, theire heirs and successours, & to euery of them, other then to such offendour & offendours as shalbe attainted, cõuicted, or outlawed, al such right title, interest, enter, leases, possession, cõdicion, profite, commoditie and hereditaments, as they or any of them han, or should, or of right ought to haue before or at ỳ time of ỳ said attainder, conuictiõ, or outlagary, Anno primo Edwardi sexti Capitulo secundo.

Attaint
Outlawed
Treason
Murder
Felony

Leases

He treason 10. this last act altered in parte.

¶ *Draperie.*

ALL clothes in such places wher they shal be put to land, shalbee measured by the kings alnegeours in the presence of the Maire, & Baylifes where there is a Maire, and where no Maire is in presence of the Bailifes of ỳ same places, that is to say: ỳ length of euery cloth of ray, by a line of seuen yardes sowre times measured by the lysle, & the brede of euery ray cloth vi. quarters of measure by the yarde. And of coloured clothes the Length shalbee measured by the backe by a line of vi. yards and an halfe. iiii. times measured, and the breade vi. quarters and an halfe measured by the yarde without desoylinge the clothes. And that the Maire and bailifes where a Maire is, or the bailifes wher no Maire is, of ỳ towns or places wher such clothes shal come, shal be redy to make proffe what time they shal bee required by the meater, without takinge any thinge of ỳ marchaunts. And clothes which bee of the said assise, shall bee marked by ỳ Maire and bailifes where a maire is or by the Bailifes where there is no Maire as wel as by the aulnegeour. And that all the clothes which shal bee found defectiue of the same assise, shalbe forfait to the kinge and preised at theire true value in the presence of the sayd Maire & bailifes. And to remaine with ỳ aulnegeours by indẽture betwirt them to aunswere to the kinge of the said clothes so forfaite. And that the Maire & Baylifes shal deliuer the indentures made of suche clothes forfayte euerie yeare into the eschequer the morowe after the feast of Saint Michael, for to charge the sayd aulnegeour. And at the

Clothes
Measure
Inegeours
Maiors
Bailife
Length
Breedth
Marke
Defectius
Fors.
Indenture
Eschequer

the same tyme shal the aulnegeour be put to aunswere at the eschequer of the sayd forfaitures. It is the kings mind and his counsailes that this act shal extende to such clothes as shal come into the land after the feast of saint Michel. And this act shalbe published and proclaimed throughout the Realme, so that no marchaunt priuey nor straunger shal bee supprised by this statute. Anno secundo Edwardi tertij Capitulo decimo quarto.

Merchant

2 ¶And that in the sayd lands of England, Ireland, Wales, and Scotland within the kinges power, a man may make the clothes as longe and as short as a man wyl. Anno. 11. E. 3. capitulo. 2.

Ireland Wales Scotland

3 ¶Item it is accorded and stablished, ỳ no marchant forein nor denizen, nor none other, after the said feast of Saint Michel, shall bring or cause to be brought priuely nor appertly, by him selfe nor by other into ỳ said lands of England, Ireland, Wales, and Scotlande within the kinges power, any clothes made in any other places, then in the same, vppon the forfaiture of the sayd clothes, and further to bee punished at the kinges wyll. Ann. 11. E. 3. cap. 3.

Merchant Denizen

Clothes Forf.

4 ¶Al the clothworkers of strange landes of what soeuer countrey they be which wil come into Englande, Irelande, Wales, and Scotlande with ỳ kinges power, shall come safely & surely, and shalbee in the kinges protection and saufeconduite, to dwell in the same landes chosing where they will. And to the entent the sayd clothworkers shal haue the greater wil to come and dwel here: Our soueraigne lord ỳ kinge wil graunt them fraunchises as many, and such as may suffise them, Anno vndecimo Edwardi tertii capitulo quinto.

Clothworkers Ireland Wales Scotland

Safeconduit

Franchises

5 ¶It is accorded and assented in the parliament, that all maner of clothes vendible, which shalbe sold whole clothes in England, in whole hands of the marchaunts of the Realme of England, or other of the same Realm, they be found, shalbe measured by the kinges aulnegiour and hys deputies in all Cities Boroughes & other townes within fraunchises or without, as wel in the Citie of London as elsewhere. And that al the clothes which shalbe founde of lesse measure by a yard, the of the assise conteined in the statute of Northãpton, by which it is ordeined that the length of euery clothe of raye, shall bee measured by a lyne of seuen yardes fower tymes measured by the liste. And the breade of euery cloth of raye fire quarters of the measure by the yarde, and of couloured clothes the length shall be measured by the backe by a lyne of fire yardes and a halfe, fower tymes measured, and ỳ breade fire quarters and a halfe measured by the yarde, without defoslinge the clothes, shal bee forfaited and arested to the kinge. And that the aulnegeour delyuer the same to the kinges wardrope by indenture, notwithstanding anye fraunchise, vsage, or priuiledge made to the Cyties Boroughes, or to any persoune of the Realme of Englande to the contrarye. And the kinges Aulnegeour shall bee sworne to dooe hys office well and lawfully. And in case hee thereof bee founde in defaulte, and thereof bee attainted before the keepers of the fayres, and Maires, and Bayliffes of the places where the cloth shalbee bought or beefore anie other, whom our soueraigne Lorde the kinge shal thereto assigne, shall haue Imprisonment for one yeare, and raunsomed at ỳ kinges wyl, and put out of his office for euer. And the Aulnegeour shall aunswere as well for hys deputies as for hym selfe. And also it is accorded and stablished, that euerie buyer of cloth or other that wyll sue, and affirme that the sayd Aulnegeour hath done anie fraud or deceipt in hys office, & falsitie bee

Merchants

Aulnegeour

London

Forf.

wardrope Indenture

Sworne

Attaint Faires

Maior Bailife

Imprison Raunsome Losse of office

Deputis

Moitie

bee notoriously proued and knowen at his suite, shall haue the one halfe. And that euerie buyar of such cloth, after that hee hath agreed of the price with ỳ seller, may freely measure the cloth at hys will, to assaie if it bee of the assise or not, beefore that hee hath payed his money, although the aulnegeours seale bee put to the same. And if the buyar

Defaut

find any defaulte after the buying, hee shal shew the same default to ỳ Maiers and bailifes of the place, or to ỳ keepers of the faire or market, & if defaulte bee found notoriously before them, ỳ cloth

Forf.

shalbe forfaite to the kinge, and seiled in the kings hands by the said Maires and Bailifes, or keepers of the faire or market, and shall remaine in theire custody, and the said Maires and Baylifes or keepers, shal certifie to ỳ chaũceller, of the same forfaiture, at ỳ suite of the buyer or of other, which will sue without any thing taking of him. And

Chauncelor

the Chauncellour in this certificatyon shal sende a writte to the said Maire & Bailifes or keepers to delyuer to him,

Moitie

which so hath sued the one halfe of the forfaiture, and to saue the other halfe to the kinges vse. And if the Maire bailifes or keepers

Refuse

Punith

refuse to doe execution of this accord, in the manner aforesaid, they shall be punished by fine & raunsome when they shalbee therof attainted, as wel at the kinges suit as the parties. And that this article beginne to holde place the first day of September

Merchants

nert cõminge, so that the marchaunts and other which haue clothes to sell, maye freely delyuer them of the clothes that they haue in theire handes in the same tyme. Ann. 25. Edwardi. 3. statut. 4.

6 ¶ There shalbee no clothes forfaite, although they bee not of ỳ same assise, but the kinges aulnegeour shall

Aulnegeour

measure the cloth and marke the same

Marke Content

by which marke a man maye knowe how much the cloth conteineth. And of as much as ỳ cloth, which is bought for cloth of assise, shalbe founde to bee lesse then the assise, allowãce or abatement shal be made to the buyer in the payment, which hee shal make for the same cloth after the quantitie of ỳ price for which ỳ cloth was bought, and the aulnegeour shall take for euery cloth so measured, which is of assise, that is to say, of the seller an halfepeny, and of halfe a cloth a farthing, for his office & no more, nor they shal take nothing of the clothes which bee lesse then of the halfe cloth (And for this a subsidie was graunted vppon euery cloth as appeareth at large) And that such manner of clothes which bee put to sale before ỳ they bee sealed with the said seale, shal be forfait to the kinge, and taken into his hãd by the said collectour or aulnegeour, or by the deputie of one of them or else by ỳ bailifes of the towne where such cloth vendible not sealed shalbee founde, Anno. 27. E. 3. capitulo- 4. statut. 1.

Abatment

Forf.

Subsidie

Seale Forf.

7 ¶ That al the makers of clothes within the Realm, aswell men as women, shal confirme thẽ to make theire clothes accordinge to the price limit by this ordinaunce. And that all the drapers shal buye and puruey their sortes accordinge to the same price, So that so great plentie of such clothes be made and set to sale in euery cytie, borough & marchaunt towne and else wher within the Realme, that for defaut of such clothes the said ordinãce be in no point broken. And to that shal the said clothmakers and drapers be constrained by any manner way that best shal seeme to the king and hys councell, An. 37. Edwardi. 3. cap. 15. See the prices in this statut.

Clothiers

Price

8 ¶ The clothes of Ray to be made in england shal haue ỳ length of xxviii. yardes measured by the lyst. And the bread of vi. quarters, and the clothe of colour, of the length of xxvi. yards measured by the backe and the breade of vi. quarters, at the least, and that the halfe clothe, bee it of colour or of raye, shall hold ỳ length and bread aforesaid after

Ray Content

the

the rate. And if any cloth be put to sale after the gule of August, that is not of ỹ said assise, it shalbe forfait to ỹ king, in whose hands soeuer it bee found, sauing the cloths which people make for their owne vse, or for their meynie, or to sell to poore people, which shal not be forfait, although they bee not of such measure. An. 47. E. 3. cap. 1. Forf.

9 ¶ No woollen clothes shalbe carryed into no party out of our realm of England, before they be sulled, nor that no subsidie be therof demaunded nor paid before ỹ they be sulled. An. 50. Ed. 3. capitulo. 7. Cary out Sulled Subsidie

10 ¶ No subsidie nor aulnage shall be payed, leuyed nor demaunded of cloths called frise ware, which bee made in Ireland, or otherwise in Englande of Irishe woll brought within the realm of England, because that those clothes do not conteyn the length & breade ordeined by the statut, & for so much they ought not to be cõpiled in the statuts late made of ray clothes and coloured clothes. An. 50. E. 3. cap. 8. Subsidie Aulnage Frize Irish wool

11 ¶ The statutes made of the sayd clothes before this time, & not repeled, be kept & duely put in execution. And more ouer it is assented, that if any the sayd aulnegeours, or collectours of the subsidie of the said clothes, do frõ hence forth set his seal to any such cloth so sowed in disceipt, the same cloth shalbee forfait to the king, in whose handes so euer it be found, & also the aulnegeour or collectour therof found guilty, shall forfait his office. And if he haue put the same seale to any other cloth vendable, that is not of the said assyse, ỹ same aulnegeour or collectour shal forfait to the king the valour of the same cloth so sealed in disceipt of the people, togeither wt his said office. And neuertheles for the sayd falsitie hee shall haue one yeares imprisonment, and thereof be raunsomed at the kinges will. An. 3. R. 2. ca. 2. Statut. 1. Aulnegers Collectors Seale Forf. Forf. office Forf. Imprison Raunsome

12 ¶ Vpon mischiefe, which dayly happeneth vpon ỹ falsitie & disceipt, which is found in clothes vendible as well coloured as ray clothes, against the assise therof ordeined before this time, it is ordeyned and assented, ỹ al the statuts therof made in tymes past, with the statutes made of aulnegeours and collectours of the subsidie of ỹ said cloths, be holden, kept & put in due & good execution: Joinyng to the same, that hee which from hence forth shall espie and proue default in any such cloth sett to sale, against the assise therof ordeined of the said clothes, and against ỹ forme of the said statutes, shall haue the third part of euery such clothe defectyue for his labour, by the deliuery of the Sheriffes, if they be present, or of the lords of the faires and markettes and other places, where such clothes shalbee solid defectus, or of their stewardes or bayliffs, or of the constables of the townes and places aforesaid by indenture beefuirt them duely to be made, which indentures shalbe euery yeare from the feast of saint Michaell deliuered to the eschequer, by them which so shal make the sayd deliuery to the effect there to charge the aulnegeours and collectors aforesayd, by whõ such defaults ought to haue ben serched, corrected & amended, and be not, but commonly maintened and concealed in all parties, for which third part that perteineth to the kyng, as his forfeyture: by force of the statutes made in times past, the aulnegeours and collectours aforesayd in euerie countie and place, where such clothes defectiue shall be found, for the peyne against the sayd offences & concealement shal make gree of their owne money to our soueraygne lord ỹ kyng in his eschequer of the valour of ỹ same third parte. So that as well of ỹ same third parte as of the remnaunt of the sayd clothe the kyng shall bee wholly answered at hys sayd eschequer. An. 7. R. 2. cap. 9. Defaut ith. part Shirifes L. of faires Markets Stewards Bailifs Constables Indenture Eschequer Aulnegers

13 ¶ Coloured clothes to bee made & wrought at Bustow, & in the counties thereabout shalbee of the measure: an Bustow

other tyme ordeyned by a statut made at Westminster the xlvi. yere of king Edward, Graundfather to our soueraigne Lord the king that now is, that is to say, ỳ clothes of raye of the length of xxviii. yardes measured by the lyst, and v. quarters of breadth, that the colored clothe be of xxvi. yardes of length measured by the backe, and vi. quarters of breadth at the least, and that the halfe cloth bee it of ray and colour, vpon the peyne conteyned in the same statute. Anno. 12. Richard. 2. capitulo 14.

Content

14 ¶ From henceforth it shall bee lawful to euery man to make such maner of clothes (cogware and kendal) of the length and breed as it hath ben vsed before this tyme, notwithstanding any statut made to the contrary. Prouided alwayes that the makers & wokers of such clothes shall not make thẽ of no better woll then they were wõt to do. And also it is assented, that all such clothes as be arrested by force or colour of the sayde statutes or anye of them, shalbee disarrested & redelyuered An. 13. R. 2. ca. 10.

Cogware
Kendall

15 ¶ No plaine clothe tucked nor fulled, shalbe set to sale within the sayde counties (Somerset, Dorchester, Bristow & Glocester) but that they be opened, vppon paine to forfait them, so ỳ the buyers may see them, and knowe them, as it is vsed in the county of Essex, and that the wokers, weuers and fullers, shall put to their seales to euerie cloth ỳ they shal work, vpon a certein pein to be limitted by ỳ iustices of the peace, & that this ordinãce beginne to hold place at the feast of saint John Baptist next following. Prouided alwaies that after ỳ ỳ marchaunts haue bought the same cloths for to cary thẽ out of the realme, they may take them & fold thẽ at their pleasure for ỳ more easier cariage of them. Ann. 14. R. 2. capitulo. 11.

Plaincloth
Forf.
Weuers
Fullers
Seales
Iustices
Marchants

16 ¶ No fuller nor other pson whatsoeuer he be shal buy wtin ỳ said towns and coũties any cloth, before the same cloth be fulled and fully performed in his nature, & also sealed vnder the seale therto ordeyned, vpon pain of forfayture of the same. An. 15. R. 2. ca. 10.

Fuller
Buy
Sealed

17 ¶ Euery man of the realme may make and putte to sale and sel clothes as well kerseis as other, of such length & brede as him please, paying the aulnage, subsidie and other duties, that is to say, of euery peece of cloth after the rate, notwithstanding any statute, ordinaunce, proclamation, restraint, or defence made to the contrarie. And ỳ none shal sell nor put to sale any cloths before ỳ they be measured by the kings aulneger, and sealed with the seale to ỳ ordeined, vpon the peines contcined in the statutes therof made, & that no mã shal put, meddle, cause, nor make other disceipt in the clothes of kerseys, vpon pain of forfaiture of the same. An. 17. R. 2. cap. 2.

Kerseys
Duities
Measure
Aulnegour
Sealed
Forf.

18 ¶ The sayd aulnage (s. of clothes throughout the realme) may be sett to farme by improuement after thaduice of the Treasourer of England for the time being, & of the Barons of the eschequer notwithstanding the said statute (s. 17. R. 2, cap. 5.) made to ỳ contrary. An. 4. H. 4. cap. 24.

Aulnage
Fearme
Treasorer
Baron of
Eschequer

19 ¶ The marchants of London frõ henceforth shalbe as free to packe their clothes & quite of the same packing, as the other marchaunts, or other straungers within the same Citie, or within other cities and borroughs, in ỳ realme be, & if any letters patents be made to the contrary, they shalbe vtterly repealed, adnulled, & holden of no force nor vertue. An. 1. H. 4. cap. 16.

Marchants
London
Letters
patents

20 ¶ An. 1. H. 4. cap. 19. it was enacted to endure for iij. yeres that certeyn cloths should not be sealed, nor no subsidie payd for them.

Void

21 ¶ One sufficient man shalbe assigned, by the same our soueraigne lord ỳ king, to seale the said cloths, which shall be wrought, wouen & fulled in the sayd city, (s. London) & the suburbes of the same

Seale

same, with a seale of lead, as in old times was vsed, in the same citye & suburbs, & that no such cloth so wrought, wouen & fulled, within the same citye & suburbes, be in any wise sold or bargained, nor set to sale vnles it be sealed wt a seale of lead, as before is said. And ỳ same our soueraigne lord the king, shal haue the forfayture of the clothes, solde contrarie to this statute, if any be. An. 4. H. 4. cap. 6.

Forf.

22 ¶ The whole coloured cloth shall conteine in length, xxviij. yardes, and the cloth of ray asmuch, measured without defoyling the cloths, and in bred as before is ordeyned by the statute. And if the clothemakers from henceforth make theire clothes of lesse length or bredth, that then the same makers shal forfait the clothes, which by thaulnegeour shalbe found of lesse lengthe or bred. And thaulnegeour take the same and deliuer them to the wardrope, to the vse of our soueraigne Lord ỳ king. An. 7. H. 4. cap. 10.

Content

Clothiers

Forf.

Wardrobe

23 ¶ No cloth called Kendal, wherof the doseyn palleth not. vi. s. viij. d. shal not be sealed with none of the kynges seales, nor aulnage great nor lyttle bee payd for the same. And that ỳ owners of such clothes may freely sell the same cloths not sealed wout forfaiting anie thing to ỳ king for the same, notwtstãding any statute or ordinance made to the contrary. An. 9. H. 4. cap. 2.

Kendall

24 ¶ The makers of the sayd clothes of Ray, & the sellers of the same, shall bee as frée in the makinge and selling of the same as they were before ỳ said parliament, holden at Westmynster. (An. 7. H. 4. cap. 10. before 22.) And ỳ the said statute made in the said parliamẽt touching this matter, be wholie annulled & repealed, and of no force nor valour. An. 9. H. 4. cap. 6.

Ray

Repealed

25 ¶ A new seale hauing a signe and a mark differing from the old seale of the sayd office of aulnegeour shalbee made & deliuered to the sayd aulnegeours, & that after ỳ the same so newlie made to be deliuered to the said aulnegeours, proclamation shalbe made opẽlie in the well parties and other places through the said realme, that no person making such maner of clothes and dosens in the same well parties nor elsewhere within the realme of England, be so hardie to take and plyte together such maner clothes, before that the aulnegeour hath duely made his serch and suruieying of the same cloths, that they holde their length and bredth ordeined in the said statute, vppon paine of forfaiture of the same, and that the sayd aulnegeour after that, shal set the new seale of his office to the said clothes and dosens, sauyng alwayes that the clothes and dosens of the colour of Ray, whych bee enseled with the sayd olde seale, after ỳ proclamation made, may haue their course to bee solde wythout anie impedyment, impeachement, or restreynt, vppon them to bee made by the said aulnegeours, or anie other officers, betwixt the day of the sayd proclamation, and the feast of Saint Peter ad vincula next commyng. And in case ỳ anie aulnegeour in doyng his said office do contrary to this statute, and thereof be duely attainted, that hee at the first time that hee shal be so attainted, shal lose. x. li. and at the secõd time xx. li. to be leuied and payd to the vse of our said soueraigne lord the king, of all his landes and tenements, goods and cattals, in whose handes so euer they bee. And at the third time his body arrested, and all his goods and cattals at the kings will. And moreouer the same our soueraigne lord the king will, that euerie person that will sue for the kyng or for him selfe, shal haue the suit to attaint such aulnegeours, so doing against this statute. And the same partie pursuyng shall haue for hys labour the lowerth part of the paine of. x. li. or xx. li. afforesaid: according as ỳ case shal happen, sauing to Lordes and other their fraunchises, if they haue any in thys case. An. 11. H. 4. cap. 6.

Proclamation

West parts

Serch

Forf.

Dozens

Officers

Forf.

Arrest

iij. Part

Aulnegeours

26 ¶ The said statuts (8. Anno. 7. H. 4. cap. 10. and 11. H. 4. cap. 6. before 22. and 25.) be firmely holden & kept & put in due execution. Anno 13. H. 4. capitulo 4.

Cloth

27 ¶ This worde (cloth) in the sayde statutes before rehearsed, shall haue relation, and shalbe understond of whole clothe called broade clothes and broad dosens, & not of other clothes and peces of clothes called streitos nowe made or to bee made. And moreouer hath ordeyned and stablished, that euerye man maye make, sette to sale & sell all maner of clothes called streits conteyning in length. xliii. yardes, and in the bread one yard in watered or els twelue yardes watered, without impechement of any officer of our soueraigne Lord the King, paying to the king the aulnage, subsidy, customs and other duties, that is to saye, of euery cloth and of euery peece of clothe after the rate contemed in the said statutes. And if the makers of the saide cloths called streits, make any clothes to sell of lesse length and bread then nert aboue is declared, that then it shal be lawful to ỳ aulnegeour to cut of the list at the one end of all suche streit clothes, not conteyning the saide length, and the same to bee solde for a remnãt or a peece, and not for a clothe. And ỳ no such clothes bee put to sale tyll the aulnegeour hath measured them, and made his serche, and put to them the kinges seale thereto ordeyned, vppon paine of forfaiture of the same. And if any aulnegeour enseal any such clothes called streites, not cõteyning the lẽgth and bread of the straytes aboue sayde, & cut not off the lyst of all such clothes that do not holde the sayde length and bread of the straits, that then the said aulnegeour shall paye to the King for euery peece of clothe soe founde defective. fyue shillinges eyght pence. An. 11. H. 6. cap. 9.

Broad cloths
Broad dosens

Streits

Content

Aulnage
Custome

Cutt

Seale
Forf.

Forf.

28 ¶ An. 18. H. 6. capitulo 16. an acte was made to endure to the nexte parliament concerning the measuring of cloth.

29 ¶ Euery whole wollẽ cloth called brode cloth which shal be made & set to sale after ỳ feast of S. Peter called ad vincula, which shall bee in the yere of our Lorde. M. CCCC. lvi. After the full watering and racking strayninge or tenturing of the same ready to sale, shall holde & conteyne in length. xviii. yardes, and to euerye yarde an ynche conteyning the breadth of a mannes ynche, to be measured by the creste of ỳ same cloth. And in bread. ii. yardes or viii. quarters at the least within ỳ lists. and if the cloth bee longer in measure then xviii. yardes and the ynches, then the buyer thereof shall paye to the seller for asmuch as doth excede such measure of. xviii. yardes, after the rate of the measure aboue ordeined. And it is ordeined and established by authority of the said lordes, that al maner cloths called streytes, to bes made and put to sale after the same feast, after the full watering and racking, straining or tẽturing therof ready to sale, shall holde and conteine in length. xij. yardes and their ynches, after the measure aforesaid, & in brede one yard within ỳ lists. Also it is ordeyned and established by thauctho̅itie aforesaid, that euery cloth called kersey, to bee made & put to sale after the said feast, after the full watering and rachyng, straynyng or tenturing of the same redy to sale, shall hold and conteine in length. xviii. yardes & their ynches, as is aforesaid, & in brede one yard and a nayle or at the least one yard within the list. And also it is ordeined & established, ỳ euery halfe cloth of euery of the said whole cloths, streites, and kerseys, shall keepe hys measure in length and brede after the rate fourme and nature of his whole cloth aforesaid. And that noe person, which shal make or cause to be made any maner wollẽ cloth to sel after ỳ said feast shal medle or put in or vppon the same cloth, nor the woll, wherof the said

Content

Pay for the ouerplus

Streits

Kersey

Halfe cloth

cloth

Lambes woll For Cotke Fort.

cloth shalbe made, any lambes wolle, flocks or cotke in any manner, vppon paine to forfait xx.s. for euery cloth or halfe cloth, wherein or whereuppon any such lambes woll, flockes or cotke shall bee put or medled. The one halfe ther of to be to the king, and the other halfe to hym that shall seyse the same cloth, and duely proue the same to bee made contrarie to this ordinaunce, except that he shall chose to make of lãbs woll by him selfe without minglyng wt any other woll. Except also ẏ cotk may bee vsed in dying vppon woaded woll, and also in dying of al such cloth that is onely made of woded woll, so that the same woll and cloth bee perfitly boyled and madered. Except also that cotke may bee put vppon clothe, which is perfectly boyled and madered. Also it is ordeyned & enacted, that euerie of the sayd clothes and demie clothes, shal perfectly and ryghtfullie pursue and followe one order of workmanshyp, from one ende to the other, without difference in the weauing, fulling, knottyng or burlyng. And in case any such difference or raiue or skaiue, cockel or fagge, happen to bee in anie part of the sayd clothes, streites or herseys, that then a seale of lead therefore ordeyned, and by the Treasourer of Englande for the tyme being prouyded, shalbee sette and hanged in the lowest part of the edge of the same cloth strrit or hersey, for perfect knowledge to be had to the lawer therof. And that euerie of the sayd clothes, streyt & hersey, of the length and bredth aforesaid, and also of the sayd perfeccion, shalbee from the feast of Saint Peter ad vincula, sealed at the end of the same with a double prynt in leade, deuised and ordeyned by the sayd Treasourer, in record and witnesse of thaforesayde true length, bredth and making. And if any of the aforesayde clothes, streytes, and herseys, do not conteyne thaforesayde length and bredth, or bee not of the perfect workmanshyp aforesaid, and

Wollie

Dying

Woded woll

Madder

Imperfections

Seale

Treasorer

the twoe partes of the same clothes streites or herseys, be of the true & perfect woorkmanshyp aforesaid, keeping their said length & bredth, ẏ then euerie such cloth, streyt & hersey shalbe sealed with the said seales in the forme aforesaid. And ẏ euery halfe cloth & conteyning greater length thē the half cloth, & lesse length then the whole cloth, of the sortes of the clothes aforesaid, beeing of the said perfect workmanshyp & bredth, shalbee sealed with a seale prynted in leade, hauing a marke differing from both the seals aforesaid, in record & witnes of the true length, bredth & making of the half cloth. And if any wollen cloth of any sorts of the clothes before recyted, perfectly made, & hauing bredth after their sort before limit, conteining .iij. yards and demy, or more, lesse then the halfe cloth, bee put to sale after the said feast, the same cloth shalbe sealed with a seale prynted in leade, hauing a marke differing from any of ẏ sayd seales, for a knowledge to bee had of the default of the halfe cloth, ẏ sayd seales to be deuised and ordeined by the said Treasourer, & to be put at thende of euery of the halfe clothes, and cloths lesse then halfe clothes. Also by thaduice, assent and authoritie aforesaid, it is ordeined and stablished, that ẏ treasourer of England for the time beyng, shal haue power & authoritie to make such & as many keepers of the said seales as he shal think necessary: So that no straunger borne be made any of the sayd keepers. And that euery of ẏ sayd keepers so to bee made, shall accompte yerely of the reuennes of their sayd offices in the sayd Eschequer before the treasourer of England, and the Barons there for the time beyng, duelie shewyng in the same accomptes, the nombre of all the clothes, half clothes, streytes and herseys sealed by them, with the names of thowners of the same. Euery of the same keepers to be rewarded yearely at his said accompt for his labour and diligence had in this

Sealed

Treasorer

Keepers

Accompt

Eschequer

Reward

behalfe at the receipt of the said eschequier, by the discretion of the said treasourer and Barons, without paymēt of any thing in the said eschequer, in or for ẏ making of his said accompt. And in case any of the sayd keepers do seale any of the aforesayd clothes with anie other seale, or any of the same clothes, other wise made then after the maner and ordināce above specified, & that by sufficient proofe and examination shewed and approued before the said treasourer and barons, by the deposityon, testimony and record of such sufficient persones, of good and due reputation, which haue had prompt experience in weyeing, fullyng & makyng of cloths, or if the same keeper doe refuse to seale any of the said clothes made according to the said maner and ordinance, or if any such keeper or aulnegeour do take after the sayd feast for the king, of anie person for the sealing or measuring of anie manner clothe, any other summe of money then is contained in the statutes & ordinances made before thys time and not repealed, or if anie such keeper or aulnegeour, after ẏ said feast do refuse to shewe his commyssyon of hys office to anie persoune desiring the same vppon the sealing or measuryng of any such clothes before rehearsed, & that examined and duely proued, that then he, as often as he shall offende in any of the premisses, shall forfait the summe of twenty shillinges. The one halfe thereof to the king, and the other halfe to the partie prouyng the said offences by suit to be made before ẏ sayd treasourer and barons, by bill of dett in the said eschequer, in which bill lyke iudgement and execution shalbee had, as is accustomably had & vsed agaynst other accomptantes in the same eschequer. And that these statutes & ordinā ces, and other statutes and ordinances made before this time & not repealed, concerning any of the premisses: shalbe contained and specified in euery cōmission to be made to euery such keeper or aulnegeour after ẏ sayd feast. Also where as before this time in thoccupa tiōs of clothmaking, ẏ labourers therof haue ben drawen to take a great part of their wages in pinnes, girdels, & other vnprofitable marchaundises, of vnreasonable prices. And also haue delinered to them woolles to be wrought by ber exceßiue weyght, wherby both men and women haue been discouraged of such labour: Therefore it is ordeyned that euerie man and woman beeyng clothmakers, from the feast of Saint Peter, shal pay to ẏ carders, spinsters & all such other labourers, lawful money for al their lawfull wages and payment of the same. And also to delyuer woolles to bee wrought accordynge to the faythfull deliuerie and due weight, vppon payne of forfayture to the same labourer the treble of his sayd wages so not payed as often as the sayd clothmaker doth refuse to pay the same in the said maner and fourme to any such labourer, put by him to thoccupation or any of the sayd members of clothmaking. And also to forfait to the same labourer for euery deliuery of exceßyue and vnlawfull weight to him delinered to bee wrought fiue pence for euery default. Also it is ordeyned and estably shed by thauctorities aforesaid, that euerie carder, spinster, weyuer, fuller, shereman, and dyer shall duely do hys labour in his occupation, vppon pain to yelde to the partie greeued in thys behalfe his double dammages. And that euerie fuller, from the said feast of S. Peter, in his craft and occupation of fullyng, rowyng or taseyling of cloth, shall exercise tasels and no cardes, dyscriptfully empayring the same clothe, vppon payne to yelde to the party greeued his double dammage. And ẏ euery Justice of peace for the time being, of euerie countie of this realme throughout the same countie, out of Cytyes, Burghes & townes where any Maior, maister, warden, bayliffe or bayliffes is or be, and euerie Maior, wher there is no

Refuse

Vineger

Comission

Forf.

Mistrie

Judgemēt

Labourers

Clothiers
Carders
Spinners
Money
Wages
Wooles

Forf.

Refuse

Forf.

Wewers
Fuller
Sherman
Dyer
Payne
ẏ. damages

Tasels
Cardes

ẏ. damages

Just. of p.

is no maister, & euery maister, where there is no Maior, and euerie bayliffe or bayliffes, where there is no Maior, nor maister, & euerie portreeue, where no Maior, maister, bayliffe nor bayliffe is or bee, of euerie City, Burghe and towne within euerie such county afore sayd, and euerie constable of hundred where anie Constable of hundred is, out of euerie Cytie, Burgh and towne where anie Maior, maister, bayliffe or bayliffes or portreeues is or bee: And that euerie steward keping or holding wapentake, or leete of any persone out of Cittie or Burgh or towne where no Maior, Maister bayliffe or bayliffes, or portreeues is or bee, shall haue power and auctoritie by this ordinance, to heare and determine the complayntes of euery such clothmaker and labourer as well for nonpayment of the said labourers wages, as of the sayd forfayture and dammages, by due examination of the parties in this behalf, there vppon for non paiment of the said duetie and forfaiture, and for the said damages, to commyt the sayd offenders in this behalfe to the next iayle within the same countie, there to remaine tyll the sayd dueties forfaytures and dammages be duely payd to the sayd labourer or clothmaker. And also that euery of the sayd Justyces of peace, Mayor, maister, warden, bayliffe or bailyfes, portreeue, and stewards of wapentake and leete, vppon the information or complaynt of anie other persone, whych is not greeued in this behalfe, shal haue power by the sayd auctoritie wythin his iurisdiction, to cause the partie to come before him, against whom such information or complaint shalbe made, for offending this ordinance, and to examine them vpon and vppon the matter contained in the same information or complaynt. And if the partie by examination or other due proofe bee found giltie or defective, that then the same partie, as often and for euerie tyme that hee is so found giltie or defective, shall forfayt to the kyng or to such persone or persones, which is or bee intitled to haue fines or amercyaments for offences done within their iurisdiction, three shillinges and foure pence. And that euery of the sayd Justices of peace, and other officers afore sayd, within his iurisdiction, vppon euery of the sayd informations or complaintes shall haue full power to make lyke processe against the partie, vppon whom any such information or complaint, as before is rehearsed, shall bee made, to cause him personally to appeare before hym, thereuppon to bee examyned, as Justices of peace haue vppon information or complaynt made to them for quietie of peace, wythout anie fee or reward to bee taken or had by any of the sayd Justices or any other officer in this partie, for the execution of their offices in this behalfe. Also it is ordeyned and eſtablished, that al manner of woollen clothes made in any other regyon, brought into this realme of England, and set to sale within anie peece of this realme of England after the said feast of saint Peter, shalbe forfayt to our soueraigne lord the king, except clothes made in Wales & Ireland, and clothes taken by any of the kings liege people vpon the sea without fraud or collusion. And by thauctority afore said it is ordeined & eſtablished, that anie other acte or ordinaunce made in this present parliament concernyng clothmaking, or any of the premisses, contrary or not according to this act, shalbee void and of none effect. An. quarto E. 4. capitulo. 1.

30 ¶ Al the said inhabitants & residents in any places within the said three hundreds (s. Lexfom, Tunesloke, Bowburgh) within the countie of Dalom, may make and cause to be made al maner woollen cloth of the said woll, and to the same lawfully put and do to bee put such quantitie of stockes as shalbee needefull and profitable to the maker & owner of the same clothe. And that



Maiors Bailifes Maister Portreue

Constable

Steward

Oier and terminer

Imprison

Just.p.

Examin.

Giltie.

Forf.

Just.p. Officers

Process

Informatiõ

No fee

Wollē cloths brought in to Englād.

Forf.

Wales Ireland

Forf.

all the clothes after such fourme to bee made with flocks within the said three hundredes and euery of them, may bee bought & sold at al times without any impeaching or damage of anie person, and without forfaytyng of any of the said clothes, notwithstanding the sayd ordinance above rehearsed, that is to saye. (Anno quarto Edwardi quarti before. 29.) Anno septimo Edwardi quarti capitulo. 2.

Denizen

31 ¶ No person denizen or straūger, from the feast of Thassumptiō, which shal bee in the yeare of our Lord God. 1468. shall cary or cause to bee caried into any partyes beyonde the sea anie woollen yarne or cloth not fulled, but that the woollen yarne, which shallbee made after ỳ same feast in this realm, shalbe wouen in the same realm. And also al cloth therin made, after the said feast, shalbee fulled and fully wrought within the said realme, before that it be had and caried out of this realme, upon payne of forfayture of the herle value of all such yarne unwouen and clothe not fulled, had or caried out of this realme. The one halfe of the same forfayture to be lasted to the kinges use, & the other halfe therof to him or them that espyeth or maketh proofe of anie such unwouen yarne or cloth not fulled after the sayd feast to bee caried to any place beyond the sea. Anno 7. E. 4. capitulo. 7.

Cary out

Woll̃ yarn

Cloth not fulled

Forf.

Moitie

Broad set clothes

Streight set clothes

32 ¶ All the sayd clothes called broade sett clothes and streyght sett clothes & euery of them, which shalbe made wi̇n any of the said counties (s. Norffolk Suffolk, & Eſſex) after the first day of August, which shal be in ỳ yere of our Lord 1468. shalbe right fully made in fourme ensuing. That is to say euery of the said clothes called broade set clothes, after they be sufficiently, perfectly, and rightfully made, cleane scoured, fullie ferched, & redy to sale, shal conteyne in length. xxviij. yardes, & xxviij. ynches measured by the eveil, and in brede vij. quarters within the lystes directly frō one end of the sayd cloth vnto ỳ other. And euery of the said brode set clothes after al the sayd sufficient and perfecte workmanship, cleane scouring, and ful ferching, and made ready to sale, shall wey. xxviij. poūd at the least. And also that euery of the sayd streyt set clothes, which shalbe made in any of the sayd countyes after the sayd first day of August, after all manner sufficient, perfect and right workmanship, clean scouring, & full ferch, and redy to sale, shal conteyn in length. xiiij. yardes and xiiij. ynches measured by the lyst, and in brede ij. quarters and demy quarter of a yard within ỳ listes directly from one end to the other. And euery of the said streyt set clothes after all the sayd sufficient & perfect workmāship, clean scouring, and full ferching, & made redie to sale, shal wey nine poūd & demy at the least. And that al the sayd cloths called brode set clothes and streyt sett clothes, which shalbe made within anie of the sayd counties after the sayd first day of August, of ryght and perfect workmanshyp, according to this ordinaunce, shalbee sealed by ỳ kyngs aulnegeour or sealer, with the seales of the subsidie and avenage within euery of the sayd counties therefore ordeined ỳnted in wax. And that no persone or personnes, after the sayd first day of August, shal offer nor put to sale any of the sayd clothes, called brode set cloths or streyt set clothes not keeping full length, bredth, & weight, or not cleane scoured or fully searched according to this ordinance, vppon paine of forfayture of the same, the one halfe therof to thuse of our said soueraigne lord the kyng, and the other halfe therof to the partie that shall espie and seise ỳ same. And that no person or personnes after the sayd first day of August shal tache packe or cary of the sayd clothes called broade sette clothes or streyt sette clothes, out of any of the sayd counties vnlesse the same bee sealed by ỳ kings aulnegeour or sealer, after the maner above

Skowred

Serched

Content

Workmanship

weight

Sealed

Aulnegour

Ware

Forf.

Moitie

Packe

Sealed

Forf. Woltis

Vineger Deputies

Forf.

Woltie

Costs Damages

woll cloth

ware seals

Streit Kersey London Bristow

Leaden seal

Treasorer

Ferme

Wainpsile

Woltie

aboue ordeigned by this ordinance, vpō pain of forfaiture of the same. The one halfe to the king, & the other halfe to the partie which shall espie and seise the same. And if any aulnegeour, or any of his deputies within any of the sayd counties shal seale any of the said sett clothes, not contenninge the same length breede and weight aforesayd, ỳ then he shal forfaitt for euery brod cloth so sealed vi.s. viii.d. And for euery of ỳ said streite sette clothes so sealed xx. d. The one halfe of ỳ same forfaiture to be paide to thuse of our said soueraigne lorde the kinge. And the other halfe to him that wil sue for the same by accion of debt by writte or bylle in any of the kinges courts at his election that wyl sue in this behalfe. And in the same accion to recouer ouer and beside the sayd forfaiture, such costes and dammages as bee commonly vsed in an accion of debt sued at the comon law, An. 8. E. 4. cap. 1.

33 ¶ All the woollen clothes, halfe clothes, streits and kerseies beinge of good and perfect making of length and breedth, after the forme of the saide acte made in ỳ said soweerth yere (S. 4. E. 4. ca. 1. before 29.) shalbee sealed with ware at both ends taking no more for the same both seales then beefore was také for the sealing of an whole cloth, halfcloth, streite or karsey, Except only, that in the Citie of London, and in the Towne of Bristowe, al the clothes that ought to bee sealed, shalbee sealed with Leade, as hath ben there accustomed. Moreouer it is ordeined, enacted and established by the auctoritie afore sayd, that the said Treasorer of England for the tyme beinge, shall haue power and auctoritie, to let to farme the subsidie & aulnage of clothes, which ought to be sealed, vnto personnes willing to haue the same to ferme, by sufficient mainprise, in the forme as was vsed and done, beefore the said statute, made in the said soweerth yeare. The fermours to haue the one halfe of the forfaiture of al the clothes and peces of clothes to be set to sale, not sealed with ỳ said seales to their owne vse, paying therefore and for the said subsidie and aulnage, to our soueraigne lord ỳ kinge at his escheqer, such yearely sommes of money, as shalbee agreed betwixte the Treasorer of England and them, and to bee accomptaunts to the kinge, of the other halfe of the said forfaiture, at the sayed Escheqer. The said statute made in the sayd soweerth yeare notwithstandinge. Anno. 17. E. 4. cap. 5.

Escheqer

Accōptāts

33 ¶ No persone whatsoeuer he be clothmaker nor other, shall sell nor put to sale after the feast of Saint Michael the archangel next ensuyng, any maner wollen clothes called brod cloth vnlesse the same cloth bee beefore fully watered. And that euery whole cloth, and also brodcloth, which shalbe made in this realme of Englande after the sayd feast of saint Michael tharchaungell next commynge, after that it bee fully watered ready to sale, shall holde and conteine in length xxiiii. yardes, & to euery yarde an ynch conteining the breade of a mannes inche, to bee measured by the creste of the same cloth, & also it shal holde and conteyne in breede ii. yardes within the lystes by ỳ whole length of the same. Also that euery halfe cloth of the sayd whole clothes to bee made after the sayd feaste after hyes ful watering redy to sale shal holde and conteine xx. yardes in length at ỳ least with the ynches aforesayd, to bee measured by the creste, and ii. yardes in breade within the lystes. So that al wayes the same halfe cloth do not exceede the lengthe of xxi. yardes, vppon paine of cuttinge the whole cloth in iii. peeces, and of cutting the halfe cloth in two peeces. And also to lose for euerie whole cloth vi.s. viii.d. and for euerie halfe cloth iii.s. iiii.d. made, solde, or put to sale after the sayd feast, not fully watered or made after ỳ sayd feast, not keepinge their measure aboue ordeyned

Clothier Put to sale

Watered

Brodcloth

Content

Payne of cutting Forf.

deyned. And if the whole cloth be longer in measure then ỳ sayd xxiii. yardz and the ynches aforesayd, and the halfe clothe of the same bee longer then xii. yardes with the sayd ynches, that thē the buyar of the same whole cloth, shal pay for almuch as it doth excede in the measure of xxiii. yards, and ỳ buyar of the same halfe clothe to pay for almuch as it doth excede xii. yardes: So that alwaies the sayd halfe cloth dooe not passe the lengthe of xvi. yardes as aboue is sayd. Also that al maner clothes called streytes to be made after ỳ sayd feast, after theire full wateringe redy to sale, shall hold and contein xii. yardes in length, and the ynches after the measure aforesayd, and in breade one yarde within the listes, & thorough out the length of the same vpon paine of cuttinge of the sayd streite in two peeces and also to lose for the same streyte twenty pence. Also that euerie cloth called karsey to bee made or putte to sale after the sayd feast, after the full wateringe redy to sale, shal holde and containe in length xviii. yardes and the inches as is aforesaid, and in breed one yarde and an nayle at the least within the listes vpon pain of cutting of the said karsey in ii. peces, and to lose for ỳ same karsey iii. s. iiii. d. Al ỳ said paines forfaitures and losses to ren vppon the sellars of ỳ said clothes, which shalbee made contrarye to this act. And ỳ euery of the said whole clothes, half clothes, streites, & karseies be perfitly and duly made throughout frō one end to the other. Also beefore the sayd feastie seales shalbe prouided and ordeined by the treasorer of England to be printed in leade hauinge the kinges armes of England in the one side, and in the other side the armes sygne or token of euery citie Borough Towne with in this Realme of England, wher the cloth is made, hauing such armes signe or token for a marke, or an euident token & knowledge of the cloth made wīn euery such citie borough & towne of thys realm, & besides ỳ seales for euery countie of this realm for the sealing of al maner cloth made wīn euery countie, out of citie borough or Towne of ỳ same countie, shal haue on the one side the kinges armes, & on the other side ỳ name of the countie printed in ỳ same. And that the treasorer of England for the time being or his deputy, after the said feast shall make no person or persons to bee aulnegeour, sealer or keepar of the seale in any parte of this realme, but such as bee expert in making of cloth of the sufficiency of an C. li. at the least at the tyme of the said deputation. And that no aulnegeour sealer or kepar of any seale to bee prouided as is aforesaid after the sayd feast, shal seale any of the sayd whole clothes, halfe clothes, streites, or karseies, but such as shalbe onely made after the same feast within the countie, Citie, Borough or Towne where they shalbee deputed aulnegeour, sealer, or kepar, vpon pain to forfait to our soueraigne lord ỳ king for euery such whole clothe contrarie sealed vi. markes, for euery halfe cloth xxx. s. iiii. d. for euery streit xx. s. & for euery karsey x. s. Also that no persone whatsoeuer he bee, after the said feast, shal set nor drawe nor cause to bee sett nor drawen in length or breed within this Realme of England, any maner wollen clothes, after that it bee fully watered, by teyntering or otherwyse vpon paine to forfait the same cloth. Also that no manne of what condition soeuer he be, within this Realme after ỳ said feast, shal set cast or put vpon any maner of cloth any flockes or any other disceptful thing like, vpon paine of xl. s. for euery cloth whereupon anie such person shal cast any flockes or such other thing. Also ỳ no cloth maker nor other personne whatsoeuer he bee wīn the said realme after ỳ said feast, shall set or cast vpon any white cloth or karsey any chalk vpon like pein. Also ỳ no sherman or other person after the sayd feast shal shere nor cancel any clothes within

Pay for the ouerplus

Streits

Payne of cutting

Karsey

Content

Fort.

Seales

Citie

Treasorer

Aulnegeour

Seale

Fort.

Drawe in length

Tentering Fort.

Flockes Payne

Chalke Paine Sherman

Forf. Watered

Stranger

Ouer sea

Dyeinge Paine

Retayle

Forf.

Sealer

Tentour

Forf.

London Maior

Surucy

Stranger Woll

wõn this realm except such cloth be before fully watered, vpõ pain to forfait xl.s. for euery cloth as often as he shall so do. And ẏ no person straũger nor other, shall send nor conuey any woollen cloth ouer the sea after the said feast, vnlesse ẏ sãe cloth be before fully watered. And after ẏ ẏ sãe cloth be so fully watered, ẏthẽ it shal i no wise be set nor dra wen in lẽgth nor bred vpõ pain of xl.s. for euery cloth conueyed or sent ouer ẏ sea contrary to this act. Also ẏ no maner person wõn this realm after ẏ said feast, retaile any woollen cloth or cloths lyning nor other, except it be ful watered before, & after ẏ it be fully watered it shal in no wise be set nor drawen in length or breade vpon paine to forfayt ẏ sãe cloth or the value therof. The sãe pain to ren vpon ẏ sellar of al such clothes. Also our said soueraign lorde the king, in the eschewinge of great falsity & deceipt, which hath growen and daily doth growe by meane of teintowrs by ẏ assent & auctoritie aforesaid hath ordeined & enacted, ẏ no person whatso euer he be, shal kepe haue or occupy any teintour, or any other thing in his own house or place of his inhabitting, where by woollen clothes may be in any wise drawen out in length or breade, vpon paine to forfait xx.li. as ofte as he shall doe contrary to this act, but ẏ al teintours which hereafter shalbe vsed or occupied for due stretching of cloth onely after ẏ it cometh fro the myll, & before it be rowen, & for none other cause, al well within the citie of London as other cities Boroughs & townes of this realm shalbee sett in open places. And ẏ euery Maire of London for the time being, & al other Maires and bailifes, & other gouernours of cities boroughs, townes, & villages of this said realme, shal diligently surucy and ouersee that al clothes, which shalbe put vpon tainters shal not be drawẽ out in lenth & breade other wise thẽ is before rehersed Also that after the said feast no straunger shal buy any wolle, which shalbee sent or shal passe through the streits of Marroke by galyes carrakes or ships or other vessels sorted, clacked or barked. Nor no wool whereof any lockes or refuse shalbe made, but that ẏ same woolle bee as it is clipped and parcels wound without disceipt, and marchantable after the growinge of the countrey, without any sortinge, berdinge, clacking of lockes or refuse thereof to bee made, as afore is sayd vpon paine to forfait the same woolle and the double value therof. Moreouer our sayd soueraigne Lorde the kinge hath ordeined and enacted by auctoritie aforesaid, ẏ no dier nor none other person, shall die or cause to be died within thys Realms after the sayd feast, any woollen cloth with orchel or cocke called tarroke, vppon payne to forfait and lose forty shillinges for euery cloth ẏ hee or any other for him or to his vse shal dye or cause to be died. Nor that no person after the said feast shall sel or put to sale within this said realm any such clothe which after the sayd feast shalbe dyed with orchale or cocke called tarroke, vppon payne of forfaiture of such clothe so dyed or putte to sale contrary to thys act. Thys paynes and losse alwaies, to renne vpon the sellar, except that cocke made within this realme of England may bee vsed in dying vppon woolwardes, and also in dying of al such cloth which is made onelie of woolwardes, so that the same woll and cloth bee perfectlie boyled and maddered. Also that cocke made in this realme may be put vpon clothe that is perfectly boyled & maddered. Also that no dyer after the sayd feast shal die any cloth within this said realm, except the same dyer do die the said cloth and the list of the same with one colour, without tackynge or sowing of any buttrulhez or such like thig vpon the lystes of the same, vpon paine to forfait xl.s. for euery cloth ẏ he shal so die contrary to this act. And that no maner personne whatsoeuer hee-

shal

Harroke

Lockes

Forf.

Dyer

Orchel Cocke Forf.

Sell

Forf

Woolwardes

Boyled Maddered

Lis Forf.

Sell

shal put to sale within the said Realme after the sayd feast any maner of cloth which after the same feast shalbee discryedfully died, vppon paine to forfait ỳ same cloth or the value thereof. The same forfaitures and paynes allwayes to ren vppon the seller. Also if any of the kinges subiects, or any other hereafter happen to selle any woollen clothe other wise made or died then afore is sayd, thé the same subiect or other shal bringe all the same clothe or clothes so by hym seyled, before the Maire, bailifes, or other gouernour of the Cities Boroughs, townes or villages where any such sealynge shall happen to bee made of the same cloth or clothes, ther to iudge by the discretion of the sayd Maire Bailife or other gouernour calling to him or them such persones as by his or theire discretions shall seme conuenient, whether the same cloth be other wise made, wrought or died then is accordinge with the acts before recited. And if it bee iudged by the sayd Maire Bailife or other gouernour, or other persones called to them or anie of them, as afore is sayd that the same cloth is made or died and put to sale cõ trary to the forsaid actes, then ỳ same clothes so sealed and by them iudged as is aforesaid, shalbe cut in three peces in the presence of the sayd Maire, bayliffe or other gouernour. The one party thereof to be deliuered in the eschequer by him or them that so shall seyle the same cloth or clothes to the kings vse. And the second parte thereof to bee deliuered to the seisour of the same cloth or clothes, and the thirde part thereof to bee deliuered to the sayd Maire bayliffe or gouernour, to the vse of the cõmunalte wher they or any of them bee Maire, Bailife or gouernour: The one halfe of al the other fynes forfaitures, and penalties aforesayd, and of euerie of them to bee to our souraigne Lord the king, and the other halfe to hym or them of the kinges subiects that shall seyle the same, or sue for the same by action of debt, by writt at the common lawe, or by bill, or plaint after ỳ cust de of the Citie Towne or Borte, wherin such fines, forfaitures and penalties shal happen to fall or bee. And that ỳ defendaunt in any such accion bee not admitted to wage or doe his law. Nor that any protection or essoine in the kinges seruice be allowed for any such defendant. Prouided alwaies that this act nor any thinge therein conteined, shal not extende nor be preiudicial to ỳ making of any woll ẽ cloth called ray, nor to any cloth made in Winchester or Salesbury, vsed to bee put ẽ toyned with ray. The cloth thereof commonly vsed to bee sold at xl.s. or within, nor to the makinge of any cloth called beruse, otherwise called plonkettes furkens or celestrines with laysed lystes. Nor anye clothes called packynge whytes, nor to the makynge of any clothes called vesses cogwar or worstedes, nor to the makynge of anye clothes called florences with cremil lystes, nor to the makinge of any woollen clothes called bastardes, nor of any cloths called kendals, nor to clothe called sayling ware wt cremil lists, layed lystes or small lystes, nor to anie cloth called fryselware, nor to any of them nor to the maker or seller of thẽ. So that the same clothes and euery of them for the kinges honour and profite of his realm, be truely duely ẽ parfitly made according to the nature and makinge of euery of the sayd clothes. Anno. 1. R. 3. capitulo 8. infra. 37.

Forfait

Seale

Maior Bailifes

Plonkets

Packing whits

Vesses

Cogwarz worsteds

Judge

Cutt in 3. Parts

Eschequer

Comunaltie

How this statut is suspended for certen tymes.

Moitie

35 ¶ No straunger nor denizen carry nor make to bee caried out of this Realme any woollen clothes, but they bee fore bee barbed, rowed, and shorne within the same Realme for ỳ releefe and settinge on worke of the poore comens vppon paine of the forfaiture limitted in the sayd statut of kinge Edward (6. Anno. 7. E. 4. cap. 3. beefore 30) made vpon cloth caried out of this Realme

Stranger Denizen Cary out

Barbed Rowed Shorn Fozl.

Realme not fulled to be deuided in ma ner and forme as in the same statut it is contained. Prouided alwaies that clothes called belles, bayes sailinge clothes and all other clothes cõmonly sold at xl. s. or vnder, be not cõprised in this present acte, Anno. 3. Henrici 7. cap. 11.

Retaile Scarlet

30 ¶ No person sell within this realme at retaile a brode yarde of wollen cloth of the finest making scarlet grained or other cloth grained what colour soeuer it bee to any of the kinges subiects aboue the price of xvi. s. a brode yarde. And a brode yarde of wollen cloth of any other colour out of graine any manner of Rullet of the finest not aboue the price of ti. s. vppon paine of forfaiture for euery such yarde solde to any of the kinges subiectes aboue the sayd price, of xl. s. and of euerie other cloth what colour soeuer it bee, that is vnder the sayd price a brode yarde to bee solde to the kings subiects after the rate of the goodnesse thereof. And hee that will sue for any such forfaiture haue an accion of debt thereof against him that so doth forfait, in which actiõ none essoine ne protection bee allowable.

Prices

Rullet Forf.

Accion

And the defendant not to be admitted to wage his lawe. The king to haue therecution of thone halfe thereof and the partie that shal sue the other half, An. 4. H. 7. ca. 8.

Wollie

37 ¶ The act made An. 1. R. 3. cap. 8. is by 12. H. 7. ca. 4. suspended to the beginning of the next parliamẽt. And after Anno 1. H. 8. capitulo 2. it is suspended to the beginning of the next parliament.

Suspended

Suspended

38 ¶ The said act and ordinances (s. An. 7. E. 4. ca. 3. & Ann. 3. H. 7. ca. 11. before 30. & 34) may stand & continue in their full strength and vertue And that they hencefoorth ben duely put in execution according to the tenour purport and effect of the same & of either of them. And that euery person that will sue for the same forfaitures, bee admitted to his accion of debt, by bill or information in any of the kings courts of recorde, wher the same may bee determined after the course of the comon law, and that the defendant in such behalfe in no wise bee admitted to wage his lawe nor that any protection or essoine bee in the same allowable.

Sue Accion of debt

Neuertheless &c. Be it &c. that clothes called belles, rayes, sayling clothes, & other clothes nowe commonly sold at fower markes or vnder be not comprised in this or any of the sayd actes, but may be carried and cõueyed out of this realm into the parties beyond the sea, not barbed rowed nor shorne, thys or any the said actes notwithstandinge. An. 3. H. 8. cap. 7. Se this statut altered here folowing. 39.

Cary ouer sea

39 ¶ No personne make such clothes (called white straites) to sel without that it bee when it is rawe redy to bee tucked, of the breadth of a yarde & half a quarter, and of length xx. yards, And that no person make such clothes but if hee sette his special marke vpon euerichc of the said clothes so by him or them made. And that no personnes vse to marke on his clothes such as any other personne doth and hath vsed beefore him vppon paine of forfaiture of euery of the saide clothes, the one halfe to the king and the other halfe to him that so seyseth the sayd clothes so made or marked contrary to the fourme and effecte afore expressed.

Streits

Content

Marke

Forf.

Wollie

And this act to endure to the next parliament Anno 5. Henrici. 8. capitulo. 2. This acte is made perpetuall here folowing. 40.

40 ¶ Euery white wollen clothe solde at x. markes and vnder, maye be carried and conueyed into the parties beyonde the Sea there to bee solde at the pleasure of the buyers of the sayd clothe vnbarbed, vnshorne and vnrowed, any acte or actes to the contrarie made notwithstanding. And ouer thys bee it enacted &c. that if anie personne or personnes conuey or cause to bee conueyed into the parties beyond

white

Ouerseas

Unrowed

yond the sea any white woollen cloth, Unrowed vnrowed, vnbarbed, and vnshorne, aboue the value of .v. markes in other forme then is aforesaid, that then the person or personnes so offending, shall Forf. forfait the value of the sayd clothe or clothes so caryed or conueyed into the partyes beyond the sea. Whone moytie &c. to bee to our sayd soueraygne lorde the kyng, and the other moity to any person &c. wherein &c. An. 5. H. 8. cap. 3. Thys acte is altered here followyng. 46.

Moitie

41 ¶ The said act (s. An. 5. H. 8. ca. 2. before. 36.) cõcernig making of cloths White straits (called white streites) & euerie thinge therin conteined stand & bee in his full strẽgth, vertue and effect. And ouer ẏ it is ordeined by the said authoritie, ẏ no person nor personnes frõ the feaste of saint John Baptiste next coming, shall make any such clothes (called whyte streits) nc any clothes of the makinge Russet straits of russet colour (called russet streites) without that they and euery of them (being raw) be of the breadth and length reherled and marked in maner & forme before expressed, and so beeing rawe to wey viii. li. by true weight at leaste vpon paine of forfaiture of euery of the Weight Forf. said clothes made, and beeinge lesse in length or else in breadth, or marked cõtrary to the forme and effect before rehersed. or else being of weight contrary to the forme before expressed, ẏ one Moitie halfe of the said forfaiture to bee to the kinge, and thother halfe to him that so seiseth the same clothes so made & beeing of weight contrary to the forme & effect aforesaid. And this act to endure for euer. An. 6. H. 8. ca. 8.

42 ¶ The wolle which shalbe delinered for or by ẏ clothier to any perso or persons for breaking, kembing, carding or spinning of the same, the deliuery therof therefore shalbee by euen, iust and true poies and weight of haberdepois sealed by authoritie, not exceedinge in weight after the rate of vii. li. trimed wolle aboue one quarter of Woll a pound for the waste of ẏ same wool & Waste in none other maner. And that ẏ breaker or kember to deliuer again to ẏ sãe clothier the same wool so broken and Clothier Broken kempt, and the carder and spinner to Kempt deliuer again to the said clothier yarne Yarne of the same wolle by the same euen iust and true pois and waight (ẏ waste therof excepted) without anie parte thereof concealinge or any more oyle water or other thinge putte therunto Deceipt deceiueably, vppon the paine to forfait Forf. to the lord of the Lete within the pre- L. of leets cinct where such default is done for euery such default 12. d. vpon due proofe of such disceipt afore, and by the discretion of the Maire, Baylye or other Mayor Bailife headofficer of the Citie, Borough, or to wn wher the disceipt shall appeare, the same Maire, bayly or head officer callinge to him such persones as shall seeme to him conuenient for ẏ proofe of such disceipt. Item that the Weuer Weuer which shal haue the weauinge of anie woollen yarne, to bee webbed into cloth shal weaue, worke, and putte into the webbe for cloth to bee made therof as muche and all the same yarne as the clothier or any other personne for him shal deliuer to the same weauer, with Marke his sled marke put to ẏ same, without changing any parcel thereof leauinge out of the same webb, or that to restore to the same clothier the surplise Surplus of the same yarne, if any shalbee lefte not put into the same webb, & without any more oyle, brine, moisture, dust, sand, or other thinge deceiueablye putting or calling to the same web, vpon Deceipt paine to forfait for euery default. iii. s. Forf. 4. d. Item ẏ no maner person buy any co- Buy loured woll or coloured yarne of anie Coloured wooll carder, spinner, or weauer, but onely in Yarne open market vppon pain of forfaiture Market of such woolle and yarne so bought. Forf.

Item that the walker and fuller shall Fuller truely, walke, full, thick, and worke euery web of woollen yarne which he shall haue to walke, full, thicke, or worke without any flore, or any other maner dis- Flor

ceipt

Deceipt

ceipt to be vsed on the same, & shall not rowe nor worke any cloth or web with

Rowe with cardes

any cardes on ỳ right side, nor ỳ wrõg

Forf. Clothier

side, vpon pain to forfait for euery such default vi.s.viii.d. Itẽ that the clothier nor other persone whatsoeuer hee bee, shall not putte any cloth to sale which

Shrinke

when it shalbee full wet, shall shrinke more then one yard in all the length, & one quarter of a yarde in the breedth, for the more parte thereof: and clothes called narrowes or streits after ỳ rate vpon pain to forfait for euery cloth other wise put to sale vi.s.8.d. And besides to

Streits Forf.

Abate

deduct of his price for the same to be rebated to the buyer therof asmuch after the rate as the same cloth, so otherwise put to sale, being ful wet shalbe shronk more then one yarde of that it was in length time of the same sale, & it shall (being wet) want of the breadth, of one yard, & iii. quarters of a yard. Item ỳ ỳ

Buyer Denizen Alien Straine Tenour Wrinch Forf.

buier of woollen cloths, denizens or aliẽ after the buying therof, shall not draw nor cause to bee drawen in length nor straine nor do to be strained in breedth. ỳ same clothes or any of them by tenture or wrinch, or by any other mean, vpon paine of forfaiture for euery of ỳ same clothes so to be drawẽ or strayned C.s. Prouided alway ỳ if such buyer of woollen clothes for prowfe cause ỳ same to be wet, he may draw & straine thẽ for euenig of them only, so ỳ he exceede not one yard in length more thẽ it shalbe when it shalbe ful wet. Itẽ ỳ

Euening

Flor Forf.

no maner of person worke or putt vpon any woollen clothes any flore or other deceiuable thinge, vpon pain to forfait for euery cloth so wrought deceiuably with flor, or other deceiuable thing xx. s. Item that maner persone buye or

Buy Measure

sell any woollen clothes by other measure more or lesse, then after the true content thereof to be moten and measured by the yard, adding to euery yard one inche of the rule, vpon pain to for

Forf. Moitie

fait for euery cloth to ỳ contrary measured. C.s. The one moitie &c. to bee to our soueraigne lorde the kinge & the other moitie to the person which shall sue &c. wherein &c. Prouided alwaye ỳ this act extend not to woollen cloths called kẽdals, nor cloths called Capernal whites) commonlie made for linning for holen, nor to any clothes called Tancklothes made in the countie of Deuonshire, nor to any woollen clothe made in the countie of Cornewal nor for any cottons or plaine lininge, or frise made or to bee made in Wales, Lancashire, and Chelshire, or anie of thẽ, Anno. 6. H. 8. capitulo 6. Nota ỳ Ann. 3. H. 8. ca. 6. an act was made to endure to ỳ nexte parliament almost word for word like this former acte of An. 6. H. 8. ca. 9. wherin an article ỳ none should take auantage of any forfaiture or penalty made by 1. M. 3. ca. 8. concerning clothes.

Cornewal Cottons Frise Wales Lancashire Chelshire

43 ¶ An. 14. H. 8. ca. 1. an acte was made concerning broade wollẽ clothes to endure to the last day of ỳ next parliament.

Broode Clothes

44 ¶ Al clothes called belles, otherwise called set clothes, what colour soeuer they be of, not being aboue the value of xl.s. a cloth, shal not bee forfayt for that they lack in length and breadth when they bee ful wet after the sale of them afore this time made or hereafter to be made, The said act made in ỳ first yere of king Henry ỳ eight (s. ca. 9. before 41.) or any other act heretofore made to the contrary notwithstandinge. An. 14. H. 8. ca. 11.

Set cloths

45 ¶ No maner person ne persons of what degree or condition soeuer they be of, shal make or cause to be made wt in the said shire of Worcester, any maner of woollen cloths to bee sold, except only such person or persons as after ỳ said last day of Septẽbr shalbe dwelling and inhabiting within the said citie of Worcester, ỳ boroughs & townes of Euesham, Droitwiche, Kadderminster, & Bromisgrove, within the sayd countie of Worcester, or in any one of them, vpon pain of forfaiture for euery such broode cloth made after ỳ said day

Worcester

Forf.

by any

L. of tenements

by any person or persons, contrarie to the true meaning of this act vi.s. And farther it is &c. that the lords and owners of the meses, tenementes, or cottages within the said citie or any of ẏ townes and Boroughes aforesaid shall at no time hereafter dimit, sett or lett any mese, tenement or cotage sufficiently repaired within the sayd Cytie, Borough or townes beefore limitted to any person or persons, that hereafter shall inhabyt in the said citie, boroughs or townes, and exercisinge any of the said misteries or crafte, at any higher rent imposition or charge, thē was geuen for the same at anie time within xx. yeares next before the makinge of this act onely except. Prouided alway that this act be not hurtful ne prejudicial to any person or persons for makinge any clothes for theire owne wearinge their children or seruaunts wearinge. Also prouided ẏ in ẏ said city and town and euery Borough aforesaid ther shal bee due serch made of euery such cloth beforesaid there made, and that they be meated both length and breadth being wet from the mill, and before they bee sett vppon the racke and dried: & that they shalbee sealed with the seale of ẏ searcher of the same citie, Towne, or borough, which seale shal haue a stamp conteininge the true numbers for the length and breedth of the same cloth beinge wet: in pain of forfaitinge of euery cloth putte to sale not hauinge the sayd seale of the sercher xx. s. And the sealer to forfait for euery cloth by him searched & sealed contrary to the true meaning of this act vi.s. viii.d. The one halfe of the said forfaits to be to ẏ king &c. and the other halfe to the party that will sue &c. wherin &c. And the searcher shall haue for the searching and sealing of euery cloth a peny, and not aboue, An. 25. H. 8. ca. 8. See the statut next folowing.

Rent

Huswines cloth

Serch

Measure Sealed

Forf.

Moitie

46 ¶ Al and euery clothier within this Realme, shal weaue or cause to be wouen his or theire seuerall tokē or marke in al and euery cloth kersey and other cloths whatsoeuer they be made and wrought to bee vttered and solde. And when any such cloth shalbee redy made and dressed to be put to sale, euery of the same clothiers, shall sett hys seale of lead vnto euery of the same his or theire clothes and kerseies, in which seale of lead shalbee conteined the true and iust length of euery of the same clothes or kerseis, as it shalbe duely found by euery buyer of the same vppon due proose thereof to be tried by the water. And in case vppon any such proose to bee made by any buyer of them at the water, there shalbe found lesse or smaller content in length, then is conteined and specified in euery of their said seales: then euery of the said clothiers making such default shal lose and forfaite vnto euery such buier of the same ẏ double value of so much cloth as shal want and lack of his said content in lengthe at the onely sight and iudgment of any two indifferent persons that shal measure the same cloths and kerseies. And euery clothier sēding or putting any of their clothes to sale, before such time as al & euery of ẏ sāe clothes shal bee sealed by the alnager of the sāe coūties, where it shall chaunce anie of the sayd clothes so to bee made, and also to bee ordered and sealed by euerie of the said clothiers in fourme aforesaid, shal lose and forfait his cloth or clothes what so euer they bee, the one halfe &c. to the kyng, and the other halfe to hym that will sue &c. wherin &c. And it is &c. that after the said feaste of Saint Michaell tharchangel, euery brode cloth shal cōtein in breedth seuen quarters of a yard within the lystes at the least, & to hold the same content alwaies if it bee prowned at the water: The acte made in ẏ first yeare of the raygne of our sayd soueraygne lorde, that euery broade cloth should conteine two yardes in breedth, within the lystes, or any other thynge therin conteined, touching the keeping of ẏ same broade of two yardes, in anie

Werke Kersey

Leaden seal

Content

Forf.

Put to sale

Vinegeour

Forf.

Moitie

Wredth

wise

wise notwithstanding. And euery kerseye shall conteine in breadth one yard within the list at the least, if it be proued in the water, vpon paine to forfeit for euery such brode cloth. iii. s. iiii. d. & for euery such kerseye. xx. d. To bee recouered to the vse of the kinges highnes, & of any other that will sue for the same in manner and fourme beefore declared. Prouided alwayes, that this present act extend not to any clothes called set clothes, of all sorts made in the county of Suff. not exceeding the price of xl vi. shillings eight pence the cloth, nor to any clothes, called Tauestokes Westerne dozeins frises, kendals cottons, & all maner of course clothes made for linings. And be it &c. that the alnager of any countie shall not seale anye of ỳ said cloths wt the kings seale vntil such time as they & euery of them shall bee first ordered & sealed with their contẽt, according to the true meaning of this present acte in fourme aforesaid, vppon paine of leesing of his office. And ỳ noe buyer of any of the said clothes or kerseis, marked and sealed in forme afore said, presume by any maner of sleight meanes or engines to draw, pulle or to stretch out any of the same clothes or karseys other wise then to make them euen after they be wet & to agree with the contents specified and conteined in the seale of euery of the same clothes, & kerseis, as neere as they can, vpõ paine to forfeit ỳ double value of euery cloth or kersey so misused contrary to ỳ true intent and meaning of this preſẽt act, to bee leuied to the vse of the kinges highnesse, and of anye other that will sue for the same, in like maner & forme as is before declared. Prouided alwaie that all cloth hereafter made to be sold within the citie of Worcetor, the townes of Droitwiche, Durham, Kedermynster, & Bromegrone, in the county of Worcetr, shall bee sealed with the seale of the serchers there, according to an act of parlement in that behalf prouided & made the xvi. yere of the raign of our said soueraigne Lord, (s. ca. 18. before 44.) & that the owners of the clothes made within the said city and townes shal not bee compelled by this act, to put their own seales to any clothes, ther made or herafter to be made An. 27. H. 8. ca. 12. See this statut altered in part here following. 48.

Kersey
Wredth
Forf.
Moitie
Set cloths Suffolke
Course clothes
Alnegeour Seale
Forf. office Buyer
Stretch
Forf.
Worcester
Seale
Owners

47 ¶ Euerye white woollen clothe sold for fower poundes and vnder: and euery coloured cloth sold for iii. pounds & vnder, may be carried and conueyed into the parties of beyond ỳ sea, there to be sold at the pleasure of the buyers of the sayd clothe or clothes vnbarbed vnshorn and vnrowed: any act or acts to the contrary made notwithstãding. And ouer this be it &c. that if anie persoñe or personnes send or conuey, or cause to bee sent or conueyed into the parties beyond the sea any white wollen cloth aboue ỳ value of fower poũd, or any coloured cloth aboue the price of three pound vnrowed, vnbarbed, and vnshorn, in other fourme then is afore sayd, that then the personne or persons so offendyng shall forfayt the value of the said clothes so carryed and conueyed into ỳ parties beiond ỳ sea. The one moytie &c. to bee to the kyng and the other moytie to hym that wyll sue &c. wherein &c. Anno. 27. Henrici octauj capitulo. 13.

White
Coloured cloth
Vnbarbed
Ouer sea
Coloured cloth
Forf.
Moities

48 ¶ Where a certaine kind and sort of wallshe clothes called white russets and kenettes, made and wrought in Northwales and Worcester hundreth, adioyning to Northwales, of long time hath ben, and bee so craftilie and hard rolled together, that the buyer thereof can not perceyue, nor discerne the vntrue makyng and breadth therof, to the great hurt, disceipt and impouerishing of the kynges true and louing subiects For remedy whereof bee it &c. that all and euerie the said clothes from and after the feast of the Natiuitie of Saynt Iohn Baptist next cõming, that shalbee brought to any common markets or faires to bee vttered and sold, shalbe

White russets
Kenets
Markets
Faires.

folded either in pleits or cuttel as the clothes of all other countreis of this realme commonlye haue beene vsed and be vsed to the intent that the buyers therof may plainly see & perceiue the breadth, and goodnes of such clothe and clothes that he shal buy. And that euery peece of the saide clothes, which after the said feast shall bee brought to any markettes or faires to be vttered and sold contrary to the fourme aboue said, and shalbe forfeited, that is to say the one moity thereof &c. to the king, & the other moity to him that will sue &c. wherin &c. Anno .33. Henrici octaui capitulo. 3.

Breadth

Forf. Moitie

49 ¶ It shall and may be leful to all and euerie of the kinges subiectes to make worke and put to sale at their lybertie and pleasure all manner of such coloured kersey and kerseis, which shal be solde at or for twenty pence or two & twenty pence the yard or vnder, and not aboue, of such lengths and breadths as they did, might or were wont to do before the making of the said act made in the sayd seuen and twenty yeare of king Henry ỹ eight (s. cap. 12. before 45.) or any other act, without incurring or rumping into anie daunger or penaltie for the same the said act made in the sayd twenty seuen yere or any thing therein conteyned, or anie other act or statut made to the contrary not withstãding. Prouided alway that al maner of kerseis to be made, wrought and put to sale within this realme, of the colours of black, marble, russet and whyte, which said colours be commõlie solde & retayled within this realm, shalbee made of such content in breadth as is limitted in the sayd former acte, vpon paine in the same former act conteined, any thyng in thys present acte conteined to the contrarie notwithstãding. And it is &c. that all and euerye persoune and persoones, whiche shall make or worke any kerseys of ỹ prices aboue rehersed, or vnder, shal at all times hereafter from tyme to tyme, make the same kerseis truely without disceipt, and ỹ they or any of thẽ do not shall falsly or vntruely make or stoppe any manner of kerseis wyth flockes, thrummes, or other deceyuable thyng or thinges, to the deceipt of any person or persones, nor shall by colour of anie libertie to them geeuen or other matter cõprised in this statute, make worke and put to sale any coloured kersey or kerseys of the prices aboue rehearsed, which shal conteine any lesse in breadth then three quarters of a yard, and one naile within the liste, to bee tried at the water, vpon paine to forfayt for euerie kersey so falsly made or stopped, wyth flor, thrũs or other deceiuable thynge or things, to the disceipt of any person or persons twenty shillings, and vpon pain to forfait for euery suche coloured kersey of the prices aboue rehearsed to be made & put to sale not cõteining. iij. quarters of a yard & one nail in breadth within the liste, to be tried at the water as is aforesaid. rr. d. the one halfe &c. to be to the king, & the other halfe to him that will sue &c. wherein &c. Prouyded alway that the sayd former acte made in the said rrbij. peare (s. ca. 12. before 45.) and all clauses and articles in the same conteyned (other then concernig the breadth of coloured kerseis of ỹ price afore rehearsed) shal stand & be in their full strẽgth and effect and be kept and obserued according to the tenour and purport of the same act. Prouided also and be it &c. that the aulnager of euerie county, shall and may lefully seal euerie of the same coloured kerseys of the prices aboue said, in lyke manner and forme as hee or they should or might haue done, if the said former act had neuer been had nor made. Prouided also, that none of the sayd kerseis of the prices afore limitted, nor anie other kersey or broade cloth made within thys realme to bee vttered and sold, shalbee put to sale, before that they and euerie of them shall bee sealed by the aulnager with the kinges seale, as hath been accus-

Kersey

Price

Blacke Marble Russet whit Retayle

Make kerseis

Flor Thrũmes

Breadth

Forf.

Forf.

Moitie

Aulnegers Seale

accuſtomed, Anno. 33. Henrici octaui capitulo. 18.

Shipping whit cloths

50 ¶ No perſon or perſons frō hence-forth ſhall carry or ſhip or cauſe to bee ſhipped in any ſhippe, boate, craye, or veſſell anie white wollen clothe aboue the value of fower pound or any coloured cloth aboue ẏ value of three pounde vnrowed, vnbarbed, or vnſhorne, to thintent to bee conueyed vnto the parties beyond the ſea, vppon payn of forfaiture of the ſame cloth or clothes, or the value therof, the ſame forfaiture to bee recouered in ſuch maner & fourme as is afore mencioned. (s. An. 27. H. 8. cap. 13. before. 46.) An. 33. Henrici 8. capitulo. 19.

Vnſhorne

Ouer ſea Forf.

Carmarthē Cardigan Penbroke

51 ¶ No maner of perſon within the ſayd three ſhires of Carmerthen, Cardigan, and Penbroke, doe make anie raw friſes, called Welſh friſe, or anye Cottons called Welſh cottons to bee ſolde in anye faire or market, or elſe where in anie other place, vnles euery peece of friſe called a high friſe rawe be made of cleane woll, without flore or thrum, weying in yarne fower & fiftie pound of haberdipoiſe, at the leaſt, and conteining in length. xlvi. yards rawe, & in breadth one yarde and one quarter. And that euerie halfe piece friſe hygh, ſhal weigh xxbij. li. & contein in length xxiij. yards, and in breadth one yard one quarter. And ẏ euery peece cottō raw, ſhall weigh xlbiij. li. of yarne at ẏ leaſt without flor or thrum, and conteine in length, xlbiij. yards, and in breadth one yarde, and one quarter and one nayle. And that euery halfe piece cotton ſhal weigh xxxiij. li. of yarne without flor or thrum, and conteine in length. xxiij. yards, & in breadth v. quarters and one naile, vpon pain to forfait euery piece & halfe piece friſe, and euery peece cotton & halfe peece cotton ſo put to ſale, contrary to the true meaning, intent and purpoſe of this preſent acte. The one halfe &c. to the king and the other halfe to him that will ſue &c. wherein &c. An. 34. H. 8. capitulo. 11.

High friſe Flor Thrūmes Yarne Weight Content

Weight

Forf.

Moitie

52 ¶ Euery clothier and clothemaker ſhall from the feaſt of Thannunciation of our Lady next comming, ſet hys ſeale of lead to his cloth, declaring ther by the iuſt lengths therof, to bee tryed by the water. And that no perſon ſhall from the ſaid feaſt ſtraine or ſtretch anie ſet cloths, or any other cloth aboue one yard and an halfe in length, and a quarter of a yard in breadth, vpon paine to forfait forty ſhillings for euery default. And that no perſon or perſonnes ſhal from the ſaid feaſt, vppon pain laſt before remembred, put to ſale any cloth, which when it ſhalbee wet ſhal ſhrink more then one yarde and a halfe in all the length, and a quarter of a yarde in the breadth. And that narrow ſtreytes and kerſeys, ſhall not frō the ſaid feaſt bee ſtretched aboue a yard in lengths, and half a quarter of a yard in breadth, vppon the paine for euery default therin twenty ſhillings. nor ſhal put to ſale any cloth, narrowe ſtreight, or kerſey, the peeces whereof beeyng wett ſhall ſhrinke more then after the ſame ſeuerall rates in the whole peece, vppon payne to forfayt for euery ſuch offence twenty ſhillings. And further that no perſonne or perſonnes occupying the feate of dying, ſhal die or alter into colours, or cauſe to bee dyed, or altered in to coloures anye wollen clothes, as browne blewes, pielwkes, tawnies, or vyolets, except the ſame wollen clothes bee perfectlie boyled, greyned, or maddered vppon the woad, and ſhotte with good and ſufficient cork or orchal after a due, ſubſtanciall, and ſufficient manner of workmanſhyp according to the auncyent workmanſhyppe in tyme paſt vſed, vppon paine for euerie default to forfayt twenty ſhyllynges. Nor that anye perſonne ſhall from the ſayde feaſte dye any woll to bee conuerted into clothe, called ruſſettes, Muſters, Marbles, Grayes, Rayes, and ſuche lyke coloures, or to bee conuerted and made into Hattes or Cappes, vnleſſe the ſame woll bee

Clothier

Seale

Length Streyne

Forf.

Seale Shrinke

Kerſeys

Payne

Forf.

Dyers

Workmanſhip

Forf.

Dying of Woole

Hattes Cappes

T. iij. perfectly

perfectly woaded, boyled, and maddered, accordynge to the true auncyent vſage, vppon the payne of forfayture for the falſe dying of euery ſuch clothe, or of aſmuch woll as ſhal ſerue for the makyng of euerie cloth contrary to the true meanyng thereof forty ſhillings. Forf.

Wrasel
Falſe colours
Forf.

Nor ſhall dye with wraſell to thintent to make a falſe colour in cloth nor woll hattes nor cappes, vppon pein for euerie default to forfayt twenty ſhillings.

Flor
Chalke
Flower
Sterch

And that no perſon or perſonnes, ſhall after the ſayd feaſte put any flockes, chalkes, flower or ſterch, or any other deceyuable thing vppon anie ſet cloth, or vppon anie other clothe or clothes coloured or vncoloured vppon paine to forfayt for euerie ſuche offence forty ſhillinges. Forf.

Irō cardes
Pycards

And that no perſonne ſhall from the ſayd feaſt, occupie any yron cardes or pycardes in rowyng of anie ſette clothe or any manner of woollen cloth vppon paine to forfayt aſwell the ſayd yron cardes, as pycardes, as alſo the ſume of twenty ſhillinges for euerie ſuch offence. Forf.

Meaſure

Nor that anie perſon ſhall from the ſayd feaſt ſell any clothe by anie leſſe meaſure then after ye true content thereof, to be moten and meaſured by the yarde, addyng to euerye yarde an ynche of the rule, accordyng to the ſtatut made in the firſt yeare of the reign of ye moſt worthy prince of moſt famous memory king Henry ye eight (s.ca.9.before.41.) vppon paine to forfayt for euery yarde of clothe ſo put to ſale, by any other leſſe meaſure. vi. s. eyght pence. Forf.

Retayle
Prelled

And that noe perſon ſhall from the ſayd feaſte putte to ſale here within the realme eyther by retayl or otherwiſe, anie cloth beeing prelled to bee occupied and worne beare within the Realme of Englande, Wales or Ireland, vppon paine of forfayture of the ſame cloth or the value therof, that haue been ſo prelled and put to ſale, as is laſt before remembred. Forf.

And for the better ereating of this ſtatute, bee it ec. that in euery towne, village, or hamlet, beeing not corporate where anye cloth ſhalbee made or ſolde, the Juſtyces of peace of the ſame ſhire where anie ſuch towne, village, or hamlet is, or two of them at the leaſt, and in euerie citie, borough, or towne corporate, the head officer or officers of euery ye ſame citie, borough, or towne corporate toge ther wt the wardeincz of the cloth wor kers, or two of them at the leaſt, ſhall haue ful power and auctoritie by vertue of this act, once euerie yere to conuent and call before them by their precept, or otherwiſe, two, iiij. vi. viii. or more, as they ſhall think good by their diſcretion of the moſt honeſt, diſcreete, and indifferent men of euery ſuch city, borough, towne, village, or hamlet where anie cloth ſhalbe made or ſolde, & thē ſhall conſtitute, ordein, & appoint to bee ouerſeers for one whole yeare then next following, within the citie, borough, towne, village, or hamlette, where the ſame ouerſeers ſhalbe dwelling, chargyng them all vppon their othes, and as they do tender the honor of the realme, and the common welth of the ſame, that they do endeuour thē ſelues for that yeare, as much as in them ſhall lye, to ſee that this ſtatute be truely obſerued and kept within the limittes of their charge in euerye part thereof. And that the ſame ouerſeers, or two of them ſhall euerie quarter of the ſayd yeare at the leaſt, or ſo often as neede ſhall require by their diſcretions, by force hereof, viſite and go into euerie clothiers, drapers, clothworkers dyers and prelleers houſes, ſhoppes and other places where cloth or dyed woll ſhall bee, and there to make due ſearch and to vieive the clothes and woolles, made or dyed, or remaining to be ſold, and to ſearche and trie aſwell whether the ſayd clothes bee drawen or ſtrayned or falſly dyed, as alſo of all other the defaultes before ſpecyfied, committed or done contrarie to the true meanynge of this acte. And if vppon the ſearch the clothes bee found drawen or ſtreyned, or the clothe or woolls falſely died

Juſt. of p.
Officers
Wardens
Ouerſeers
Othes
Serch
Woolles
Streyned

died or coloured, or any other of ỹ sayd faults committed or done, contrary to the true meaning of this statute: That then the said seuerall forfaitures to incurre vpon the party or partyes which shall offend in the same, or in anie of them: the one halfe of all which forfaytures to bee vnto the kyng, his heires or successours, and the other halfe to such of the sayd ouerseers as doth finde the sayd defaultes or causes of forfaytures, and that will sue for the same in anie of the kynges courtes of recorde, or before the Justices of peace within anie such City, Borough or towne corporate, or before the Justices of peace within anie shire where anie such forfeytures shalbee had out of anie Cytie or Towne corporate, the same suit to be pursued by bill, plaint, accion of debt information or otherwise, & in whych suit no wager of lawe, essoyne, or protection shalbee allowed for the defendaunt. And if the sayd ouerseers shalbe negligēt, and will not sue for the same forfaytures, by the space of one halfe peare, next after the cause of the same forfaytures committed and done, that then the one halfe of the same forfaytures, to bee vnto the kyng, hys heires, or successours, and the other halfe to them whych will sue for the same as is aforesayd: wythin one other halfe peare next after such default bee had by the sayd ouerseers. And if any of ỹ said personnes so commaunded to appeare to bee made ouerseers, as is aforesayd, and hauing no reasonable excuse, doe refuse to come, and take vppon hym or them to bee an ouerseer, as is aforesayd, that then euerie such personne, so refusing & hauing no reasonable excuse so to doe, to forfait for euery such refusinge xl. shillinges, the one halfe thereof to the king, & the other halfe to the Justices of peace, or other head officer or officers, by whose commaundement he was commaunded to appeare, or to bee an ouerseer; and the same ouerseer so offending to remaine in the warde of the sheryffe, vntil such tyme as hee hath made paiment of the sayd forfayture, or otherwise put in sufficient bond to the satisfaccyon of the same. And yf the same ouerseers, or two of them at the least, do not once euerie quarter of the yeare, make due searche for the true executynge of thys statute, that then euerie of the sayd ouerseers to forfayt for eurie such default, tenne pound, the one halfe to bee to the kyng &c. and the other halfe to hym that will sue &c. wherein &c. And if the sayd ouerseers, shalbee interrupted and not suffered to enter into the sayd houses, shoppes, or other places, where anie such clothes or wolls shal bee made or dyed, or anie other of the sayd defaultes shall happen to be done or cōmitted, there to make search for the better executing of this statut, that then euery one that so shal make anye such interruption, shal forfeit. xx. li. the one halfe of which forfaiture to be to the kyng, and the other halfe to the sayde ouerseers, to whom any such interruption shal be made, & the same to be obteyned and pursued for, in suche maner and fourme, as before in this acte is expressed, for the recouery of other of the sayde forfaytures. Prouided also that no manner of person shall take any auauntage of anye the sayde forfeitures, by reason of this statut, vnlesse the same person dothe commence hys suite within one yeare nexte after the said offences and forfaitures committed. And to the intent that euery clothier shall before such time as hee shal put his cloth to sale, beeing made after the sayde feast, cause euerye clothe to bee marked with a letter of C. crowned, wrought in the clothe, vppon paine of forfeiture for euerye clothe so beeing solde and not marked with the said letter C. by anye suche clothier, xx. s. the one halfe to the Kynge &c. and the other halfe to him that will sue for the same, in maner and fourme before rehearsed. Anno. 3.

Forf. Moitie Ouerseers Forf. Moitie Interrupt Forf. Moitie Negligens Moitie Within one peare Clothier Marke Refuse Forf. Forf. Moitie Just. p. Officers Moitie

E.6. capitulo secundo.

Woode Clothe

53 ¶All and euerie broade cloth and clothes, whyche shalbe made after the sayd feast of Saynt Michaell tharcangell next commyng, within the shires of Kent and Sussex, or at the towne of Redding or any of them or els where of lyke makyng, as the clothes made there shall bee of, shall conteyne in length at the water, euerie peece beeyng thorough wette betwixt. xxviij. and thirty yardes of measure, that is nowe customably vsed, and in breedth seuen quarters at the least within the lystes, by the whole length of the same cloth the lystes of the same clothes to be of like making and assise as they haue here before time ben vsed to bee made, and that euery peece of the sayd cloths beeing well scoured, thicked, mylled, and fully dryed, shalbe in weyght, and weigh twenty pound at the least. And that all and euerie wette clothe & clothes which shalbe made within the citie of Worcestour, commonly called long Worcesters, and all lyke clothes of like makyng made within the Citie of Couentrie or elsewhere after the sayd feast, shall conteine in length, beeing wette as is aforesayde, betwyxt nine & twenty and one & thirty yardes the peece, and to euery yard one ynche of the standerd and shalbe of the breedth above specified, throughout & by all the length of the whole cloth, and lysted as hath been accustomed, and beyng well scoured, thicked, milled, and fully dryed, shal weigh fower score fower poũd the peece at the least. And all coloured clothes, made in the said cities of Couentrie and Worcester, or els wher of like making after the said feast, shal cõteyne and bee of length and breedth as is last before mencioned, and bee lysted as aforesayde, and beyng well scoured, thicked, and fully dried, shal weigh fower score poũd the peece at the least. And that all and euerie white clothe and clothes commonlye called shorte Worcesters, which shalbe made with in the sayd cytie or county or els where of the same sort, after the sayde feast, shal contein in length being wette betwixt three and twenty and fiue and twenty yardes, yarde and ynche of the rule, and shall bee of breedth as is afore said, throughout and by all the whole cloth, and lysted according to the auncient custome, and beeing wel scoured, thicked, and fully dryed, shall weygh three score pound the peece at the least. And that all coloured long clothes, which after the sayd feast shalbe made within the shires of Suffolk, Norfolk and Essex, or any of them, or els wher of like sort shall contein in length wet, as is aforesayd betwyxt eyght & twentie and thirtie yardes, yarde and ynche of the rule, and shalbee in breedth seuen quarters of the yard within the lystes at the least, throughout, and by all the whole cloth, and lysted as hath beene accustomed, and beeyng well scoured, thicked, milled, and fully dryed, shall weigh fower score pound the peece at the least. And that all and euerie short cloth and clothes coloured, which after the sayd feast shalbee made within the saide shires, last remembred or of anye of them, or els where of lyke sort shall conteyne wette as is aforesayd, betwixt three and twenty and fiue and twenty yardes, yarde and ynch of the rule, and shalbee in breedth as last is remembred, throughout and by ỹ whole clothe, and lysted as is aforesayd, and being fully scoured, thicked, milled, and fully dryed, shall weigh three score and fower poũd the peece at the least. And that all and euery coloured clothe and clothes, which after the sayd feast shal bee made within the sayde shires last remembred, or elsewhere of like sorte commonlye called handie warpes of what length they shall happen to bee, shall bee in breedth out of the water thorough out, and by all the whole cloth, as is last remembred, and lysted as they haue been accustomed, and beeyng well scoured, thicked, milled, and fully

Kent
Sussex
Reding

Content

weight

Suffolke
Norfolk
Essex

Content

List

weight

Content

Handy warpes

fully dyed, euerie yarde of euery such clothe, shall weigh three pound at the least, and that all whytes whiche after the sayd feast shall bee made in the sayd shires, or else where, as Cockfal Glasford whites, Glanfforde, and other beeyng handwarpes, of what lengthes soeuer they shall bee, shall conteyne in bredth as is afore remembred and beelysted as is aforesayd, and being wel scoured, thicked, milled, and fully dryed, shall weygh by the yarde three pound at the least, of such measure as hath beene beefore vsed. And that all whites, and reddes whiche after the sayd feast shalbee made in the shires or counties of Wilshire, Glocester and Somerset, or anie of them or elsewhere of like makyng, and all other whytes which shall bee made in anye other partes of this realme and not aforis remembred, shall conteyne in length, beeing thorough wett betwirt sixe and twenty and eight and twenty yardes, and shallbee seuen quarters of the yard in bredth within the lystes at the least, and lysted accordyng to the auncyent custome, and being wel scoured, thicked, milled and fully dried, shal weigh euery peece three score and fower pound being white, and three score being coloured at the least. And that al broade plunkets, azures, bleives, and other coloured cloth, which after ỳ said feast shalbee made within the said shires of Wilshire, Glocester or Somerset, or else where of like makyng shall conteine being wet as is aforesaid, betwirt fiue and twenty and eyght and twenty yardes, yard and ynche of the rule, and shall bee seuen quarters of a yarde within the lystes at the least, and lysted accordyng to the auncyent custome, and beeyng wel scoured, thicked milled, and fully dryed shal weigh fower score and eyghte pounde the peece at least. And that all kerseys called ordyneries shall conteine in length betwirt seuenténe and eighténe yards, yarde and ynche, as is aforesayd, and beeing well scoured, thicked, milled, dressed, and fully dryed, shall weygh twenty pounde at the least. And all kerseys called sorting kerseys, whych after the sayd feast shalbee made in anie part of England, shall conteyne in length at the water, betwirt seuenteene and eyghteene yardes, yard and ynche as is aforesayd, and beeing well scoured, thicked, milled, dressed and fulled, dried redy to be shewed, shal weigh fower and twenty pound the peece at the least. And that all Deuonshire kerseys, called douzés which shalbe made after the sayde feast shall conteyne in length at the water, betweene twelue and thirteene yardes and ynche of the rule, and beeing well scoured, thicked, milled & fullie dryed, shal weigh fower teene pound the peece at the least. And that all and euerie broode cloth & clothes called Taunton clothes, Bridgewaters and other clothes, which shalbee made after the sayd feast in Taunton Bridgewater, or other places of lyke sort shal conteine at the water in legth betwirt twelue and thirteene yardes, yard and ynche of the rule, & in bredth seuen quarters of a yard, & euery narrow cloth made after the said feast in ỳ said towns or else wher of like sorts shall conteyne in the water in length, betwirt fower and twenty and fiue & twenty yardes, yard and ynche as is aforesaid, & in bredth one yarde of like measure, and euery such clothe, both brode and narrow, being well scoured, thicked, milled, and fully dryed shall weigh fower and thirty pound ỳ peece at the least. And that all clothes, named check kerseys, & streites whych shalbee made after the said feast, shall contein in length being wet, betwyxt, 17. & 18. yards, to the ynches as is aforesayd, & in bredth one yard at the least, at the water, and being wel scoured, thicked, milled, and fully dried shal weigh xviij. pound the perce at ỳ least. And that all and euery Walsh cotton and cottons, whiche after the sayde

weight
Whites Cockfall Glasford
weight
Wilshire Glocester Somerset
Content
Lyst
weight Plunkets Azures Bleives
Content
weight Kerseys Content
Weight
Sorting kerseys
Content
weight Deuonshire kerseys
Content
weight
Taunton clothes Bridgwaters
Content
Check kerseys Streights Content
weight
weight Welch cottons

Content

weight

Friſes

Cardigan
Carmardē
Penbroke

Content

weight

Northerne
clothes

Content

weight

Penſtones
Fozeſt
whits

leaſt ſhall be made and wrought, readye to be ſolde, for a whole peece ſhall not bee ſtretched on the tenture, nor otherwiſe a nayle of a yarde in breadth, and ſhal bée in length. 32. goades in the water at the moſte, and in breadth. iii. quarters of a yarde, at the water at the leaſt. and beeing ſoe fully wrought euery whole peece thereof ſhal weigh 46. pounde at the leaſt, and euerye halfe peece of Welſhe cotton, beeing full wrought as is aforeſaide, ſhall conteine in length, weight & breadth, after the ſame rate. And that all Welſhe friſes, whiche after the leaſt aforeſaid ſhall bee made and wrought within the ſhires of Cardigan, Carmarden, and Penbrooke, or anye of them, or els whereof lyke making, readye to bée ſolde for a whole péece, ſhall conteine in length at the water 36. yardes at the leaſte, yarde and ynche of the rule, and in breadth three quarters of a yarde, and beeinge ſoe fullye wrought, ſhall weighe euerye whole péece 48. li. at the leaſte, and euery halfe péece of Welſhe Friſes, beeing fullye wrought as is aforeſayde, ſhall conteyne in length, breadth, and weight after the ſame rate. And that all and euerye Northern clothes whiche after the ſayde feaſte ſhall bée made, ſhall conteine beetwirte. 23. & fiue and twenty yards in length, yard and ynche of the rule, and in breadthe, beeing throughwette, ſeuen quarters of a yard within the liſtes at the leaſt, and beeing well ſcoured, thicked, milled, and fully dryed, ſhall weighe. 66. pound the peece, at the leaſt, and euerye halfe péece called douzen, made after the ſaid feaſte, ſhall conteyne in length betwirt twelue and thirteene yardes of meaſure aforeſaide, and ſeuen quarters of a yarde in breadthe, as afore, within the liſtes, and beinge well ſcoured, thicked, milled, & fullye dried, ſhall weighe. 33 pound at the leaſt. And that all clothe commonlye called Penyſtones, or Fozeſt whits, which ſhall be made after the leaſt aforeſaid, ſhall conteyne in length beeyng wette, betwirt twelue and fortreene yardes, yarde and ynche, as aforeſaide, and in breadthe fiue quarters and a halfe quarter out of the water at the leaſte, and beeing well ſcoured, thicked, milled, and fullye dryed, ſhal weigh eyght and twentye pounde the péece at the leaſte. And that all and euery cottons, called Pancheſter, Lancaſter ſhire, and Cheſhire Cottons, whiche ſhall bée made after the ſayde feaſte, full wrought to the ſale, ſhal be in lengthe twentye and two goades, and conteyne in breadth three quarters of a yard in the water, and ſhal weigh thirtye pounde the peece at the leaſt. And that all cloths called Pancheſter rugges, otherwiſe named Pancheſter friſes, whiche ſhall bee made after the ſaid feaſte and fullye wrought to ſale, ſhall conteine in length. 36. yardes, & in breadth three quarters of a yard, comming out of the water, and ſhall not bée ſtretched on the tenture, or otherwiſe, above a nayle of a yard in breadth, and beeing ſo fully wrought, and well dryed, ſhall weighe euerye péece. 48. li. at the leaſt. And bee it further enacted that all and euery perſon and perſonnes, whiche after the ſaide feaſt of Sainct Michaell the Archangell nert comming, ſhall make, or cauſe to bée made any of the ſeueral kinds of broade clothes aboue reherſed, of any ſhorter or longer meaſure, then is aboue ſpecified and appointed for euery cloth, or ſeueral kinde of clothes to bee made or maide any ſuch clothe, or clothes of leſſe breadth or weighte, beeinge well ſcoured, thicked, milled, and fully dryed then as is aboue ſpecified, and appointed for euery ſeueral countrey, or kinds of clothes, and ſhall put the ſame to ſale, ſhall forfait & loſe for euerye ſuche defaut of euery cloth ſold or offred to be ſold, in length or breadth. xl. ſhillinges & for euery pound weight, whiche anye cloth ſo made & ſold, or offred to be ſold

Content

weight

Cottons of
Lancaſhire
Cheſhire
Mãcheſter

Content
weight

Rugges
Friſes

Content

weight

Forf.

ſhall

shal lack, exceedinge not aboue iiii. li. in weight shal also forfait two shillinges for euery pound, the same forfaiture to go to ẏ finder thereof. And that if any such cloth lack aboue 4. pound weighte of the seuerall weights aboue mencioned, that euery owner thereof shal thē forfait xl.s. for euery such clothe so lacking of his weight, as is aforesaid. Prouided alwaies that if any brode clothe shal exceede the seuerall length before appointed for euery countrey, or kinde of making by meanes of the finesse of the good perfect, and slyffe makinge of the same clothe, that then ẏ maker therof shall not enaurre any losse or penaltye for ẏ ouer length of any such fine cloth: Any thing herein to the contrary in any wise notwithstandinge. And bee it further enacted that all and euery persone or persones, which after the sayd feast shall make or cause to be made any of the seuerall kinds of kerseis, narrow clothes, streits douzens, frises, or cottons aboue mencioned which shall not bee made in such maner & fourme as is aboue said nor conteine and haue in length, bredth, and weight seuerally appointed, and limitted as is aboue specified, shal lose and forfaut for euery peece of cloth called streight or douzen and for euery peece of narrowe clothe karsey, frise, or cotton, so to bee made and sold, or offered to be sold xl.s. And bee it further enacted, that from and after the said feast, no persone or persons shall putto any heare, flockes, or anie parne made of lambes wolle into any cloth karsey, frise, or cotton, so made & sold or offered to be solde, vppon paine to forfait euery such clothe, karsey, frises and cotton, wherein any such yarn heare or flockes shalbe put or the value of such clothe, kerseies, frise. See this article repealed for some places. Ann. 7. E. 6. ca. 9. here folowig, 54. And be it further enacted, ẏ if at any time after the sayd feast, any cloth through ẏ default or negligence of the carders, spynners or weauers of any of them, shal or doe proue, either purly, baudy, squalye by warpe or woufe or else shal happen to bee euil burled or walked in the mill, or els through the default or necligence of the mil mā, or otherwise to be full of holes, mill brackes, or to be holy, that then the seale of the aulnegeour shal not bee fired, or set to any such cloth, any law statut or vsage, to the cōtrary notwithstanding. But the accustomable fee, & allowance to the aulnegeour, shall neuertheless bee paied vpon payne of forfeiture of such whole cloth or ẏ value therof.

And bee it further enacted, that if anye clothier or clothmaker, do after the said feast, putte any cloth or kersey to sale, before hee shal haue paied to the aulnegeour or his deputie, the accustomable fee, or agree for the same, as hee, shee, or they haue ben accustōed, shal lose & forfait for euery default xx.s. And bee it further enacted that no person or persons, English denizen, alien, or straūger, shall after the same feast carry, or transport or cause to be carried or trāsported into any of the parties beeyond the sea, any cloth, karsey, frise or cotton of the seuerall sortes aboue recyted, vnlesse the kynges seale or aulnegeours seale of this Realme, and the seale of ẏ owner or maker of the cloth (declaring therein the length of the cloth as it shal bee in the water) bee sett vppon euerie such cloth, vpon paine to forfait euerie such cloth lacking the same seales, or any of them, or the value thereof. And bee it &c. that no draper marchaunt tailour, clothworker, or other persone which shal retaile any of the clothes or kerseys, frises rugges or cottons of the seuerall makings aforesayd, shal after ẏ sayd feaste putte to sale any of the clothes afore mencioned whereunto ẏ aulnegeour shal haue set to the kinges seale and the owner his seale, till suche time, as hee or they haue made trial as wel by the water, as by the weighte & measure whether they, & euery of thē shalbe made accordinge to the purport and

Forf.

Forf.

Forf.

Heare Flox Lambes woll

Forf.

Repealed

Forf.

Burly
Baudy
Burled woll

Vinegr

Forf.

Clothier

Put to sale

Forf.

Alien
Denizen
Transport

Seale

Forf.

Draper
Marchant taylor
Clothworker

Retayle

Put to sale

Tryall

& true meaning of this act or no. And if any personne or persons shall find any defective or faulty cloth in lengthe weight or measure made cõtrary to ỳ orders aforesaid, that then hee or they shal present every such cloth to euerie Maire, Bailife, or other head officer, or head officers of euery citie, borough or towne corporat, or to the two Justices of peace next adioininge out of a citie, borough, or towne corporat where such cloth shalbee found faulty as is aforesaid, to the intent the same cloth may be cut into three equal parts, and peeces. The one peece therof, to be forfaited to our soueraigne lord the kinge an other peece to be to ỳ preseter there of, and the third part residue to such person or persons, as it shal then bee presented to, vppon paine that euerie such person as shall not so searche euery of the clothes, kerseies, cottons, or frises aforesaid, so by him to be bought & sold and shal not seise, & present such clothe or clothes, as hee or they shal finde defective as is aforesaid, shall forfayt and lose ỳ double value of euery such clothe. And bee it further enacted that euerie clothier, or other personne whatsoeuer, which so shall sell any such faultye karsey, cotton or fryse, wher vnto the Aulnegeour, and the owner shall haue sett to their seales, and shall so bee sealed, as is aforesayd, shall within fower daies next after request made by writting, message or otherwise, by such personne which shall so buy such clothe, make payment of such summes of money as he received for the same, or shal otherwise, satisfie, discharge and acquite him for so much money as hee shal or should haue received for ỳ same vppon paine of forfaiture to the party greeued for euery non payment, or not acquital as is aforesaid, the double value of the money so receiued, or to bee receyued, the same to bee recouered by bvll, playnt &c. wherein &c. And for the further auoyding of mucho vntruthe practised by stretchinge of clothes:

Bee it enacted that no person or personnes, shall after the said feast straine or stretche, or cause to bee strained or stretched, anye cloth aboue one yard in length and one halfe quarter in breadth vppon paine to forfait for euery such default v. li. And bee it further enacted, that no personne, which shal after the sayd feast keepe, haue vse or occupy anye tentour, shal haue vse, or occupy wrinche, rope, or ringe, with the same tentour, or shall vse anye other engyn vnlawfully to streyne or stretch anie cloth, or clothes, vppon paine that euery offendor that shal vse or occuppye any tentour, or other engin to the cõtrary, shall forfait xx. li. And bee it &c. that if any marchaunt shall by anye meanes transporte, or carrie ouer into the parties beyond the sea anie clothe karsey, frise or cotton, which shalbee founde defective or faultye, either in lengthe breadth or weight, or elle shall haue any of the faultes aforesaid, that then the marchaunt, or other personne which shal so transport the same, shal retourne againe the same cloth, so foũd defective into England, at the costes and charges of the clothier, or clothe maker that solde the same clothe, the same costes and things to be recouered against such clothmaker, or clothier by accion of debt, bvl, plaint, or informacion in any of the kinges courtes, any promise, or bargaine to the contrary notwithstanding. Vppon payne that euery marchaunt, or other personne which shal not so retorne such faultie or defective cloth (if thorughe mistortune by tempest, pyrates, or enemies hee bee not letted) shall forfait & lose the value of the cloth so shipped, and transported, and not returned as is aforesayd, the one moitie thereof to ỳ kinge, and the other moitie to hym ỳ will sue &c. wherein &c. And to thintent that it may perfectly be knowē which clothes are perfectly dressed dyed, and pressed with the colde preise without fraude, couin, and disceipt as well with

fii

Deceit
Present Maior Bailife
Just. p.
Cutt Forf.
Serche
Forf.
Clothier
Aulnegor
Forf.
Strain
Forf.
Tentour
Wrinch
Forf.
Merchant Transport
Defectius
Retourne
Accion
Merchant
Forf.
Moitie

London workmanship

in the citie of London as elſe where, & haue ſufficient workemanſhippe. Wē it further enacted, that aſwel ỹ Maire of the Citie of London, and Aldermen, or the moſt parte of them, for the tyme beeinge as al and euery other Maiour, baylife and other heade officer or officers of euery Citie, Borough or towne corporat within thys realme, ſhal haue ful power & auctoritie by vertue of this act to nominate depute, and appointe from tyme to time, as occaſion ſhal ſerue, and ſhal ſo from tyme to tyme, nominate depute and appointe two or moe honeſt diſcrete & expert perſōs which ſhal frō tyme to tyme, vppon their othes view and ſearch, al and euery clothe and clothes, that ſhall bee dreſſed, dyed or preſſed with the colde preſſe, within euery ſuch citie, Borough Towne corporat, or porte Towne, and viewe and ſearch whether the ſame clothe or clothes bee wel and ſufficiently dreſſed and preſſed with the colde preſſe, without putting therto flore, ſollace, chalke flower or any other deceiptful thinge, and alſo whether the ſame ſhalbe well and ſubſtancially dyed with good and perfect colours without any deceiuable thinge, or whether it ſhalbee ſtretched, or ſtrained any more then is aboue ſpecified, & ſhal haue ful power & auctoritie by vertue of this act to enter into all and euery perſons houſe or houſes, where the ſhall thincke meete to ſearche and to ſeyſe all and euerye ſuch clothe and clothes as they ſhall finde defective in the premiſſes as forſaied, in whoſe hands ſoeuer they ſhal bee founde. The moitie of which forfayture ſhalbe to the kinge, and the other moity to the Maire, & communalty of the citie of London, or to the vſe of euery citie, borough, towne corporat, porte towne or market towne wher the ſame ſhalbe ſeiſed. And that euery perſon or perſons in whoſe handes or poſſeſſion ſuche defective or faultye clothe either by ſault or deceiuable dyinge, dreſſinge or preſſinge, as is aforeſaide, ſhal bee founde and ſeiſed as is aforeſaid, ſhall haue his, her, or their remedy by accion of debt, byl, &c. wherin &c. againſt al and euery ſuch perſonne or perſons, by whoſe defaultes, or negligence ſuch cloth ſhal ſo bee found faulty, and ſhall thereby recouer all ſuche coſtes, loſſes, and dammages, as hee ſhal ſuſtayne by occaſion thereof. And bee it &c. that aſwel the ſaid Maire of ỹ Citie of London, as euery other Maire Baylife, portreeue, or other head officer of euery eitie, borough, towne corporat, or port towne, ſhall on thys ſide the ſaid ſeaſte, cauſe to bee prepared a ſeale of lead wherein aſwel the armes as the name of euery ſuch city borough towne corporat, or port towne, ſhalbee graued which the ſame ſerchers ſhall cauſe to bee fixed to euery cloth ỹ they ſhal finde after the ſaid ſeaſt well and ſufficientlye dreſſed, dyed, and preſſed, with the colde preſſe without any of ỹ deceiptes aforeſaide and ſhall haue for theire paines, and trauailes therein to be taken, by the owner therof for the ſealing of euery clothe twoe pence. And if any ſearcher or ſearchers ſo to bee appointed, doe after the ſayd ſeaſt finde any of the clothes beeinge coloured or dyed, ſo made after ỹ ſaide ſeaſt either cockly, purſy, bundy, ſqually, or rolvie, or euil burled, or walked in the mille, or full of holes, breakes, ỹ then the ſame ſearcher or ſearchers ſhal beſides the ſeale of the citie, borough, or towne corporat, where the ſame cloth ſhalbe found, put another ſeale of lead at euery end of the ſaid clothe wherein ſhalbe graued the letter F. and ſhal alſo ſet a mark in the liſt, right againſt ſuch place where any of the faultes aforeſayd ſhall bee with the print of a letter or marke of an ynche compaſſe at the leaſt, whereby euery viewer may well knowe what & where the fault is. And further if any of the ſearchers aforeſaid ſhal ſett the ſeale of any Cytie borough, towne corporat or port towne

to

Maior Baylife

Maior London

Baſtike Portreeue

Herch

Seale of lead

Flor Sollace Chalke Flower Good colours

Vineger fee

Defective

Herche Seale

Another ſeale

Foyl.

Moitie

Maior

Marke

Serchers

to any coloured cloth, which shall not be sufficiently dressed, died, pressed, and wrought as is aforesaid, that then the Maire and comminaltie, or Bailifes or comminaltie, or other corporation of the townshipe by whatsoure name, or names they shall bee incorporated where such clothe shall so bee sealed, shal forfaite and lose the whole value of the cloth so sealed. And be it &c. that if any of the searchers aforesayd, after the said feast doe sett to the seale of the Cittie, Borough or towne corporat within the limitts of theire searche to any cloth which shall bee cockled purley, baudy, squallie, rowie, full burled wasted in the mille, or full of holes as is aforesayd, and not sette at euery end of the clothes one seale, with the letter F. as is aforesaid, and also declare by the lists as aforesayde what and wher the faults of the cloth bee, ỳ then the Maire and communialte or other the corporation of euery such borough, Cittie or towne corporat wher such searcher shal bee apointed, shal forfait and lose for euery such omission, or not setting to of any such seale as is aforesayd fiue pound. And bee it further enacted that no persoune or persounes whatsoeuer they bee, which commonly vse to retayle clothe, or kersey, shal put to sale in grosse, or by retaile to any maner of persoune, any manner of cloth which shal be made after the said feast being dressed died, and pressed as is aforesaid, except there bee fixed thereunto at euery ende of the same cloth the seale of such Cittie Borough or towne corporat, wher ỳ same cloth shalbe sodyed, dressed, or pressed or the seuerall seale of euery such Cittie, Borough, or Towne corporat, where it shalbe died dressed, or pressed, to remaine at the last end of euery of the said cloth which shalbee solde, during and by all the tyme that anie peece or remnaunt of such cloth is to bee solde vpon payne of forfaiture the whole value of such clothe.

And bee it further enacted that euery Maire, bailise, or other head officer of any cittie, borough, or towne corporat in which any such cloth or clothes, after the said feast shalbee made, died dressed with the cold pressle, as is afore sayd, which doth not or shal not after ỳ said feast of S. Michaell nominate & appoint from time to time so many searchers as shalbe requisit to viewe such clothes vppon theire othes as is aforesaid, shal lose and forfeit for euerye default tenne pounde. And be it further enacted that if any of the said searchers so to be appointed by the Maire being a free man of the said Cittie, or by the Maire, bailife or other head officer of any Cittie, borough, or Towne corporate as is aforesaid, having no reasonable excuse, do refuse to take vppon him to bee a searcher, and do not vse the office of a searcher, as is aforesaide, shall forfeit and lose for euery such refusall, & not executing of his office so to him appointed fiue pounde. Whe one half ther of to bee to the king, and the other halfe to the vse of the comminalty of euerye City, Borough or Towne corporat where he shall so bee assigned, and to remaine in warde till such time as hee hath made payment of the said forfeyture, or otherwise put in sufficient bond for the satisfaction of the same. And for as much as there bee now in this time many false and deceiuable coulours made in diuers places of this Realme whereby many of the kings louing subiectes are deceiued: Be it enacted that from and after the said feast of S. Michaell Tharchaungell nert comming, no person or persons, shal put to sale by retaile within this realme, any cloth or clothes which shal bee made after the said feast, of anie other colour or colours, then is hereafter expressed. That is to say, scarlet, reede, crimson murrey, violet, puke, browne bleiwe, blacke, greene, yelowes, bleiwes, orenge, tawny, russet, marble, graye, sayde ye wie colour, Azure, watchet,

theyes

shepes colour, Lion colour, motley, or pron gray, vppon paine that euery person offending to the contrary shal lose and forfait the value of the cloth solde by retaile, which shalbee of any other colour. And that no person or persons, after the said feast of saint Michael the archangel, shal dresse any kind of cloth with the hoate presse or in anie other kinde of deceiueable manner but onely with the colde presse, as is aboue specified, vppon paine of forfaiture of the whole cloth, so pressed contrary to the meaninge of this statute, or the value thereof. And further if any persone or personnes but suche as are appointed, assigned, and permitted by this act, doo at any time after the sayd feaste, counterfait set to, or take away from any of the clothes, karseis, frises, rugges, or cottons aforesaid, anie of the seales so to be fixed as is aboue recited, ỳ thẽ euery person so offending, shal for the first offence (being thereof duely conuicted by verdict of xii. men, by two sufficiẽt witnesses, or by confession of the party) forfait and lose x. li. And for the second offence (beeinge likewise thereof conuicted) shall sit on the pillorye, and lose and forfait to our soueraigne Lord the king all such his goodes and cattelles (his debtes beeing duely and truely paide without fraude or couin) as hee had or shal haue at the time of his conuiction. And be it further enacted that if betweene the first day of May next commynge and the feaste of saint Michael tharchaungell, then nexte comming, any person or personnes, which now doth vse the art or misterie of drapery or clothmakinge shall geeue ouer drapinge, or clothmaking, except he be licenced so to do by iii. iustices of peace at the leaste of ỳ Citie countie, borough or towne corporat where hee dwelleth vppon some reasonable cause shewed vnto the said iustices, shall neuer after take vppon him to make or cause to bee made any kinde of cloth or kerseye, to sell the same againe, vpon pain of forfaiture of euery such clothe or kersey ỳ hee shal so sell. And be it further enacted that all and euerye article clause or sentence in any act of parliament, here tofore made, concerninge making dying drelling, prelling, searching or sealing any of the kinds of clothes, broade or narrowe, white or coloured karseis frises, rugges, or cottons, heretofore in this act mencioned, and beeinge repugnaunt or contrariaunt to any article or sentence in this statut, shal frõ the feast of saint Michel tharchaungell next bee vtterly voide and of none effect, And to thintent &c. Be it &c. that from and after the said feast, the letter E. crowned shal not be wrought into the clothe for and by the space of twoe yeares then next ensuing, vppon pain of forfaiture of xx.s. for euery clothe or karsey, wherein the said lettter E. shal so be wrought, the moitie of all which forfaiture, and of all other forfaitures beefore expressed, and not otherwise appoynted by thys present act, shalbee to the king &c. & thother moitie to hym that wil sue &c. wherin &c. Prouided al so and be it &c. that it shal not bee lawfull to any persone or personnes, at any time after the feast of Saint Michael tharchaungell next comming to boile or cause to be boiled any kinde of wols to be cõuerted into any kynd of broade cloth or kersey, wt any kinde of gals rynes barkes of trees, or sawdust vppon payne to forfayt all such woolle or the value therof, to be recouered and had in such forme & sort as in the forsaid act is limitted and expressed.

Prouided alway that this act or any thing therin conteined shal not in any wise extende to any clothe or clothes made in the towne of Tauestoke in ỳ County of Deuonshire, or elsewhere within the said countie commonly called Tauestoke clothes, but that it shall bee lawful to al & euery inhabitaunte of the said towne or makers of ỳ sayd cloths commonly called Tauestokes, to make & seale the same with the accustomed

Forf. Forf. Presse Forf. Counterfait Seales Connict Verdict Confession Forf. Pillory Forf. Cloth making Licence Just. p. Forf. Repugnãt Void Letter E. Forf. Moitie Woole Wooles Gales Rynes Barks Sawdust Forf. Tauestoke Seale

customed seale, as they haue heretofore ben accustomed, any thing in this acte to ẏ contrary in any wise notwĩstãding An. 5. E. 6. cap. 6. diuers braunches of this statute are qualified & some repealed by a statut made. 4. & 5. P. & M.

Qualified
Repealed

54 ¶ In An. 5. E. 6. ca. 8. it was enacted that none should weaue & make or put to weauing or makinge any brode woll̃e cloth to be sold, vnlesse such person haue ben prentice to ẏ occupatiõ of brode woll̃e cloth making or weauing. or haue ben exercised therin by vii. yeares before, vpõ forfaiture of such cloth &c, But this act is repealed by 1. M. as appereth herafter.

weaue
Prentice
Forf.
Repealed

55 ¶ Euery peece of the said clothes called white plaine streits made after the said first day of May shal conteine in length being ready dressed to put to sale xii. yardes at the least, & in bredth one yard at ẏ least in weight xl. li. at ẏ least, vpon pain of forfaiture of ẏ sãe, or ẏ value therof. And that euery peece of the saide clothe called white pinned steights made after the said first daye of May, being ready dressed to put to sale, shal contein in length xl. yardes at ẏ least, and in bredth three quarters of a yard at ẏ least & in weight eight pounds at ẏ least, vpon pain of forfaitur of ẏ said clothes, or true value therof: the one moitie &c. to the kinge &c. & the other motty to him that wil sue &c. wher in &c. And be it &c. ẏ it shal and may be lawful to, & for euery person or persõs whatsoeuer inhabiting or dwelling wõ in the saide counties of Deuon & Cornewall, or either of them, to make the foresaid sortes of clothes with heare, flockz, or yarne made of lambs wolls, or otherwise without any penaltie, or forfaiture therof, the foresaid act made in the said last parliamẽt. (s. An. 5. E. 6. ca. 6. before, 52) or any other lawe or statute had or made to the contrary notwĩstanding. Bee it &c. that the owner or owners of al & euery such clothe and clothes, so wrought and made, shal bringe or cause to be brought the same cloth or clothes to the next Cytie, borroughe, or towne corporate where the same shalbee fully dressed and made, there to bee measured, weighed, and sealed with a seale of lead fixed to euery of ẏ said peeces of cloth, in which seale the armes or names of euery such Cytie borough, or Towne corporate, shalbee grauen, and that the Maiour of euery Cytie, borough, or towne corporat, wher the same cloth, or clothes shalbee brought, shall appoint & swere two officers for the true weyghinge, measuring, and sealinge therof. And that the same officers shall haue for theire weighing, measuring, and sealing of euery peece of the said clothes one halfe peny, and no more. Bee it further enacted &c. that euerie clothier or clothiers, which shall putte any of the clothes aforesayde to sale, or offer the same to bee solde, before the same bee weighed, measured and sealed as is aforesaide, shall forfaite for euerye such defaulte, the clothe, or clothes so by him or them solde, or offered to bee solde, the one moitie &c. to the Kinge &c. And the other moytie to him that will sue &c. wherin &c. Anno. 7. Ed. 6. capitulo. 9.

Plain streits
Content
weight
Forf.
Pinned streits
Content
weight
Forf.
Moitie
Deuon
Cornewal
Heare
Flox
Lambes woll
Seale
Mayors
Officers
Wegers fee
Clothier
Put to sale
Forf.
Moitie

56 ¶ Euery person or persones, inhabitting in any of the sayd cities, borroughs, or Townes corporate, or in market townes within the Realm of England, where cloth making at any time before the making of the said acte hath beene vsed, shall, or maye, from henceforth lawfully make al manner of brode clothes aforesaide, and putte them to weauing, walkinge, fulling, dying, and sheringe, without any impediment, so that the seme clothes bee substancially made, bearing lawefull length, bredth, and waight, according to the statut for good & true cloth making, made in the fift yere of ẏ raigne of our said late soueraigne lorde kinge Edward the first (s. ca. 6.) any article, or clause to the sayde former estatute, (s. An. 5. E. 6. ca. 8. before. 53.) or any

Make brod clothes

other

other estatut made to ẏ contrary, in any wise not wtstanding.

57 ¶ No personne vsinge the feat or mistery of clothmaking and dwelling out of a citie, borough, market towne or corporat towne, shal from the feast of saint Michael tharchaungell, nowe nert ensuing, keepe, retaine or haue in his or theire house or possession anye more or aboue one woollen loome at one tyme, nor shal by any meanes directly or indirectly receiue or take any manner profite, gaine or commoditie by letting or setting any loome or anye house wherein any loome is, or shalbee vsed and occupied, which shalbee togethers by him sett or let, vpon paine of forfaiture for euery weeke ẏ any personne shal doe contrary to the tenour and true meaning therof xx.s. And bee it &c. that no woollen weauer vsinge or exercising the feat or mistery of weauing, and dwellinge out of a citie, borough, market towne, or towne corporat, shall after the said feast, haue or keepe at any one time aboue ẏ number of twoe woollen loomes or receiue any profite, gaine or commoditie bee it directly or indirectly as is aforesaid by any more then twoo loomes at one time vppon payne to forfait for euery weeke that any personne shall offende or doe to the contrary xx.s. And it is &c. that no personne which shall after the said feast vse exercise or occupy only the feat or mistere of a weauer and not clothmaking, shal duringe ẏ tyme ẏ hee shal vse the feat or mistere of a weauer, keepe or haue anye tucksinge mille, or shall vse or exercise the feate or mistere of a tucker, fuller, or dier, vppon paine to forfait for euery weeke that hee shall so doe xx.s. And it is &c. that no personne which after the sayd feast shal vse exercise or occupy ẏ feate or mistery of a tucker, or fuller, shal duringe the tyme that hee shall so vse the said feate or mistere, keepe or haue any loome in his house or possession, or shall directlye or indirectly take anye profit or commoditie by the same, vppon paine to forfait for euery weeke, xx.s. And it is &c. ẏ no person whatsoeuer which heretofore hath not vsed or exercised the feate, mistere or arte of clothmaking, shall after the said feast, make or weaue, or cause to be made or wouen any kind of brode white woollen cloths, but onely in a city, borough towne corporat, or market towne, or else in such place or places where such clothes haue beene vsed to be commonly made, by the space of tenne yeares nert before the makinge of this act vpon pain of forfaiture for euery cloth otherwise made fine poundes. Prouided alwaies and bee it &c. that it shall not be lawful to any personne or personnes being a weauer, or that doth or shall vse the arte or mistery of a weauer, or weauinge, dwellinge out of a Citie, Borough, Towne corporate or market Towne, to haue in his and theire seruice anye more or aboue the number of two apprẽtices at one time vppon payne to forfayte for euerye tyme that hee shall offende or doe contrary to this braunche, or article, the summe of tenne poundes. And further bee it &c. that it shal not bee lawfull to or for any person or personnes to set vp the arte or mistere of weauing after the said feast of Saynt Michaell vnlesse the same person or persons so setting vp the same arte or mistere of weauinge haue been apprentice to the same arte or mistery, or exercised the same by the space of seuen yeares at ẏ least, vppon pain of twenty poundes to bee forfaited to the kinge &c. the one moitie of all which forfaitures, shalbe to the king &c. And the other moyty to him that will sue &c. wherin &c. Prouided alwayes and bee it &c. that thys acte or anie thyng therein conteyned, shall not in anie wise extend or be preiuditiall to any person or personnes that doth or shall dwell in the countyes of Yorke, Cumberlande, Northumberland, and Westmerland, but that they and

One woll loome

Lating of loomes

Forf.

Woollen weuer

ij. woollen loomes

Forf.

Weauer

Tucking mill

Fuller Dyer

Forf.

Loome

Forf.

Citie

Forf.

Apprẽtices

Forf.

Weauer

Apprentice

Forf.

Moitie

and euery of them shall and may haue and keepe lomes in theire houses and dooe and exercise al and euerye thinge and things, for or concerning spinning weauing cloth worcking, and clothmakinge in the said counties, as they or any of them might haue done or exercised lawfully before the makinge of this statute, any thinge conteined in thys statut to the contrary in anywise notwithstanding. An.2.& 3.P.& M.ca.11

Spinning

58 ¶No personne whatsoeuer inhabiting, or which shal hereafter inhabite within the sayd countie (s.of Somerset) shall after the feast of the Purification of our Lady next comming commonly called Candlemas, put to sale any kinde of such clothes as is forsayd or clothes of lyke nature making and sort made or to bee made within the said county, except such cloth bee first viewed, searched and seene in one of the Boroughs, or townes aforesayd (s.Bridgwater Taunton and Chard) Whether the same bee perfectly and truely made according to the statute, & also that the same bee sealed with the seale of one of the saide Boroughes or townes in such sort maner and forme as in the statut made in the 5.yeare of king Edwarde the vi. entituled an acte for the true making of woollen cloth, is for sealing of clothes prouided & enacted, vppon paine ỳ euery person offendinge or doinge contrarie to the true meaning of this act shal forfait ỳ cloth sold or the value thereof, the moitie of al which forfaitures shalbe to ỳ king & Quiene &c.& the other halfe to him that wil sue &c.

Put to sale
Bridgwater
Taunton
Chard
Seale
Forf.
Moitie

59 ¶An.24.H.8.ca.2. an act was made concerning true dying of cloth, hattes & cappes to endure to ỳ last day of the next parliament.

Dying
Hatts
Cappes

60 ¶Where in the parliament holden at Westminster, in the fift & sixt yeare of the raigne of our late souereigne lord kinge Edward ỳ sixt, there was by great deliberation and aduyse one good act made for the true and perfect making of woollen clothe wythin this realm, sithence the making wher of diuers clothiers found them selues agreued alleginge that it is impossible for them to obserue the same act in all points, and haue in this present parliament praid some mitigation thereof, It is therfore at theire special instance and requeste ordered established, facted and prouided in manner and fourme following. In primis that euery white cloth and clothes commonly called longe worcesters, and al like clothe of like making mencioned in ỳ sayd act which by the same was limitted to weygh lxxviii. poundes, beinge well scoured, thicked, milled, and fully dryed shall weigh lxvi. poundes at the least. Item euery whit cloth which shalbe made in the cowties of Wyltes. Glouceste, and Somerset or any of them, or els wher of like making, beeing appointed by ỳ said acte to weigh lviii. poundes shall weigh being wel scoured, thicked, milled and fully dried. lvi, poundes at the least. Item euery broode clothe made in the shires of Kent and Sussex, or at the towne of Reading, or any of them or elsewhere of like making, mencioned in the said act which by the same was limitted to weigh lxx. poundes at the leaste, shal weigh being wel scoured, thicked, milled, and fully dryed, lxvi. poundes at the leaste. Item that euery course short cloth made in the shires of Sutt. Norf. and Esser, or any of them, or els wher of like sort, and euery course cloth to bee made within ỳ shire of Kent, not exceedinge the price of fyre poundes, al which by the said acte are appointed to conteyn xii. quarters of a yarde at the leaste in breadth, shall conteine and bee at the water beeinge thorough wette fyre quarters & a halfe within the list throughe and by all the whole clothe at the leaste. Item euery yard of cloth commonly called handywarp beeing wel scoured, thicked milled, and fully dried shall conteine the breadth specified in the sayd act & shall weigh

whit cloth
Long worcesters
weight
Wilt shire
Glocester
Somerset
weight
Kent
Sussex
Reding
weight
Sutt.
Norf.
Esser
Wzedth
Wzedth
weight

weight

weigh two poundes and a halfe at the leaſt. And for as much as manie perſonnes doe counterfait the making of Cothſall, Bocking, and Braine cloathes, cõmonly called handwarpes, adding thereunto ſuch lyke lyſt as the makers of ſuch clothes do, to the great deceipt of the king and Queenes Maieſties ſubiects: Bee it therefore enacted that no perſonne or perſonnes from ỳ firſt day of May next cõmig ſhall add vnto any cloth or clothes, any ſuch like liſt or lyſts, except ỳ warp thereof bee ſponne vppon the rocke or diſtaffe, vpon payne of forfayture of the ſame cloth or cloths, or the very value therof. Prouided alwayes that the cloth makers within the Cytie of Worceſtour may make ſuch liſts as they haue done heretofore. Item that no perſõ or perſonnes inhabiting within the weſtryding, in the county of Yorke, ſhal make or cauſe to bee made anie broade cloth or cloths called pelukes, tawnyes, bydets, or greenes, except the woll therof beſore it be cõuerted into yarne, be firſt dyed, litted, and coloured with ỳ colour blue of the value of two peuce a pound, vppon payne of forfaiture of euery ſuch coloured cloth, or ỳ value therof, wherof the woll ſhall not bee firſt dyed, litted, and coloured with the colour blew of two pence a pound, as is aforeſayd. Item that euerie ordinary karſey mẽcioned in the ſaid act, ſhall conteyne in leingth in the watir betwixt xvi. & xviij. yardes, yard and ynch, and being well ſcoured, thicked, milled, dreſſed and fully dried ſhall weygh. xix. poundes the piece at the leaſt. And euery karſey called ſorting karſey, mencyoned in the ſayd act, being well ſcoured, thycked, milled, dreſſed, and fullie dryed, ready to bee ſhewed, ſhal weigh two & twentie poundes at the leaſt, Item that euerie Wiltonſhire karſey, called dozens, the which is appoynted by ỳ ſame ſtature to weigh, beeyng dozie, fowertene poundes at the leaſt, ſhall weigh, being well ſcoured, thycked, milled, and fully dryed, after the rate of euerie yard one pound at the leaſt. Item that one article mencyoned in the ſayd ſtature concernyng welſh Cottons, touchyng the length and weight, ſhalbe clerely void, and euerie goade of welſh linyng, ſhall conteyne and bee three quarters of a yard in bredth in the water, and ſhall weygh one pound and a halfe quarter, and euerie yard of Cotton beeing fullie wrought and cottoned ſhall weygh one pound at the leaſt. And bee it further enacted that no perſonne or perſonnes which ſhall buy to ſel againe by way of retayle, or otherwyſe, any of the ſayd welſh lynings, ſhall dreſſe or worke, or cauſe to bee dreſſed, or wrought within hys or their dwellyng houſe or houſes, or in any other place, by him ſelfe, or his ſeruaunt or ſeruaunts, any of the ſaid welſh lynynges, but ſhall put the ſame to ſome ſuch perſonne or perſons as ſhalbee of the art or ſcience of ſhereſmen, cottoners, or fryſers, to bee by them wrought, and dreſſed, vpon paine of forfaiture for euerie welſh cotton or lyning, friſed or cottoned to the contrarie 6d. ſhillings eight pence. Item that all and euerie cotton or cottons, called Manchester, Lancaſhire, and Cheſſhire cottons, and al cloths called Manchester Rugges, or Manchester Fryſes, may bee deuided into two halfe peeces, and ſhall conteyne, and bee after the rate of ſuch breadth and weyght, as in the ſayd act is lymitted and appoynted to a whole piece of euerie of the ſeuerall pieces of Cottons and Rugges aforeſayd, anie thyng in the ſaid former ſtatute to the contrarie in anie wiſe notwithſtanding. And if anie cloth or kerſey, of the ſeuerall kyndes of makings, mencyoned in the ſayd former act or thys eſtatute, doe exceede the ſeuerall lengthes mencyoned in the ſame, that then euerie yard ſo exceedyng, ſhall weygh after ſuch rate as euerie yard of ſuch cloth or kerſeyes conteynyng the ſayd ſeuerall lengthes, ſhall or ought to weigh, vppon paine of forfayture for



Liſts

Fozf.

Worceſter

Weſtriding Wood clothes

yarne

Forf.

Kerſie

Length

weight

Kerſie

Weigh

Dozens

Welch cottons Woyd

Wzedth Weight

Retayle

Dzeſſe

Shereman

Forf.

Mãcheſter Lancaſhire Cheſhire Cottons Rugges Fryſes

Exceede in length

Forf.

euerie yard not weyghyng after such rate, fine shillynges. And if anie such cloth or karsey shall lack of such weight, as by the sayd statute, or this act it ought, and is appoynted to haue, then the maker thereof, or other personne in whose handes or possessyons the same bee found, shal forfayt for euerie pound lackyng aboue sower pound, fine shyllynges, and also for euerie pound exceedyng not aboue sower pounds two shillynges, in manner and sourme as in the said former act is appoynted. Item one article mencyoned in the sayd statute, wherein the Aulneger is prohybited to set his seale to any cloth or karsey whych shall prowe pursy, baudie, squally, in or by warpe or woofe, or els shall happen to bee euill buried, or wasted in the mill, or otherwyse to bee full of holes, millbracks, or to bee holy, shalbee voyd and of none effect. Item it is enacted that if at anie tyme after the first day of May, anie cloth or karsey thorough the default of negligence of the karders, spynners, or weauers, or anie of them, shall or doe proue eyther pursey, cockelay, baudy, squally, or rowy, by warpe or woofe, or els shall happen to bee euell buried or wasted in the mille, or els thorough the default or negligence of the mille man, or other wyse to bee full of holes, millbracks, or to bee holy, that then the maker of euerie such cloth or karsey so beeing defective or faultie as is aforesayd, shall fire vnto euerie end of the said cloth or karsey so beeing defective and faulty and offer to be sold, one seale of Leade in the which seale shalbe ingraued this word (faultie) vppon payne of forfaiture of such cloth or karsey, or the value thereof so offred to be sold, whereunto such seale shall not bee set. Item, the article mencioned in the sayd former act of returnyng of defective clothes, karseis, fryses, or cottons, beyng transported ouer the seas by the marchauntes, shall bee vtterly voyd. But neuertheless bee it enacted by the auctoryty aforesayd, that if it shall fortune hereafter anie marchant or marchauntes to transport any cloth or clothes, karseys, fryses, or kottons, whereunto the seale with this word (faultie) was not annexed at the time of the sale thereof, by the clothier, and the same clothes, karseys, frises, or cottons so transported, or any of them to bee found faultie or defective, and the same marchaunt or marchaunts thereof, within two yeares after such sale to bryng a certificat, sealed with the seale of any towne or company in the parties beyond the seas, or signed by a Notarie there, after the accustomed manner, testifyeng and declaryng thereby the losse and dammage which the marchaunts shall haue susteined by such defective and faultie clothe or clothes so transported: that then the clothier or clothiers, or other person of whom the cloth or clothes was bought, their executours or administratours, shal within three weekes next after request made by the sayd marchaunt, his executours, administratours or assignes, well and truely satisfie, content and pay, to such marchaunt, hys executours, administratours, or assignes, all and euerie such summe and summes of money as shall so bee mencioned, expressed, and declared, in the sayd certificat, vppon payne of forfaiture to the partie greeued, for euerie non payment vpon such request, double the value of such summe or summes mencioned in the sayd certificat. Prouyded alwayes, that such marchaunt shall not in anie wyse haue by vertue of thys act, anie recompence for lacke of length, breadth, or weight, of or for any cloth, whereunto the seale of anie Citie, Borough, or towne corporat shalbee fired. Item, if any personne shall by him selfe, or by anie other personne by hym procured, counterfeyt, sett to, or take away from anie cloth, karsey, and fryse, rugge or cotton, any seale appointed to bee fired to any cloth, Karsey, Fryse, Rugge, or Cotton, eyther by thys act, or by the sayd former

estatute,

Lacke of length

Forfaict

Aulneger Seale

Voyd

Negligence

Faultie

Seale

Faultie Forfaict.

Transport

Voyd

Merchats Transport Seale

Certificat Towne Company Notary

Lose

Clothier

Executors Administrators

Forfaict,

Counterfait

eſtatute, that then euerie ſuch perſonne ſo offending ſhall incurre and haue the penalties, forfaytures, & punishments, as in the ſayd former act is appoynted and ymitted for the like offence. And for the better execution as well of thys preſent act, as of the ſayd former eſtatute, and to the intent that all kind of Karſeys, Cottons, Fryſes, Rugges, and other woollen cloth, made in anie towne, ſhalbee the better knowne, it is further enacted, that the ſeale of euerie Borough or towne corporate, appointed, or to be appointed for the ſealing of any ſuch kind of cloth, ſhalbe fixed to all and euerie ſuch kynd of clothe, beyng well and ſubſtantiallie made within ſuch Citie, Borough, or towne corporate, which cloth ſo ſealed with the ſeale of any Citie, Borough, or towne corporate, ſhall not bee ſerched, tried, or weyed by any ſearcher or ſealer of any other city, borough, or towne corporate, by vertue of his ſayd office, any thing in this act, or in the ſaid former ſtatute to the contrarie notwithſtandyng. Item, bee it further enacted by the auctoritie aforeſayd, that euerie perſonne and perſonnes not dwellyng and inhabitting within any Citie, Borough, or towne corporate, and making anie of the clothes or karſeys aforeſaid, may lawfully bryng the ſame to ỹ next city, borough, or corporat towne, where anie ſuch kynd of clothes or karſeys be or ſhalbee commonly made, there to be ſealed in manner and fourme as is beefore expreſſed. Item if any ſearcher or ſealer appointed or to bee appointed by vertue of this preſent act, or of the ſayd former ſtatute, ſhall ſet the ſeale of any Citie, borough, or towne corporate, to any cloth which ſhall not conteyne ſuch length, weight and breath, as in the ſaid former ſtatut, or in this preſent act is appointed, that then the Maior and cõminaltie, or bailyfe and comminaltie, or other corporation of the townelhip, by whatſoeuer name or names it or they ſhalbee incorporated, where ſuch cloth, karſey, fryſe, cotton, or rugge, ſhall bee ſo ſealed, ſhall forfayt and loſe the whole value of the cloth ſo ſealed. Forf.

It is alſo enacted by the auctoritie of this preſent parliament that the ſaid ſearchers or ſealers & euery one of thẽ, ſhall haue full power and auctority by vertue of this act, in the day time, to enter into all and euerie houſe and houſes of euerie perſonne or perſonnes, where hee or they ſhall thynk meete, to ſearch and to trie al and euerie kind of cloths, karſeys, fryſes, & rugges as they ſhall find defective, either in length, breath, or weyght, and the ſame to trie by water and weight, and alſo to ſearch and ſeale as forfait all and euerie cloth and clothes made of other colours then in the ſaid former act is appointed, fryers gray, crane colour, purple, and old medley colours, moſt commonly vſed to bee made beefore twentie yeares laſt paſt, onely excepted. And if any manner of perſonne or perſonnes, at anie tyme after the firſt day of May next commyng ſhall denie, withſtand, or withhold anie cloth or clothes, karſeys, fryſes, rugges, or any of them from the ſayd ſealers or ſearchers, or any of thẽ, or will not ſuffer them to enter into their ſhoppes, warehouſes, howſes, or places, where their clothes, karſeys, Fryſes, or Rugges ſhall bee, the ſame to bee ſearched and tryed as is aforeſaid, that then euerie ſuch perſon or perſonnes, ſo denying or wythſtandyng, for euerie ſuch withſtandyng, wythholdyng, or denyall, to forfayt and loſe tenne poundes. Bee it lykewiſe further enacted, that it ſhall not bee lawfull for anie of the ſayd ſearchers or ſealers, or anie other perſonne to ſearch anie manner of woollen cloth or karſey, whereunto the ſeale of a Citie, Borough, or Towne corporate, ſhall bee fixed within the common cloth market of London, commonly called Blackwell hall, or in any commõ cloth faire, or cloth market of anie other citie, borough, or towne corporat, in and

Faire Market

duryng the tyme of the faire or market, anie act or statute to the contrarie not withstanding. Bee it further enacted, that al and euery article, clause, and sentence, in the said former statut made in the fift and first yere of the raigne of our sayd Soueraigne Lord kyng Edward the first, beeyng not repugnaunt or contrary to any article, clause, or sentence conteined in this present act, shal stand in full force and effect. Prouyded alwayes that no persoune or persones

Penaltie

shall incurre the daunger, penaltie, or forfaiture limitted and appoynted for any offence in the sayd former act, the which is already mittigated or otherwise appointed by this present act. And bee it further enacted by the auctoritie

Clothier

aforesaid, that euerie clothier shal cause euerie cloth which hee shall put to sale, from and after the feast of the Natiuitie of Saynt John Baptist next comming, to be marked with the letter M. crowned, wrought in the cloth,

Marke M. crowned

vpon paine to forfait twēty shillings for euerie cloth, being sold or put to sale by any

Forf.

such clothier after ỳ said feast not marked wt the said letter M. as is aforesaid. And more ouer bee it enacted by the auctoritie aforesaid, that no persoune or persounes after the sayd feast of the Natiuitie of saint John Baptist, shall

Put to sale

sett or put to sale within the realme of England, any coloured cloth of any o-

Colours

ther colour or colours, then are hereafter in this act mēcioned, that is to say, scarlet, redde, crimson, murrey, violet, perwke, browne blew, black, greene, yellow, blew, orich tawny, russet, marble gray, sad new colour, azurie, watched, thæpes colour, lyon colour, motley, trō gray, friers gray, crane colour, purple, and old medley colour, most commonly vsed to be made aboue and before twētie yeares last past.

¶ Be it ordeyned and enacted by the auctoritie of this present parliament, that from ỳ after the first day of May next comming, no person or persones whatsoeuer shal vse or exercise ỳ feat or misterie of makyng, weauyng, or rowing of woollen clothes, long or short or karseys, pynned wpytes or playne streightes to thintent to putt the same to sale, but onely in a market Towne where cloth hath commonly been vsed to be made by the space of tenne yeres last past, or in a citie, borough, or towne corporate, vpon paine of forfaiture for

Clothiers Weauers Clothworkers Market Towne

Forf.

euery such woolle cloth or karsey, made wouen, or rowed out of such Citie, borough, towne corporate, or market towne, fiue poundes. And it is further enacted, that from ỳ after the first day of May no persoune whatsoeuer, shall

Weaue

weaue or make or putt to weauyng or making any woollen clothes or karseis last rehersed to be sold, vnlesse such per-

Apprentice

son shall haue ben apprentice to the occupation of making, weauing, and rowing of cloth and karseis, or haue ben exercised therein by the space of seuen yeres before, vppon paine of forfaiture

Forf.

of such cloth or the value therof. And be it further enacted by the auctoritie aforesaid that all and euery paines, penalties, ỳ forfaitures to be due by force of this statute or of the said former act being not otherwise appointed, shalbee deuided equally into two partes, wher-

Moitie

of thone shalbe to the Queenes hyghnes, her heires and successours, and tho ther vnto him ỳ will sease (in cases wher seaser is limitted or appoynted) or els to him or thē ỳ will sue for ỳ she paines penalties, and forfaytures or anie of them, by accion, bill, plaint, information, or other wise, in any court of record wherein no essoigne, protection, wager of lawe, or iniunctiō shall bee admitted or allowed or obeied. Prouided alwais that it shalbe lawfull to any persoune nowe vsyng or exercysyng the feat or misterie of makyng, weauyng or rowing of cloth or karsey, to inhabyt and

Inhabite

dwell where he nowe doth, and there to vse the making, weauyng, or rowing of cloth or karsey as he hath done heretofore, anie thing in this act to the contrary not withstandyng.

Prouided

Prouided alwaies, that it shal be lawfull to all and euerie personne or persones which now do, or hereafter shall inhabite or dwell in any of the shires of Northwales, or Southwales, Chelshire or Lancashire, Westmerland, Cumberland, Northumberland, Bysthoprickie of Durham, Cornewal, Suffolkie, Kent, the towne of Goddelmine in the countie of Surrey or Yorkshire beyng not within twelue miles of the City of Yorke, or in anie the townes or villages neere adioynyng the water of Stroude in the Countie of Glocester, where clothes hath beene vsually made by the space of twenty yeres last past, and hauing ben prentice to the occupation of cloth making, or exercised in the same by the space of seuen yeres, to set vp, vse & exercise the feat or misterie of making, weauing, or rowyng of cloth out of a citie, borough, or market towne as heretofore they might haue done, any thing in this act to the cõtrarie notwithstanding. Prentice

¶This last braunche touching the making and dressing of cloth but only in townes, cities, & boroughs, and the forfaitures by reason of the said brãche against such persõs only as shall vse the same within the counties of Somerset, Wilt. and Glocester, is repealed by Anno. 18. Elizab. capitulo. 16. hereafter. 66.

Prouided also that it shalbee lawfull to any personne, now vsing or exercising, or that hath vsed or exercised the feate or misterie of cloth making, the same to continue, vse and exercise, although he hath not been thereunto apprentice, or haue exercised the same by the space of seuen yeares, any thyng in this act to the cõtrary notwithstãding. Continue

Prouided alwaies & be it also further enacted by authoritie aforesayd, that it shalbe lawfull to euery person & persõs to sell & put to sale by retayle or otherwise, all & euerie such coloured cloth and clothes as he or they now haue, as freelie as hee or they may lawfully sell anie clothes of the colours in this present act allowed to bee sold, vntill the feast of Saint Michael the Archangel next ensuyng thys act or the sayd former statute in any wise notwithstanding. An. 4. & 5. P. & M. cap. 5. Retayle

61 ¶Be it ordeined & enacted that it shalbe lawfull to all and euery such person and persons which now do inhabit or dwell, or hereafter shall dwell in the sayd townes or villages of Bocking, Westbarfold, Cockhall, and Dedham or in any of them, now vsing or exercising, or that hereafter shall vse or exercise the feate or mysterie of makyng weauyng or rowyng of cloth or karsey by the space of seuen yeares at the least, or haue ben prentyce thereto by the said space of seuen yeares, to inhabit & dwell in the sayd townes or villages of Bocking, Westbarfold, Cockhall & Dedham, & in euerie, or any of them, & to vse the making, weauing, or rowing of cloth or karsey, as beefore thys time they might haue done if the sayd act had neuer been made, any thing in the said act to ỹ contrary therof made or any other act, statute or lawe, heretofore made or hereafter to be made to the cõtrary hereof in any wise notwithstanding. An. 1. Eliz. cap. 15. Bocking Westbarfold Cockhal Dedham Prentice

62 ¶Be it enacted by authoritie of this present parlyament, that from henceforth for euerie nine clothes vnwrought, hereafter to be shipped or caryed into anie the partes beyond the Seas, contrarie to the fourme of anie statute heretofore made, and now remaying in strength, by force of anie licence hereafter to bee graunted, the partie that shall shippe or carrie ouer the same, shall shippe and carrie ouer also one like woollen clothe, of like sort length, breadth, and goodnesse, readie wrought and dressed, that is to say, rowed, barbed, first cousted and shorne from the one end to the other, so that euerie tenth clothe passyng ouer the Seas, in fourme aforesayd, may and shall bee dressed within thys Realme, Transport Licence Redy wrought Cloth

before the same shalbe shipped or transported ouer, vppon payne to forfait for euerie such nine clothes so to be shipped or transported, cõtrary to the meaning of this act, tenne poundes. Forf.

Prouyded alwaie, that euerie such kenth cloth so to bee transported readie wrought, shall not bee accompted anie of the clothes, permytted to bee transported by force of such licence, but that such persoñe as shall haue such licence, may transport, accordyng to such lycence, the full number of clothes vnwrought, mencioned in the same licence, ouer & aboue the number of such kenth clothes, which they shalbee compelled to shippe and carrie ouer by force of this statute. Transport Licence Unwrought

And be it further enacted by auctoritie aforesaid, that from the last day of Februarie now next comming, no persoñe shall shippe or carrie into the partyes beyond the Seas, contrarie to the fourme of anie Statute heretofore made, now remaynyng in force, anie Cloth, commonly called Kentysh Cloth, or Suffolke Cloth, made, or to bee made in the Countyes of Kent or Suffolke, vnwrought and vndressed, within this realme, that is to say, not rowed, barbed, first coursed & shorne, vppon payne to forfayt for euerie such clothe, cõmonly called Kentish or Suffolke cloth, made or to bee made in eyther of the said coũties, so to be shipped or transported contrarie to the fourme of this statute. xl. s. Shipping Forf.

And that no licence for transporting of anie Clothe or clothes, shall bee construed or expounded, to extend to anie such Kentishe or Suffolke clothe, made or to be made, in either of the said counties, to be from henceforth transported. And that all the forfaytures appoynted by thys Statute, for transporting of Clothes, shalbee the one halfe to the Queenes Maiestie, her heires and successours, the other moytie to the Master and Wardens of the said comynic of Clothworkers, to the reliefe Licence Kentish cloth Suffolke Moitie Wardens

of the poore of the sayd companie, to bee recouered in anie court of Record, by accyon of debt, byll, playnt, or information, wherein no essoigne, protection, nor wager of lawe, for the defendant shalbe admitted or allowed. An. 8. Eliz. cap. 6. Poore

63 ¶ Be it enacted by auctoritie of this present parliament, that from and after the feast of Easter next ensuyng, no maner of person or persons, whatsoeuer, inhabityng & dwelling within the sayd Towne of Shrewesbury, or the liberties and fraunchises of ỹ same Towne, other then such as haue or shall haue serued as apprentices in the sayd occupation and science of drapers, or bee, or shall bee free of the sayd scyence or misterie, shall occupie, vse, exercise, or frequent the sayd trade, art, misterie, or science of buying of the said Welsh Cloth, or Lynyng, Cottons, Fryses, and plaines, nor haue any factour or doer for him in the same, nor by any colour, engyn, or fraud, bee anie occupier of the sayd Fryses, Cottons, and playnes, vppon payne that euerie person and persons, inhabiting as it is aforesayd, and occuppying, vsing or exercising the sayd trade, occupation, or science of buying of Welsh Cloth and lining, and not auctorized by this present act, shall lose and forfait for euerie péece of the same clothes so bought, vi. shillings and eight pence. Shrewsbury Apprentices Buying Factor Occupier Forf.

And ouer that bee it further enacted, that no persoñe dwelling and inhabyting, as is aforesayd, and vsing or occupying the sayd trade of buying of Fryses, Cottons, or plaines, shal vse or exercise ỹ faculty of frising or cottoning, vppon paine to incurre such like forfaytures for euery offence as is aboue mencioned. The moitie of all which paines and forfaitures aboue mencioned, shall be to our soueraygne Lady ỹ Quene, her heires and successours, and ỹother moitie to such person and persoñes as will sue for the same in any court of record, by accion, bill, or plaint of debt, Buying Forf. Moitie

wherein

wherein no proteccion, essoigne, or iniūccīō, or wager of lawe shalbe allowed and admitted.

Prouyded alwaies, and be it further enacted by ỹ authoritie aforesayd, that this present act, or any thing, sentence, or matter therein conteined, shall not extend, or bee in any wyse prejudicyall or hurtfull to anie such persoñe or persons, as haue heretofore vsed, occupyed or frequented the sayd trade, art, mysterie or science, of buying or selling of Welsh clothes and linings aforesayd, but that euerie such person and persons which hath or haue vsed the sayd trade or scyence as is aforesaid, shal and may haue and enioy the like benefite, commoditie and aduantage, aswell in buying and selling the sayd Welsh clothes and linyng, as other wise, in as large, free, and ample maner and forme, as if this act had neuer been made.

Wooze Shereman.

And further, to the intent ỹ said wooze Shermen, Frizers, and Cottoners, may bee the better relieued and maynteined, bee it enacted by the authoritie aforesayd, that all and euerie persoñe and persones, occupying and vsyng, or which hereafter at anie tyme shall occupie or vse the sayd trade, science, or arte of buying and sellyng of Welshe Cloth and Linings aforesaid, and shall from the feast of Easter next ensuyng deliuer any Welsh Cloth, or Linings aforesaid, to be cottoned, frized, dressed, or wrought to any Shereman, Cottoner or Frizer, shall delyuer, content, and pay to the sayd Shereman, Cottoner, or Frizer, readie and present money for all his said worke, wythout any colour, fraud, or engyn, whatsoeuer, and shall not deliuer anie ware, or other thyng whatsoeuer, in contentation or satisfaccion of his sayd worke or any part thereof, vppon payne that euerie person offending in this behalfe shall forthwith lose all such lybertyes, freedomes, and priuiledges, wherof hee hath or shall haue, as one of the sayd Companie, fraternitie or guilde of the sayd art and mistorie of Drapers: & also shall for euer after, bee vtterlie disabled and excluded to vse, occupie, or enioy, by himselfe, or by any other for hym, or to hys vse, the sayd trade, art, mistorie, or scyence of buying or selling of Welsh Clothes or Linings, thys act, or any other matter or thing whatsoeuer to the contrarie in anie wyse notwithstanding. Anno octauo Elizabeth capitulo. 7.

Buying & selling

Redy money

ware

Losse of freedome

Disabled

64 ¶ Be it enacted by the authoritie of this present parliament, that no persoñe or persones, from and after the first day of Aprill next commyng, shall sell or putt to sale within the sayd Countie of Lancaster, or conueygh or carry, or cause to be conueighed and carryed out of the said Countie of Lancaster, anie kind of Clothes, Cottons, Fryses, or Rugs, hereafter to be made within the sayd Countie Palantine of Lancaster, to bee sold, before such tyme that the owner or maker of euerie such Cloth, Cotton, Frise, or Rugge, shall fyre and putt to, or cause to bee fyred and putt to euerie such Cloth, Fryse, Cotton or Rugge, one seale of Leade, hauyng the marke of euerie such owner or Clothyer, ingraued on the one syde thereof, and the true length of euerie such Cloth, Fryse, Cotton, or Rug, as it is found beeyng wette, to bee ingraued on the other syde of the sayd Seale. And also the Quenes hyghnesse Aulneger of the sayd countie palantyne for the time beeyng, vpon triall of the weyght of euerie such Cotton, Fryse, and Rugge, shall fyre and putt, or cause to bee fired and put to euerie such Cotton, Fryse, and Rugge, the Quenes hyghnesse seale of Lead, hauyng the Portcullcys crowned, ingraued on the one syde thereof, and the true weight of euerie such Cotton, frise or Rugge, to bee ingraued on the other syde of the sayd Seale, vppon payne of forfayture, of all and euerie such Clothes, Cotton, Fryses, and Rugges, conueyed, carryed, sent, solde, and

Put to sale Lancaster.

Cottons: Frises Rugges.

Seale.

Length.

Aulneger.

Seale

Portcullcis

weight.

Forf.

put to sale, or to the intent to bee sold, beeing unsealed, contrary to the meaning of this present act, the one moytie thereof to bee to ỳ vse of ỳ Queenes highnesse, her heires and successours, and the other moytie thereof, to such persone or persones that shall seale the same cloth, cotton, fryse, or rugge, or will sue for the same, to bee recouered in anie of the Quęenes highnes courtes of record, by bill, playnt, information, or otherwise, wherein no essoygne, protection, or wager of lawe, shalbee allowed. Moitie

And be it further enacted by the authoritie of this present Parliament, that the sayd Aulneger, after the sayd first day of Aprill, shall appoynt and haue his lawfull deputie within euery of the said seuerall Townes of Manchester, Rochdale, Bolton, Blakborne and Bery, in the sayd county where the sayd Aulneger hath been accustomed to haue his deputie heretofore, there to bee ready vppon lawfull request vnto him made without delay, to weygh euerie of the said cottons, frises, and rugges, as shal bee brought vnto euerie such deputie, and sealed with the seale of the owner, or maker of euerie of the same clothes, in fourme aforesaid, and to fire and sett to euery of the said clothes, cottons, frises, and rugges, the Queenes highnesse seale beforesayd, to bee ingraued in manner and fourme before mencyoned, vppon paine of forfayture of twenty shillings for euerie packe of Cottons, Frises, or Rugges, sealed by the sayd Aulneger or anie of his sayd deputyes, before the same bee weyghed in fourme aforesayd, the one moytie thereof, to be to the vse of the Quęenes highnesse, her heires, and successoures, and the other moitie thereof, to him or them that will sue for the same in anie of the Queenes maiesties Courtes of Record, by bill, playnt, information, accion of debt, or otherwise, wherein no wager of lawe, protection, or essoigne shalbee allowed. Aulneger Deputie Weigh Seale Forfit. Moitie

Prouyded alwaies, and bee it enacted by the authoritie aforesayd, that it shalbee lawfull for the sayd Aulneger, or his deputie to haue and take of the owner or maker of euerie of the sayd clothes, Cottons, Frises or Rugges, for the weyghyng and sealing of euerie packe of the sayd clothes, cottons, Fryses and Rugges three pence. And for euerie peece of such course clothes Cottons, Fryses, and Rugges, not amounting to a whole packe, one halfe peny, and the same to be payd by the owner or brynger of the sayd clothes at the weyghyng and sealyng of the same: anie custome, vse, or prescryption to the contrarie in anie wyse notwithstandyng. And for asmuch as such persones as commonlie do vse to vtter and sell the sayd seuerall kyndes of Cottons, Fryses, and Rugges haue beene and are daylie molested, vexed and troubled to their great losse and hynderaunce, by meanes of the crueltie of informers and searchers, seeking continually their owne priuate gayne by findyng of the sayed Cottons, Fryses, and Rugges, at no tyme made according to such fourme of weyght, lengthes, and bredthes, as by the former statutes of this Realme latelie made for the true makyng of woollen cloth, is limytted and appointed: And for that the same persones do alledge, that the makers of the sayd Cottons, Fryses and rugges, can by no meanes bee reduced to obserue the sayd weyghtes, lengthes, and bredthes, in makyng of the said Cottons, Fryses, and Rugges, according to the fourme of the said former estatutes, without the vtter vndoing of great nũbers of poore people, that are commonly the makers of such kind of cloths, & that by meanes hereof, the said cottõs, frises, & rugges, sithens the makyng of the said estatuts haue been, and are more scarce and dearer, then they were before the making of the said estatutes, and nothing at all Fee

amended

amended in substaunce and fourme of making.

For reformation whereof: Bee it enacted, that from and after the first day of Aprill next comming, euerie of the sayed Cottons, being sufficiently milled or thicked, cleane scoured, well wrought and fully dried, shall weigh vvi. pound at the least, and shall contayne in length xxi. goads, or xx. goads at the least, and in breadth at the most three quarters of the yard, or wythin one nayle of three quarters of the yard at the least. And that euery of the said Frises, or Rugges, being thicked and fully dried, shall weigh .viii. pound at the least, and shall contayne in length betwixt vvvi. yards, and vvvii. yards & shall contayne in breadth at the most three quarters of the yard, or within one naile of three quarters at the least and not to bee strained vpon the tainters aboue one naile in breadth. And also if any of the sated Cottons, Frises, or Rugges, shalbee of any greater length, then is beefore seuerally expressed, that then euery goad or yard so exceedyng the sayed seuerall lengthes, shall weigh after such rate, as euerie goade or yard of such Cottons, Frises or Rugges, containing the said seueral lengthes, shall or ought to wey, vpon paine of forfaiture for euery goad or yard not weyghing after such rate, twelue pence. And also if any of the said Cottons, Frises, and Rugges, shalbe of any lesse weight, then is beefore seuerally ymitted and appointed, that then all and euery such persone or persons, that shal sel, or offer to bee sold, any such Cotton, Frise, or Rug, shall forfait and lose for euery pound lacking vnder three poundes, twelue pence, and for euerie pound waught lacking aboue three poundes, fiue shillinges, the one halfe of wbych forfaytures shalbee to our soueraigne Lady the Queenes highnesse, her heires and successours, and the other halfe thereof, to such person or persons that shall sue for the same by action of debt, bil, plaint or information, in any of the Queenes Mainties courtes of record, wherein no essoine, protection, or wager of law shalbee admitted or allowed for the defendant.

Cottons Thicked Time scoured Weight

Content

Frises Rugges Weight

Content

Greater length

Forf.

Moitie

¶ And further bee it enacted by the authoritie aforesaid, that all and euery braunch, clause, sentence, and article specified and contayned in any other Actes of Parliament before this time made, concerning the sealing and making of the said Cottons, Frises, and Rugges, shalbe from henceforth vtterly repealed, voyd, and of none effect: Any thing in the sayed Actes conteyned to the contrary, in any wise notwithstanding.

Repealed Void

Prouided alwaies, that this Act shal not in any wise extend to bee prejudicial or hurtful vnto any charter or lybertie of any Borough or corporat towne within the said Countie Palantine of Lancaster, concerning the making and putting to sale of any wollen cloth: Any thing therein contained to the contrary notwythstanding. An. 8. Eliz. 12.

Charter Liberti

65 ¶ Bee it therefore enacted that frō and after the feast of saint bartholmew the Apostle next ensuing, it shal not be lawful for any persō or persons, vsing, or that shall vse the trade of making of karsies, to make or cause to be made any kersies, of the sort called ordinarie karsies, or any sorting karsies, or any other karsies, by what name or names soeuer they be called, aboue ỳ length of eyghteene yards at ỳ most, to be measured by yard & inch being ready made: but that al karsies shalbee made of the said vsual lengthes, and according to ỳ proporcion of weight limitted by ỳ statut in that behalfe made and prouyded the fourth and fifth yeares of ỳ raignes of the late king Philip and Quene marie, vpon paine ỳ euery person or persons, that shal make, or cause to be made any such karsie or karsies, of more or greater length then eighteene yardes,

Kersies Ordinaris kersies Sorting kersies Content

shal

Fork. Moitie

shal fork for euery such karsie xl.s. ỳ one moity wherof shalbe to ỳ queens maiestie, her heires and successours, and the other moitie to him or thẽ that will sue for ỳ same, by bil, plaint, or information in any of ỳ Quenes maiesties courtes of Record, wherein no Essoine, protection, or wager of law, for ỳ defendaunt shalbe admitted or allowed.

Prouided that if any karsie or karsies being purposely made to containe eightene yards in length, and no more, shal by occasion happẽ to cõtaine aboue eightene yardes, & being vnder nyneteene yardes in length, ỳ ỳ maker or makers of any such karsie or karsies, shal not incure ỳ penaltie aboue conteined, anie thing before mẽcioned to ỳ cõtrary, notwithstanding. An. 14. Eliza. 10.

66 ¶ Wheras in ỳ parliamẽt holdẽ at Westm. in the fourth & fifth yeres of ỳ raignes of our late soueraigne Lord & Lady king Philip & Quene mary, one statut was made, entituled, An act touching ỳ making of wollẽ cloths, wherby (among other things) it was ordeined & enacted, by the auctoritie of the sayd parliament, ỳ from & after ỳ first day of May thẽ next ensuing, no person nor persons whatsoeuer, should vse, or exercise the feat or mistrie of making, weauing, or rowing of woollẽ cloth long, or short, or karseyes, purpled whits, or plaine streites, to ỳ intẽt to put ỳ same to sale, but onely in a market Towne where cloth had cõmonly ben vsed to be made by ỳ space of 5. yeres thẽ last past or in a citie, borough, or towne corporat, vppon paine of forfaiture for euery such woollen cloth or karsey, made, wouen, or rowed out of such Cytie Borough, Towne corporat, or market towne v. li. as by the said statut amongst diuers clauses, Articles, and prouisoes, contained in the same, more plainely is expressed.

And forasmuch as diuers & sundry persõnes haue heretofore of time vsed & exercised, and at this present do vse and exercise, the feat and mistrie of clothmaking in the Counties of Somerset, Wiltshire, & Gloucester, & haue to their great costs and charges, planted them selues & their dwelling houses, dispersed hy throughout the said Counties, & neither in cities, Boroughs, Townes corporat, or market townes, as might, and may serue most conuenient hy for ỳ vse and exercise of the sayd feat and mistery, as namely about ỳ riuers of Frome water, Kingstwod water, the riuers of Auen, Wyllibourne, & Salisburie bournes, & Strowd water, in the said counties of Sommerset, Wiltshire, and Gloucester, & the braũches of the same waters, & also for that the said places & waters are very good & apt for clothing togeather wt the great number of fulling Milnes & other Workhouses thereunto adioyning, maintayned onely by the clothmaking in ỳ Villages and parishes thereabouts: Somerset Wiltshire Gloucest. Ryuers Fulling mylnes

And forasmuch also, as a great multitude of poore people, as weauers, tuckers, Spinsters & such like haue of long time heretofore, & at this present do inhabite & dwell neare vnto the sayd places and waters, by meanes of ỳ great clothmaking there, heretofore & now vsed, and haue ben onely relieued & sustented by ỳ same, & also for that great inconuenience might ensue wtin the sayd counties of Sommerset, Wiltshire, & Gloucester, in remouing & placing of such a multitude, in, or wtin any city borough, Towne Corporate, or market towne, according to the meaning of the said act: Be it further enacted ỳ the said braunch and clause of the sated statut, as touching only the vse or exercise of ỳ feat or mistery of making, weauing, or rowing of any woollẽ clothes, to the intent to put the same to sale, but only in a market Towne, citie, borough, or towne corporat, & euery ỳ penalties & forfaitures, by reason of ỳ said braũch only, as against any such persõs, as hath vsed, or hereafter shall vse & exercise ỳ said feat & mistery of making, weauing or rowing of any woollẽ cloth wtin the Poore people

said

said counties of Sommerset, Wiltshire, & Gloucester, or any of thē, shalbe from henceforth repealed & made voyd, any thing conteyned in ỳ sayd act, or in anie other act heretofore made to the contrary therof, in any wise notwithstanding. Repealed

And further be it enacted by ỳ auctho ritie aforesaid, ỳ no person or persones, now dwelling or abiding, or which here after shal dwel or abide, wtin the sayd counties of Sommerset, Wiltshire, & Gloucester, or any of thē, shal frō hence forth vse or exercise ỳ said feat & mistery of making, weaning, or rowing of any wollē cloth, or cloths, out of any Citie, borough, Towne corporat, or market towne, except onely wtin such houses & places in ỳ said cōtties of Sommerset, Wiltshire, & Gloucester, or any of thē, as such wollē cloths have ben most cōmōly vsed to be made, wouē, or rowed, by the space of v. yeres next before ỳ making of this act, vpon paine of forf. for e uery such cloth, made, wouen, or rowed contrary to this present act v.li. the one moitie of which forfaiture, shalbe to our soueraigne lady the Quenes maiestie, her heires & successours, & ỳ other moytie, to him or thē ỳ wil sue for ỳ same. Somerset wil. Gloucester Forf. Moitie

And be it further enacted by thauctho ritie aforesaid, ỳ such person or persons, as after ỳ feast of S. Michael Tharchā gel next comming, shal vse or exercise ỳ trade or mistery of clothmaking, in any of the said houses & places, out of a city, borough, Towne corporat, or market towne within ỳ said counties, or any of thē, which now dooth not vse & exercise the same trade or mistery, shal not kepe in his or their occupation or manurāce, above xx. acres of land, meadowe, and pasture, at ỳ most. Market towns 10. Acres of land Meadow Pasture

And that every person now vsing or exercising ỳ said trade or mistery, out of a citie, borough, towne corporat, or market towne, within the said cōtties, or any of thē, shal not have or take in, or into his or their occupatiō or manurāce any land, meadowe, or pasture, but that wherwith hee or they nowe have, or as much onely in lieu therof, vpon paine of forf. for every acre of land meadowe & pasture, by such person or persons, occupied or manured cōtrary to ỳ tenour or this act, for every yere ỳ he shal so occupie the same, & so vse the trade of cloth making vi.s. viii.d. And that al & every such forfait hereafter to bee due by force of this stat. shalbee devided equally into two partes, wherof ỳ one shalbe to the Quenes highnesse, her heires and successours, & the other to hym or them ỳ wil sue for the same. Land Forf. Moitie

Provided allwaies, & be it enacted by the auctority aforesaid, ỳ every person or persons, being by this statut allowed to vse or exercise the feat or misteries of making, weaning, or rowing of wollē cloth, long or short, or karlies, pynned whits, or plaine straits, not being by ỳ former sta. allowed therūto, shalbe subiect to such search, forfaitures, & other or ders, as other persons dwelling out of boroughs & Townes corporat, allowed of by the said former stat. or any other statuts, were subiect or bound vnto, before the making of this act: Any thing in this act conteined to ỳ contrary, notwithstanding. An. 18. El. ca. 16. Search

*Dures.*

AN. 1. E. 3. cap. 4. it was enacted ỳ fines, giftes, graūtes, and recognisaunces made after the exile of the Spencers by dyers should bee auoyded &c. Spencers

¶ Where as many in this realme in the time of the kinges father that now is, by meanes of his false and evil cōsellours, have men excited by dures to bynd them selfe by writing to reme dy the kyng with force and armes when soeuer they should bee sent for, vppon payne of life and lymme, and to forfait al that euer they might forfait: by vertues of which writings, divers of his lād have beene often destroyed. The king considering ỳ such writings were made

to

to the kinges dishonour, sithence that euery man is bound to do to the king, as to his liege lord, al that perteineth to him without any manner of wryting: wil that from henceforth no such wryting be made. And that such as be made, by the sight of the chauncellour & treasourer shalbee shewed to the kyng, and the kyng shall cause all such as bee made against right and reason to be cancelled. Anno. 1. E. 3. statut. 2. capitulo. 15.

Writing

Chancellor Treasorer

3 ¶ The prelates and clergie of this realme doth greatly complayne thē of that, ỳ people of holy church, pursuyng in ỳ spirituall court for their tythes and their other causes, which of right ought and of olde tymes were wont to pertaine to the same spirituall court, & that the iudges of holy church, hauing cognisaunce in such causes, and other persons thereof medling according to the lawe, be maliciously & vnduely by this cause endicted, imprisoned, and by secular power grauously oppressed, and also enforced with violēce by othes & greuous obligations, & by many other meanes vnduely compelled to leaue and cease vtterly from hauing the thinges aforesaid, against the libertes and fraunchises of holy church: Wherefore it is assented, that al such obligations, made or to bee made by duresse of violence, shal bee of no valour. And as to those ỳ by malice do procure such endictments, and be also them selues edictours, after ỳ the same indictées bee so acquit, such procurours shal haue and incurre ỳ sāe payne that is contained in the statut of Westminster second, of those whych procure false appeales to be made. And the iustices of assises or other Iustices, before whom such endictées shalbee acquite, shal haue power to enquire of such procurours and endictours, and only to punish them after their desert. An. 1. R. 2. ca. 13.

Clergie

Tythes

Spiritual court

Obligatiõs

Indictments

Procurors

Iust. of ass.

4 ¶ Ann. 5. R. 2. cap. 6. it was enacted that all writtinges and bondes made by dures in the time of the late insurrection should be void, and should bee restored, and all entre and feffementes then made by dures should be void.

¶ *Durham.*

An act (not printed) was made in An. 7. Ed. 6. whereby the bishoprick of Durham was dissolued, & that the king should haue the landes & hereditamēts thereof, & an other act was made in An. 7. E. 6. ca. 10. whereby ỳ Towne of Carlisle was vnyted to Newcastel vpon Tine, But these two actes be repealed by An. 1. M. 2. parliamento ca. 2. And by this act the bishoprick of Durham is reuiued & erected, & thereto annexed al the ecclesiastical and temporall iurisdiccions, and the towne of Gateshide, & al landes and hereditaments before belonging to the bishoprick, and diuers matters be at large in this act cōcerning these matters, therfore see this statut.

Newcastle Repealed

Gateshide

*Ecclesiastical iurisdiccions.*

¶ It may bee ordeined and enacted by auctoritie of this present parliamēt, that al and singuler personnes as well lay as those ỳ now be maried or hereafter shalbe maried, beeing doctours of the ciuil lawe, lawfully created & made in any vniuersitie, which shalbee made ordeined, constituted & deputed to bee any Chauncellor, vicar generall, commissarie, officiall, scribe, or register, by your maiestie or any of your heires or successours, or by any archbishoppe, bishop, archdeacon or other person, what soeuer, hauing auctoritie vnder your maiestie, your heires or successours to make any chauncellour, vicar generall commissarie, officiall, or register, may lawfully execute and exercise al manner of iurisdiccion commonly called ecclesiastical iurisdiction, and al censures and coercions appertaining, or in any wise belonging vnto the same, albeit such person or persons be lay, maryed, or vnmaried, so that they bee doctours of

Marriage D. of ciuil law

Chauncelr Vicar generall Cõmissary

Archbisho

Official Register

Maried

of the ciuil law as is aforesayed, anie lawe, constitution, or ordinaunce to ỹ contrary notwithstanding, An. 37. H. 8. ca. 17.

## *Egipcians.*

FOr almuch as beefore thys time diuers and many outlandishe people calling themselues Egipcians, vsyng no craft nor feat of marchandise, haue comen into this Realme, and gone frō shire to shire, & place to place in great company, and vsed great subtill and crafty meanes to deceaue ỹ people beryng them in hand, that they by Palmestry, could tel menes and womens fortunes, and so many tymes by craft and subtilty haue deceiued the people of their money: And also hath committed many and haynous felonies, and robberies, to the great hurt and deceipt of the people that they haue commen among. Bee it &c. that from henceforth no such personnes bee suffered to come within this realme, and if they do, thē they and euery of them so doyng shall forfayt to the king all their goodes and cattels, and then to be commaunded to auoid the realme within xv. daies nert after the cōmaundement, vppon paine of imprisonment. And it shalbe lawfull to euery sherife, iustice of peace & eschetour to seyse to the vse of the kyng &c. all such goodes as they or any of them shal haue, and thereof to make accompt in his Eschequer. And if it shall happen any such stranger hereafter to commit within this realme any murder, robberie, or any other felony, and thereof be endicted & arraigned, and to plead not guiltie, or any other plea tryable by the coūtrey, that then the enquest that shall passe betweene the king and any such party, shalbee altogether Englishmen, albeit that the partie so endycted pray Medietatem lingue, according to the stat. of An. 8. H. 6. or of any other stat. thereof made. Prouided alway ỹ euery such person or persons which can proue by two creyable persons before the sāe party ỹ seiseth such money, goods or cattelles of the Egipcians, that any part of the same goodes, money, or cattailes were crafteily or felontously ta kē or stolen frō him, shalbee incontinēt restored vnto the same goods, money, or cattels wherevnto hee maketh such proofe beefore the same partie that so seiseth the same money, goodes, or cattailes, vppon paine to forfait to the same partie that maketh such proofe the double value of the same by accion of debt &c. wherein &c. any thyng in this act to the contrary notwithstanding. Prouided alwayes & bee it further enacted, that if any iustice of peace, Shirife, or Escheatour, which by auctoritie of thys Act haue power to take or seale any goods or cattels of any egipcians at any time hereafter, do seale or take the goods or cattels of any such Egipcians, that then euery such iustice, Shirife, or escheatour doing the same, shal haue, keepe and retaine to his owne vse the moitie of all such goodes so by him sealed, and of the other moitie so by him taken or sealed, shall make accompt to the king in hys Eschequer, according to the tenour of thys present act, anie thyng in thys same act to the contrary hereof notwythstanding. And that vppon anie accompt hereafter to be made for the said other moitie of the same goodes, the accomptant shal pay no manner of fees or other Charges for his accompt or discharge to bee had in the kinges eschequer nor els where. Anno. 22. H. 8. cap. 10.

2 ¶ If any person or persons after the last day of January nert comming do willingly transport, bring and conuey into this realme of England, or wales, any such persons (s. as bee spoken of in the statut of 22. H. 8. cap. 10. before 1.) calling them selues, or commonly called egipcians, that then hee or they so transporting, bringing, or cōueying in, any such personnes contrary to the true meaning of this act, shal forf. & lose for euery time so offending xl. li. of lawfull money

Goods

Restorer

Forf.

Accion of debt

Iust. of p. Shirife Escheto

Retaine the moitie

Accompt Eschequer

Accompt

No fees

Transporte Bring in

Forf.

mo̅ney of England. And be it &c. ẏ if any of the said persons called Egipcians which shalbe transported & comied into this Realme of England or wales, as is aforesaid do cōtinue & remaine wᵗin ẏ sāe by ẏ space of one moneth, ẏ the he or they so offending, shall by vertue of this act be demed & adiudged a felon & felons, & shall therefore suffer paines of death, losse of landes and goodes as in cases of felony by the order of ẏ common lawe of this Realme, and shal vpon the trial of them, or any of them, therein be tried in ẏ countie, and by the inhabitauntes of the countie, or place, where hee or they shalbee apprehended or taken, and not per medietatem linguæ, and shal lose the benefitt and pryuiledge of sanctuarie and clergie. And be it &c. that if any person after the first day of January nert comming, shall sue for ẏ obtaining of any lycence letter or passeport, for any of the said persones called egipcians to abide or continue within this realme of England, or wales, contrary to the tenour of this act, that then euery such personne so suing shal forfait and lose for the same xl. li. of lawfull money of England. And that euery such lycence, letter and passe port, shall bee by vertue of thys act void to all intentes and purposes, the one moitie of all which summes of money to bee forfayted, shalbe to the king and Quēne &c. and the other moitie to him that will sue &c. wherein &c. An. 1. & 2. P. & M. cap. 4.

And it is there further enacted ẏ these persons then in England should depart thence within xx. daies after proclamation of this act, vpon forfaiture of their goods &c. And if they departed not within xl. daies after the proclamation, then their abode to bee felony, & out of these penalties bo excepted children and prysoners, and such as leaue their naughty lyse and goe to seruice, or exercise soe lawefull worke, See the Statut at large.

3 ¶ Be it enacted that the sayd sta. made in the first and second yeares of the sayd late king and Quēne concerning those vagabounde callyng themselues Egipcians, shall continue, remaine and be in ful force, strength, & effect. And yet moreouer bee it enacted by the auctoritie aforesaid, that all and euery person and persons, which from and after the first day of May now next ensuyng, shall bee seene or found within this Realme of England or Wales, in any company or fellowshippe of vagabondes, commonly called or calling themselues Egipcyans, or counterfaiting, transformīng, or disguising themselues by their apparrell, speache, or other behauiour, like vnto such vagabounde commonly called or calling them selues Egipcians, and so shal or doe continue and remayne in ẏ same eyther at one tyme or at seuerall times, by the space of one moneth, that then the same personne or persons, shal by vertue of thys act, bee deēmed and iudged a felon and felons, & shal therefore suffer paines of death losse of lands and goodes, as in cases of felony, by the order of the common lawes of this realme, and shall vppon the trial of the or of any of them therein, be tried in ẏ county, and by the inhabitauntes of the countie, or place where they or bee shalbee apprehended or taken, and not per medietatem linguæ, and shall lose the pryuiledge and benefitt of sanctuary & clergie.

Prouided alwaies and bee it enacted by the auctoritie aforesaid, that thys act shall not in any wyse extend to any child or children beeing within the age of viii. yeares, nor to any of ẏ sayd persons being in prison the last day of this present parliament, so that he or they so being in prison, do within xiiii. dayes nert after hys or their delyuery out of prison, either depart out of thys realme of England and Wales, or putt hym or them selues to some honest seruyce, or exercise some lawefull worke, trade, or occupation, and vtterly forsake the said

Vagabōds

Wales

Apparel
Speach

1. moneth

Felony
Lands
Goods

Triall

No sanctuarie nor
Clergie

Children

Depart

Seruice

said vile and false trade, conuersation, and behauiour of the said counterfait or disguysed vagabounde, commonly called, or calling themselues Egyptians.

Prouided also and bee it enacted by the authoritie aforesaid, that the sayd act made in the first and second yeares of the said late king and Quéene, shall not extend to compel any person or persons borne within any of the Quéenes maiesties dominions, to depart out of this Realme of England and Wales, but onely to constraine and bind them & euery of them to leaue their said naughty idle and vngodly life and company, and to place themselues in some honest seruice, or to exercise thē selues at home with their parents, or elsewhere honestly in some lawful worke, trade, or occupation. Any thing mencioned in the sayed former act to the contrary hereof in any wise notwithstanding. Anno. 5. El. ca. 20.

Borne Kein

Seruice

¶ *Eleccion.*

BEcause eleccions ought to bée free, the king commaundeth vpon great forfaiture, that no great man nor other by force of armes or mainteining, shal disturbe any to make free eleccion W. 1. c. 5. An. 3. E. 1.

Force
Disturbe

2 ¶ If any dignitie bee vacant where eleccion is to be made, it is moued ỳ the electours or chusers may freely make their eleccion wout feare of any tẽporal power, & that all prayers & appellions shal in this behalfe cease. ỳ answer, they shalbe made free according to ỳ statuts and ordinaunces, Articuli cleri ca. 14. An. 9. E. 2.

Free

¶ *England & Englishmen.*

THat by the cause or colour of that ỳ iwe bee king of Fraunce, & that the sayd Realme to vs perteineth, as afore is said, or ỳ we do vs to be named king of Fraunce in our style, or that we haue changed our seale or our armes, nor for commaundementes, which wé haue made, or from henceforth shal make as king of Fraūce, our said realm of England, nor the people of ỳ same, of what estate or condition they be, shall not in any time to come be putt in subiectyon nor in obeisance of vs nor of our heires, nor successors as kings of Fraunce, as afore is said, nor be subiect nor obediēt, but shal be frée and quite of al manner subiection and obeisance aforesayed, as they were wont to be in the time of our progenitours, kinges of England for euer. Anno 14. E. 3. stat.

Fraunce

Seale
Armes

Subiection

Free

2 ¶ All and euery such subiects borne in England, and sworne to bee subiects to forein princes, and Lordes of outward parties (as long as they shall so abide, and bée as subiectes to forreyn princes & lordes) that from henceforth so long, they and euerie of them shall pay such customes, subsidies, tolles, and other impositions within this Realme of England, as other straungers of those parties where the sayd English men make their habitation, pay or ble to pay within this saied Realme: And that the knowledge of al and euery such personne or personnes inhabitauntes, and sworne in manner and fourme as is afore rehersed within the Archedukes coūtries that is to say, Holland, Zeland, Brabant and Flaunders, onely, shall bée hadd by certificat thereof made by the gouernours of ỳ marchant aduenturers, and ỳ assistens there for the tyme beeyng, and also for al other Realmes and countreys of forein princes to bee certified by the kings most noble imbassadours, beeyng at such tyme there as they shall happen to bee in the sayed countries vppon ỳ kinges affayres, shall likewyse certifie, as is beefore sayed, vnder their seale, into the Chauncery of our soueraigne lord the king, and thereuppon out of ỳ said Chauncerie wryttes to bee made and directed vnto ỳ Customers, comptrollers, or other officers of the kinges Custome, in euerie Port, Hauen or

Borne in England
Sworne to forreine Princes

Customes
Subsidies
Tolles
Impositiõ

Holland
Zeland
Brabant
Flaunders
Certificat

Imbassadors

Certifie
Seale
Chauncery

writs
Customers
Comptrollers
Port

or cracke, within this said Realme to perceiue, leuie & take all maner of such customes, subsidies, tolls, and other impositions, as is before specified, of all such goods and Marchandises, as shall belong vnto any such person or persons inhabited & sworne, in maner & forme above written, as wel inward as outward. Prouided alwaies, that if hereafter it shal happē any such person or persons to returne into the Realme & here to tarry and inhabite, that then hee or they shalbe restored to al such liberties and frēdomes, in paying of customes or subsidies & other charges, as al other Englishmen doe vse to pay, & to haue a writ out of the Chauncery for ỹ same, this act or any thing made to the contrary notwtstāding. An. 14. H. 8. ca. 4.

Customes
Subsidies
Goods
Merchādise
Inward
Outward
Restore
Liberties
Writ
Chauncery

¶ *Englishrye.*

NO Justice errant, shall put in any article, opposition, presentment of Englishrye, against the commons of the Coūties, nor against any of them, but that Englishery, and presentment of the same, be wholly out and voyd for euer. So that no person by this cause be from hēceforth impeched. An. 14. E. 3. ca. 4. stat. 1.

Jast. errāt
Voyd

¶ *Entrie & writs of Entrie.*

IF those alienations (where vppon a writ of entrie was wont to by graūted) hap to be made in so many degrees that by reason thereof, the same writt cannot bee made in the forme before times vsed, the plaintifes shall haue a writt to recouer their seisin, without any making mention of the degrees, into whose handes soeuer the same thing shal happen to come by such alienatiōs, and that by an original writ to bee prouided therfore by the counsell of our soueraigne Lord the king, Parleb. ca. 29. An. 52. H. 3.

Alienatiōs
Degrees
Writ
Forme
Plaintife
Recouer
seisin
Original
Writt

2 ¶ If a woman sell or geeue in fee or for terme of life, the land that she holdeth in Dower, it is ordeined that the heire, or hee to whom the land ought to reuert after the death of such woman, shall immediatly recouer by a writt of entrie in the Chauncery, Glouc. cap. 7. An. 6. E. 1.

woman
Dower
Heire
Recouer

3 ¶ See Cut in vita 1. that the heire or he in the reuersiō shall haue a writ of entrie against the particuler tenāt that letteth by default, or by reddition.

¶ *Entry lawfull.*

AN. 7. H. 7. ca. 2. it was enacted that discentes should bee no greater hurt to them that should go with the king in his warres (in voyage that then was toward) then if they were within age of xxj. yeares.

Dissents
warres
wthin age

2 ¶ Where diuers persons of their insaciable mindes haue heretofore, by strength and without title, entred into manors, lands, tenementes, and other hereditaments, and wrongfully disseised the right full owners and possessors thereof, and so being seised by disseisin haue thereof died seised, by reason of which dying seised, the disseisie, or such other personnes, as before such discent might haue lawfully entred into ỹ said manors, landes and tenements, were and be thereby clerely excluded of their entre into the said manors, landes, and tenements, and put to their accion for their remedy & recouery therin, to their great costs and charges. For reformation wherof, be it en. that the dying seised hereafter of any such disseisor, of or in any manors, lands, tenements, or other hereditamentes, hauing no right or title therein, shal not bee taken nor deemed from henceforth any such discent in the law for to toll or take away the entry of any such person or persons or their heires, which at the time of the same discent had good and lawfull title of entrie into the said manors, landes, tenements, or hereditaments: Except that such disseisor hath had the peaceable possession of such manors, lands, tenements, or hereditamentes, whereof he shall so die seised, by ỹ space of v. yeres next after the disseisin therein by him committed, without entre or continuell claime

Disseisins
Disseisie
Dying
seised
Discent
Except
Possession
v. yeres

clayme by ꝛt of such persone ꝛ persones as haue lawfull title thereto. An. 32. H. 8. cap. 33.

¶ *Errour.*

Plaintife writ

IN case where any will complayne of errour made in tyme of the sayd king, before the sayd Steward and Marshall, the playntife shal haue a writ to remoue the record and the proces before the king in his place, & there the errour shalbee redressed. And likewise shall it bee done in euerie other case, where any man will complayne hym of errour, done beefore the same Steward and Marshal of the kings house. An. 5. E. 3. cap. 2.

Steward Marshal

King

2 ¶ In all cases touching the king ꝛ other persones where a man complayneth of errour made in the Eschequer, the Chauncellor and Treasurer shall doe to come beefore them in the chamber of counsaile nigh the Eschequer, the record and proceslle out of the Eschequer, taking to them the Justyces and other sage persones, such as to them seemeth to bee taken. And shall also do to be called beefore them the barõs of the eschequer, to heare their informatiõs, & the causes of their iudgementes, and thereuppon shall duly examine the busines, and if any errour bee found, they shall correct and amẽd the rolles, and after send them into the Eschequer for to make thereof execution as pertaineth. Anno. 31. E. 3. capitulo. 12. Stat. 1.

Eschequer Chancelor Treasurer

Recors

Justices

Barons of ỹ eschequer

Examin

Amẽd rols

¶ *Escape.*

IT is prouided also, that nothing bee demaunded nor taken from henceforth nor leuied by the sheriffe, nor by none other, for the escape of a theefe, or a felon, until it be iudged for an escape by ỹ Justicers in eire. And he ỹ otherwise doth, shall restore to him, or the that haue payd it, as much as hee or they haue taken or receyued, and as much also vnto the kyng. Ci. c. cap. 3. Anno. 3. E. 1.

Sherife

Justices in eire

Restore

2 ¶ The escape of theeues and felõs, & the cattailes of felons & of fugitiues, and also escapes of clerkes conuict out of their ordinaries prisõ, from henceforth to bee iudged before any of the kinges Justices shalbee leuied fro time to time, as they shall fall, as wel of the time past, as of ỹ time to come, An. 31. E. 3. cap. 4. Stat. 1.

Clerkes conuict

3 ¶ Justyces of peace shall haue authoritie to enquire in their sessyons of all maner escapes of euery person arrested & imprisoned for felony. An. 1 R. 3 capitulo. 3.

Just. of p.

Enquire

Felony

¶ *Eschange.*

THe tables of exchaunge shalbee at Douer, and in other places, where & when it shall please vs & our cõsaile to make exchaunges. And that ỹ wardens of such tables shal make such exchaũges by ỹ testimony of comptrollers which we shal put to them. An. 9. E. 3. capitulo. 7.

Tables

Testimony Cõptrolers

2 ¶ Exchaunges shalbe ordeined in good tounes, according as best shall seeme to our soueraigne lord the kyng, for ỹ profit of him & his people. And that it be ordeined in a certainty, what thing shal bee geeuen in exchaunge in euery peece of gold. Anno. 18. E. 3. capitulo. 6. Stat. 2.

Certaintie

Gold

3 ¶ It shalbe lawful for euery man to exchaũge gold for siluer, or siluer for gold, or for gold & siluer, so that no mã hold the same as exchaunged, nor take no profit for making such exchaunge, vpon paine of forfaiture of the money so exchaũged, except ỹ kinges exchaungeours, which take profit of such exchaunge, according to ỹ ordinance before made, 25. E. 3. cap. 12. stat. 3.

Gold Siluer

No profit Forf.

4 ¶ For euery exchaũge ỹ shalbee made by marchãts to ỹ court of Rome or els where, that the said marchaunts be fermely & suerly bounden in ỹ Chãceris, to buy within. iij. moneths after the said eschaũge made, merchendize of ỹ Staple, as woolles, leather, woll-

Merchãts Rome

Chauncery

wools Leather

Tinne Butter Cheese Clothes Foyl.

folles, leade or tinne, butter or cheese, clothes or other commodities of the land, to the valour of the tinne so enchaunged, vppon paine of forfeiture of ỳ same. An. 14. R. 2 cap. 2. Stat. 1.

5 ¶ The said stat (that is to say. An. 14. R. 2. cap. 2. before 4.) shalbe firmely holde and kept and put in due execution. Added thereto, that the Chancellor of England for the time beyng, shall from .xv. dayes to .xv. dayes send the estretes of the writtes of exchaunges into the eschequer of our sayd soueraigne lord the king, and that the treasorer and barons of the sayd eschequer haue power by authority of parliamẽt to examine the customer in this case, & to punish thẽ ỳ shalbe found guiltie, against the fourme of the said statut, according to the contune of ỳ same. An. 11. H. 4. cap. 8.

Chaffelor

Estreats Eschequer

Treasorer Barons

Examin Customer Punish

6 ¶ An. 9. H. 5. fra. 2. cap. 8. An act was made to endure to the nert parliament, that marchaunts that made exchaunge should bee bound to buy marchandizes of the staple to the value within nine moneths.

Merchandizes of the staple

7 ¶ Anno. 1. H. 6. cap. 4. An act was made that till the nert Parliamẽt the master of the Mynt of London myght hold exchaunges.

Master of the mynt

8 ¶ All such statutes be put in due execution from henceforth.

And that no man make any exchange wonte the kinges licence, ne make any exchange or rechange of money to bee payd within this land, but onely such as the king shal depute therũto to kepe & make answere for such exchanges & rechanges vppon the paines in ỳ same statut of king Richard conteined. An. 3. H. 7. cap. 6.

Licence Exchange

9 ¶ If any person or persones after the first day of Aprill nert cõming exchange any coyned gold, coyned siluer, or money, geuing, receiuing, or paying any more in value, benefite, profite or aduauntage for it, then the same is or shalbe declared by the kings maiesties proclauration to be currant for, within

Coyned gold Siluer Money

this hys vyghnelle Realme, and other hys dominions, that then all the sayd coyned gold and siluer, and money so exchaunged, and euerie part and parcell thereof shalbe forfait, and the partie so offendyng shall suffer imprisonment by the space of one wholle yere, and make fine at the kynges pleasure. The one moitie &c. to the king &c. and thother moitie to bee to the partie that seyseth the same, or will sue for it &c. in which suit no essoigne &c. Anno quinto Edwardi. 6. cap. 19.

Forf. Imprisõ. Fine Moities

## ¶ Eschequer.

The king commaũdeth that all maner of bayliffes, sheriffes and other officers, as well the Justices of Chester and other bayliffes of these cõtries as other that be receyuours & wardens of eschetes, and other bailliwikes shal be answerable in the eschequer, and there shall make accompt to the treasourer and barons of the same place. And that all sheriffes, fermours, bayliffes of fraunchyses & other which are accõptable & ought to proffer, shall cõe to the eschequer the munday after the feast of saint Michaell, and the munday after ỳ vtas of Easter, for to pay their fermes, rentes and issues, belongyng to the kyng. And shal byde at the forsayd termes, the forsayd fermes, rẽts and issues due wholly into the Eschequer as before is mencyoned. And if they make default, their bodies shal remaine without departing from thẽce, vntill they haue payd or made agreement. And he that will not come at the termes aforesayd, shalbee amerced after the custome of the Eschequer, & the sheryffes and bayliffes at ỳ same termes shall leuy and pay such money as they haue receyued of the summons of the eschequer & other ỳ kynges debts. And shal be prepared and ready to make full accompt of the thinges aforesayd. And that all bayliffes of fraunchyses which ought to leue the kynges debtes

Bailiffes Shirifs Just. of Chester Receiuors Accompt Treasorer Barons Shirifs Default Amerce Somons Accompt

debtes

debtes. and be aunswerable to the sheriffes thereof, shall come and accompt sufficiently according to the extreates of the statutes of the eschequer. And such as do not, their bodies shal remaine in ward of the sheriffes, and for default of them, the sheriffe shall cause the debtes to bee leuyed by their owne baylliffes where they haue power as they haue vsed to do in time past. And if the baylliffes doe not come in at the day that the sheriffe shall geeue them knowledge, the sheriffe shall enter into the same fraunchises, and leuye the debts with his owne hand. Concerning Justices of Chester and baylliffes therof, the kyng willeth that they or one of them shall come at the proffer of Saint Michaell euery yere, when they ought to geeue accompt vnto the kyng, and at the proffer of the vtas of Easter they shall come likewise, and bring in that that they owe to the king for y terme. And the Justices of Chester shall haue day to accompt from yeare to yeare in quindena Paschæ. And y bayliffs therof the munday of Easter tyde. And that all sheryffes of England, except the Sheriffes of Westmerland, Cumberland, Chester, Worcester, Rutland, and Cornewall, shal from hencefoorth keepe all such wardes and escheates as belong to the kyng, which be within their shires and not holde of other lords, of the villes wherof they shal be aunswerable to y eschequer at the termes aforesaid. And at their comyng that they make out their shires, they shall finde of fyre of such thynges as the kynges escheatours haue not vsed to leuy of that that belongeth vnto the king once or twice euery yeare, vnto as little greefe vnto the people as they can. And the sheryffes shall keepe the escheates that fall to remayne vnto the kyng in fee, and shall certifie the kyng of them without delay. And the kyng shall assigne three able personnes that shal go through out the realme to survey and the wardes and escheates afore-

Extreats

Leuy debts

Proffer

wardes. Escheats

Tournes

Office

Escheatoys

Certifie

Survey Pards

layd from yeare to yeare, when they shall thynke requisit. And the sheryffes by their counsell shall appoynte and lett to ferme, or otherwyse, such wardes and escheates as they shall thynk most for the kynges aduauntage. Touching the fyue shires before named, the kyng will, that the sheryffe of Cumberland shall exercise the office of the escheatour in the shires of Westmerland and Lancaster. And the sheryffe of Nothyngham in Rutland. And the sheryffe of Gloucester in Worcestre. And y sheriffe of Deuonshire in Cornwall, and shall faithfully keepe the kyngs his wardes and escheates in the same shires, and shall be aunswerable in the eschequer for the villes of them as well as for their owne shires. And the three personnes aforesayd, shall survey and extend such wardes and escheates as well there as in other places, and shall be approued by their counsell. And when the sheriffes doe accompt, they shal accompt for such wardes and escheates. And in like manner shal the Justices of Chester doe; and their baylliffes also exercise office for his baylliwicke. And the sayd three personnes shall keepe the kynges ordynaunce, and shall approue them as they shall thynke best for the kynges aduauntage, and shall be aunswerable for the villes, and they shall haue power to sett forth small mannors or tenements to some of y same places, or to other according to their discretions, and shal lett them to ferme from yere to yere, as they shall thynk most to the kinges profit. And the tenaunts shall be chargeable for their fermes vnto y principall approuers, and they vnto the eschequer the munday next after the Ascencion from yere to yere. And the principall collectours of the customs of wooll at y two termes before mencioned, shall pay such money as they haue receyued of the sayd custome, & shall make accompt from yeare to yeare clearly of all parcelles receyued in euery of the portes & other

Sheriffs assigned to be Escheators

Villes.

Justices of Chester

Approue

Let mannors

Fermors

Custome of woolles

places of the realme, so that they shall ame[n]d were for euery shipp where it was charged, and how much it carried, and whole the walles were, and for euery other charge in the shippe, wherof custome is due, and for the whole receipt.

Custome warden of ꝑ wardrobe

And the warden of the kinges wardrobe shal make accompt yerely in the Eschequer in the feast of saint Margaret, and the treasourer and barons shal bee charged by othe, that they shal not attend to heare the pleas or matters of other men, whyles they have to do w[i]t the kynges owne busi. And when a sheriffe or bayllife hath begonne hys accompt, none other shalbee receyued to accompt, vntil he that was first appointed hath clerely accopted: and hys money receyued: and that the Constable, Marshall, Chamberlaine, and other that are of ꝑce in the Eschequer, from henceforth shall present vnto the kyng such as they have put in their places to do their offices, which must bee of good fame, and sufficient, for whose actes them selues will ame[n]d were. And the kyng commaundeth the Treasorer and Barons of the Eschequer vpon their allegeance, and by the othe that they have made to him, that they shall not assigne ante in their rownes, but such as this act meaneth of, ꝑ that the Eschequer be not charged with mo persons then is necessary. And that none of them that bee sworne to the kyng, shall put in his rowme ante other clerk or lay person (except he be sworne) wythout theyr all licence of the Treasourer, and if ante doe, he shalbe forthwith remoued from his office. And none other shalbe receyued in his stede wythout the kynges ꝑmyssion. And if ante that is receyued wythout the Treasourers licence, do trespasse afterward, punyshment shalbee done as well to the assignor as to him that is assigned according to the trespas. And if both bee vnsufficient, their superyor shalbee punyshed, whether he bee officer of his or other. And the Treasourer shall putt noe other in hys rowme, vntil hee hath commaundement from the king. And if hee that keepeth the rowme of an other by licence of ꝑ treasourer, doth any thing that hee ought not to do, he shalbe punished according to the trespas, if he have whereof, and if he have not, he that put him in office, shalbe charged for his trespas, & if he ꝑ put him in office be not sufficient, his superior shalbe charged whether he be of see or otherwise. And they of the woolstaple shall make othe, that if ante of them may perceiue, ꝑ another doth commit any offence, or other thyng dishonest in the offices of ꝑ woolstaple, or that he hath done before, that they shal certifie it to the treasourer or to ꝑ Barons, or to some of them, or to the king him selfe, if nede require. And ꝑ about the feast of saint Margaret, before that the eschequer be closed, they shall cause a search to be made, whether any sheriffe or bayliffe, that ought to have accompted the same yere have not, and thereupon a remembrance as a rolle shalbe made by it selfe. And if it be a sheriffe, hys accompt shall be first heard after Michelmas, before that a nie other be receiued to accompt. And if he be a bailiffe, he shalbe sommoned or distrained to come at a certaine day for to accompt, so that no accopt shall bee suffred to sleepe. And for as much as shirifes, constables, and other, obteyne many tymes outrageous allowances, by pretence of the kynges workes, and other thynges done and prouyded by his commaundement: It is prouided, that all surueyours of the kynges workes shall be chosen by the othe of twelue men, and ꝑ such as will and may attend to that office. And that they be sufficient to answere the kyng, if nede be, & shall sweare, ꝑ they bare true and lawfull witnesse. And if the treasourer or barons of the Eschequer have ante suspection of sale, allowances of charges or other thinges, ꝑ truely must be inquired, and he that is attainted

Oth

Constable Marshal Chamberlaine

Deputies

Licence

Vnlish Trespas

Superior

Woolstaple

Offence

Certifie

Serche Shyrifs Bailife

Somon

Surueyors

Oth

Attaint

Impriſ. Punith

attaynted ſhal anſwer to the kyng for as much as the allowaunce amounteth vnto, and ſhalbee impriſoned one yere & xl. daies, & ſhalbe puniſhed at ỳ kinges pleaſure. And the ſurueiours ſhalbe puniſhed for their conſent. And likewiſe he, that vpon the accompt did cõceal & keepe ſecret ſuch things, wherof he ought to haue charged him ſelfe, ſhall be puniſhed in likewiſe, as he that admitted ſuch falſe allowaunces. And that the Iuſticers, commiſſioners, and other ſhall from henceforth deliuer into the Eſchequer, at the feaſt of Saint Michell from yere to yere, ỳ extreates of fines and amerciaments made and taxed before them, and of all thynges wherefore the extreates are wont to be deliuered there. And they of the Eſchequer ſhall make extreates of ỳ cõmons through all ſhires, ſauing ỳ the extreates in eire of all pleas ſhalbe deliuered immediatly after ỳ eire made, Statut of theſchequer. An. 51. Ed. 3.

Concele

Extreats

2 ¶ Edward by the grace of God, &c. to our treaſorer & barons of the Eſchequer, greeting. To thintent ỳ prouiſion may be had for the indempnitee of vs and our people in certaine caſes, touching vs and our people aforeſayd in our ſayd court of Eſchequer: we wil and prouide, that from henceforth the bodies of ſhires ſhall not be written in ſeuerall rolles, but ſhalbee written in a certaine rolle annuall, & ſhalbee read euerie yeare vppon the ſeueral accõpts of ſheriffes, that is to wete in the ſeueral counties, that it may bee knowen, if ought may eſcheate vnto vs by ame manner meane. The remanentes of the ſame ſhires ſhalbee written by later dates in the annuall rolles, and the ſheriffes ſhalbee charged therewith, in which remanentes the liueries and almes ordinarie are allowed, and other allowances (if ſheriffes haue had any) of ỳ iſſues of their bailliwykes by our writtes of dyuers allowaunces vnto our greeuous dammage: we will and prouyde, that of ſuch maner allowãces

Shireroils

Accompts Shirikes

Liueries Almes

ſo to bee made from henceforth vpon ſhalbee made in our Eſchequer, and ỳ ſame vpon being faythfully made, the ſame treaſourer and barons ſhall certifie the Chauncellour of the ſayd allowaunces ſo to bee made, & that writts of allowances ſhalbe made accordyng to the ſame certificat. Moreouer there ſhall bee written in the ſame annuall rolles, the fermes of the ſheriffes, the profyts of counties, the fermes of ſeruantes and aſſertes, the fermes of Cities, boroughs and townes, and other fermes, whereof there is anſwer made yerely in the Eſchequer. And in them alſo ſhalbe written al debtes determyned, & all groſſe debts, whereof is hope that ſomwhat ſhalbe paid againe.

Alieto

Certifie Chaſtelor

Annual rols

Fermes

Debts determined

Item al debts that ſeeme to be clere, when it is cõmen vnto accompt, or to the title of new obligations.

Nothing ſhalbe written in the annuall rolle, but thoſe debts whereof there is hope of payment, and whereof the ſheriffe is anſwerable, and debts that ſeeme clere in the originalles.

Good debts

Of dead fermes, and debtes deſperate, one rolle ſhalbee made, and ſhall bee inrolled and read euerie yere vpon the accomptes of ſheryffes, and the debtes whereof ỳ ſherife is anſwerable, ſhalbee written in the annual roll, & there ſhalbe acquited.

Deſperat debts

Moreouer wee will and prouide that it ſhalbe proclaymed in euerie countie that al they that haue tailes of the Eſchequer for the debtes of them ſelues, or their auncеſters hitherto payd vſually there, and not yet allowed, whereof ſhal come in the cõmons of the Eſchequer, that ſuch tailes ſhalbe deliuered to their ſheriffes, to be allowed at the Eſchequer at their accõpts. And ỳ ſheriffes ſhal make to thẽ (of whõ they ſhal ſo receiue tayles) there writyngs, witneſſing ỳ receipt of thoſe tayles.

Tayles

Two faithful knights deputed thereunto betweene whõ & ỳ ſaid ſheriffs indentures ſhalbe made of ſuch receipts wh ỳ ſeales of thẽ both interchãgeably.

Knights

Indẽtures

The foreſayd knights deputed thereunto, ſhall ſend the partes of their indentures, at the terme appointed vnto the Eſchequer in fourme aforeſayd, to the end that by the view and witnes of them, the ſayd tayles ſo receyued by the ſheriffes, may be ſhewed, & be allowed vppon their accomptes.

Diſtraine

Moreouer it ſhalbe proclaimed, that except thoſe that haue ſuch tayles doe ſhewe them to the ſheryffes & knights to bée executed as afore is ſayd, that they ſhalbée diſtrayned for the whole debt, and the tayles to bée reputed for vnpayed.

Debts acquited

Moreouer the debtes, which yet are to come in the ſommons of the eſchequer, whereof the debtours do profer tayles againſt diuers ſheriffes, ſhalbee defaulted and acquited.

Commiſſioners

Moreouer we prouide, that certaine perſons aſſigned thereunto on our behalfe, ſhalbe ſét into euery ſhire, which ſhall haue full power to enquire of ſuch maner debtes, and alſo to call afore thẽ ſolemply, as well the ſheriffes as their heires and aſſignes, and the tenants of their lands, in caſe they be dead ẏ haue receiued the debts, and alſo if néede bee to proceéde to the taking of ſuch maner inqueſts, whether the parties (againſt whom the foreſayd tayles were ſhewed) do come or not. So that the ſheriffe do returne a reaſonable ſommons made to them therfore, & ſo the trouth being inquired and diſcuſſed in preſéce of the parties (if they will be there) ẏ

Inquiſitors

inquiſitours ſhall make rolles of them that ſhalbe conuict afore them, ſo that the foreſaid debts being confeſſed and inrolled, the tayles of the ſame ſhalbée forthwith brokẽ. And the ſheriffs ſhall

Tráſcripts

haue in their cuſtody the tranſcripts of the ſame rolles vnder the ſeales of the inquiſitours, and ſhall ſurceaſe in making diſtreſſes for the debtes conteyned in the ſame, vntill they ſhall haue otherwiſe in commaundement from vs therefore. And the foreſaid inquiſitours ſhal ſend vnto ẏ eſchequer ẏ fore ſayd rolles vnder their ſeales, that it may be examined there by a ſearche to be made therefore, what debts be paid in the whole, and what are paied in part, & what debts there be, whereof ẏ debtours be not acquited, according as ſhalbée conuenient to be done.

Chamberlaines

Moreouer we will and prouide, that the Chamberlaines from henceforth ſhall not make to the ſheriffes or anie of their bayliffes, tailes of dcudendis, vnleſſe they firſt receiue of them writings conteyning the particuler ſumes of the actions of debtes, and ẏ names of them that paid them, into ẏ which particulers hee may part the names of

Dendédis

ſuch manner dcudendis, which being ſo receyued vnder their ſeales, it ſhall not be lawfull to nũmber them into other particulers.

Debts Shiriffes

Moreouer we prouide that al debts, whertunto the ſheriffes make returne, that the debtours haue nothing in their Bayliwikes, ne had not at ſuch tyme as they were charged with the ſame debtes, or that the debtoures bee not founden: that the ſame debtes ſhalbée extreated in rolles, and the ſame rolles to bee deliuered vnto faythfull and circumſpect men, which ſhall make inquirie therof after ſuch fourme as ſhal be prouided by the treaſourer & barõs.

Pleas

But forſomuch as certayne pleas heretofore held in the eſchequer, which did not concerne vs nor our miniſters

Officers

of the Eſchequer, whereby as wel our pleas, as ẏ cauſes of our people are vnduely proroged & letted, we will & ordeine, ẏ no plea ſhalbe holden or pleaded in the eſchequer afore ſaid, vnleſſe it do ſpecially concerne vs and our miniſters afore ſaid. And therfore we cõmaund, ẏ ye cauſe the premiſſes to bee diſtinctly & openly read afore you, & to inroll it, cauſing ẏ ſame to be ſtreightlie obſerued in our court of Eſchequer afore ſaid. In witnes of which &c. geuẽ at Rutland, the xiiii. day of the moneth of May, in the .x. yeare of our raigne.

Stat of Rutland. An. 10. E. 2.

3 ¶ Becauſe

3 ¶Because that many people acquited by iugement in the Eschequer in one place, bee greatly greeued & endamaged in other offices and places of the said eschequer, for the same things wherof they be so acquite, to the great mischiefe of the people: It is ordeyned that one clerke of the remembrance be titled to sit against the clerke of the pype to see the discharges made in the pype, and to imbreuiate the same in ỳ remembrance, to cease al manner of processe thereupon made. And also that the summons of the pype be withdrawen according as ỳ parties by processe be discharged. And in whom soeuer anie default be willingly found, the treasourer by the kinges commaundemẽt shall duely punish the same. Anno. 37. E. 3. capitulo. 4.

Remembrãce Clerke of the pype

4 ¶All statutes & ordinances made before this time, of officers of the Eschequer, be hold and firmely kept in al points. And moreouer it is ordeigned and established, that at what time any debtes be payed, and the tayles therof made, ioined & allowed in the said Eschequer, that this act shal neuer renne in demaund, and if it so happen that after the allowãce made there, any clerk of the eschequer make any writ or processe, for to proue ỳ same debt of new, & that duely proued, the same clerk shal loie his office, & to haue imprisõment, till he hath made gree to the party by so much as he is endamage, if any will sue by the discretiõ of the treasorer and the barons of the Eschequer. Anno. 1. R. 2. capitulo. 5.

Officers

Debtes Tayles

Losse of office Imprisõment.

5 ¶The Barons of the said eschequer shal from henceforth haue ful power to heare euerie aunswere of euerie demaund made in the same eschequer so that euery person ỳ is impeached or impeacheable of any cause by him self or by any persõ, shalbe frõ henceforth rectued in the same eschequer to plede, sue, and haue his reasonable discharge in this behalfe, without tarrying or suyng any writ or other cõmaũdemẽt. An. 5. R. 2. cap. 9. Stat. 1.

Barons

6 ¶The accompts in the eschequer shal be more shortly heard, made and engrolled, then they were wont heretofore, sauing alwaies that ỳ parcels of ỳ same accomptes bee made as fully as they were wont in times past, & that by ordinance to be made by ỳ barons of the sayd eschequer, there to endure of record for euer. Anno. 5. R. 2. cap. 11. Stat. 1.

Accompts

7 ¶Two clerkes bee alligned to make percels of the accompts in ỳ sãe eschequer, to them that will that demaund, and they shalbee swoorne, that they shall do no falsitie in their office, and shal take for their labour of them, to whom they serue, reasonably, according to the ordinaunce of the barons of the sayd Eschequer. An. 5. R. 2. capitulo. 12. Stat. 1.

Clerks

Oth

8 ¶The accomptes of Nihil in the eschequer shalbe wholly out, or if anie such accompts ought there to abide, the accomptaunts immediatly after their othe made in the said eschequer shalbe examined by the barons there, if they should or ought to aunswere the king of any thing in this behalf. And if it be found by their said othe that they ought not, then by the same their othe they shalbe discharged to yeld other accõpt before any auditour. The kings right alwayes saued. Anno quinto. R. 2. capitulo. 13. Stat. 1.

Nihil

Oth Discharge

Auditor.

9 ¶The clerke of the pipe, & there membrancers of the eschequer shalbe swoorne, ỳ frõ terme to terme they shal sue (whiles ỳ said eschequer shalbe open) al the writs of great seale or of priue seale, which shalbee sent to the said Eschequer the same terme for the final discharge of any persõ of the realme of any demaund due in the said eschequer, and that euery of the, to whom it pertayneth, shal do due execution of ỳ said commaũdement. And also it is ordeyned & assented, that the said two remembraũcers shal be swoorne of their part, ỳ euery terme frõ hereforth they shall

Clerke of the pipe & Remembrancers.

Oth Writs.

Execution.

Scedule Diſcharge

make a ſcedule of al the perſones that ſhall bee diſcharged in their offices by iudgemẽt or in other maner in ẏ ſame terme of any demaundes in the ſame Eſchequer, conteyning the manner of the ſame diſcharges, & to deliuer the ſame ſcedule to the ſaid clerk of ẏ pype the ſame terme to the intent that the ſame clerk of the pype do thereof diſcharge the ſaid parties in ẏ great roul. Alſo the ſayd clerke of the pype ſhalbe ſworne, that hee from terme to terme ſhal require the ſame ſcedules and the ſame ſcedules by him ſo receiued, hee ſhall diſcharge the ſayd partyes in the maner afore ſaid. And in the ſame maner the ſaid clerke of the pype for hys part ſhall do to be certified in writyng to the ſaid remembraunces of all ſuch diſcharges which ſhalbee made in hys office, to the intent that a mã diſcharged in one place bee diſcharged in all other places of the ſayd Eſchequer. An. 5. R. 2. cap. 14. Stat. 1.

Rolle

Diſcharge

Certifie

Liuerie

10 ¶ Though that many times here tofore diuers perſones haue had liuerie of their landes and tenementes out of the kinges handes by iudgement geeuen for them in the kinges benche or els where, and of the ſame iudgemẽts after haue procured to ſend the tenure of the recordes and proceſſes thereof made by writt of Mittimus, into the ſayd Eſchequer, to the entent for to diſcharge them of the accomptes demaunded of them vpon the ſame tenementes, neuerthelelle the officers of ẏ ſaid eſchequer would not in times paſt diſcharge the ſayd perſons therof, before that the ſame recordes and proceſſes were word by word newlie entred in the eſchequer, and there vpon newe proceſſe made, and newe iudgement there an other time geuen, to the great damage and delay of the parties without profit to the king: It is therefore ordeyned & aſſented, ẏ frõ henceforth after that ſuch record, or the tenour of the ſame, ſhall come into the ſaid Eſchequer by ẏ kings cõmaundement (as it is ſayd) that the remembraunces, in whoſe office ſuch accõpts ſhalbe demaſided, ſhal forthwith cauſe ẏ ſuit to ceaſe in this behalfe by words to bee entred vppon the indorſement of the writt touching the tenour of the record of the ſaid iudgement, without making new iudgement or proces further in this party. An. 5. R. 2. cap. 15.

Recordz

Remembrances Accompt

11 ¶ From henceforth nothing ſhalbe geuen for making of a commiſſyon in the ſayd eſchequer for the fee of the clerke which ſhall make the ſame, aboue. ij. s. onely, nor for the record of a Nihil prius with the writt, but. ij. s. onlie, as afore this time was wont to be done and vſed. Anno quinto R. 2. cap. 16. Stat. 1.

Cõmiſſion Fees

Nihil prius

12 ¶ No ſuch recognisãce nor other bond of the double bee made nor taken in ẏ Eſchequer from this time forth. And that al ſuch recognisances & other bonds whith bee made at this preſent tyme, bee vtterly cancelled & adnulled. Prouyded alwaies that the king haue ſufficient ſuertie for his duitie in ẏ maner accuſtomed. Anno. 13. R. 2. capitulo. 14. Stat. 1.

Recognisance Bonds

Suertie

13 ¶ An. 33. H. 6. cap. 4. An act was made to endure, as it ſeemeth, for fyue yeres, cõcerning fees to bee taken in ẏ Eſchequr, and the proces ſhall not bee made againſt commiſſioners to certyfie their commiſſions after they haue ſufficiently excuſed them ſelues. See the ſtatute.

Fees

Cõmiſſion

¶ *Eſchete.*

ALſo the king ſhal haue eſchetes of the landes of Normans, to whoſe ſee ſoeuer they belong, ſauing ẏ ſeruice appertaining to the chiefe lordes of the ſame fee. And this alſo is to be vnderſtanden where any inheritaunce deſcendeth to any that is borne of the parties beyond the ſea, whoſe anncſtours were from the time of king John vnder the allegeaunce of the kinges of Fraunce, & not of the kinges of England, as late it happened by the barony

Normãs

Seruice

Inheritãce

Auncestors Aliens

of Mon-

Mõmouth Monmouth after ỳ death of Iohn Mõ mouth, whose heires were of Britain & other places, king Henry by ỳ forsaid occasion recouered many eschetes of Normans lãds out of the fées of other mẽ, & gaue thẽ to be holdẽ of chief lords of the fee by seruices & customes due and accustomed therunto. statut of the kinges prerogatiue Anno. 17. E. 2. cap. 12.

*Eſchetours.*

There shalbee as many eschetours assigned, as were in ỳ time when the kyng that now is, did take the gouernance of this realme vpõ him. And that the same eschetours, be chosen by the chauncellour, treasourer, and chief baron of the eschequer, taking to them the chiefe iustices of the one bench & ỳ other, if they be present, in maner as is aforesaied of the shirifes. And that no Eschetour tary in his office aboue a yere. An. 14. E. 3. ca. 8.

Chaũcellor Treasorer L. chiefe Baron Iust of b.

Enquests

2 ¶ Euery eschetour shal take his enquests of his office of good people and lawfull, which bee sufficiently enherit & of good fame, and of the same county where the enquire shalbe, and that the enquests so taken be endented betwirt the eschetours and the iurours. And if it be otherwise done, that such enquestz be holden for voyde. And the king wil that such enquestes bee taken in good townes openly and not priuely, Ann. 34. E. 3. cap. 13. statut. 1. See here folowing.

Indẽtures Iurors

Voyd

Opẽ places

3 ¶ Where lands or tenementes bee seysed into the kings hand by office of the eschetour, for that ỳ the kinges tenant made therof alienation wout the kings licence, or that the kings tenant by knights seruice died seased of ỳ lãds and tenementes aforesaied in hys demeyn as of fée, and his heire wythin age, and after the cause certyfied into the chauncery, and hee whose landes bee seysed come into the Chauncerie and wil trauers the office, which was first taken by ỳ kings cõmaundement and that the said lands be not seisable: he shal be thereto receiued: and if it be found by the second office for ỳ party, both the two offices shalbe sent into ỳ kings bench, & there tried according to ỳ law. An. 34. Ed. 3. ca. 14. sta. 1.

Lands seysed

Alienation

Knights seruice

Heire with in age

Trauers

ij. Office Kings bench Trial

4 ¶ For the grieuous complaint ỳ the king hath now heard of hys people vppon his Eschetours and of theyr euil behauiour: hee wyll and hath ordeyned of the assent aforesaied, that landes seysed into hys handes bycause of ward shalbee saufly kept wythout waste or distruccion. And that the eschetour haue no fée of wood, fish, nor of venyson nor other thing, but shall answere to the king of the issues and profitts yearely comming of the said landes wythout doing waste or distruccion, and if hee do otherwise & thereof bee attainted, hee shalbe raunsomed at the kynges wyll, and yelde to the heire the treble dammages at his own suyt aswell wythin age as of full age, and hys frendes as long as hee is nõ in age shal haue the suit for hym answering to the saied heire of that that shalbe so recouered. Also of other lãds seysed into the kynges handes by enquest of office taken beefore the eschetours this ordinaunce shall hold place against ỳ Eschetours. And if there be any man that wyll put chalenge, or claime to the landes so seysed, that ỳ eschetour send thenquest into ỳ chaũcery wythin the moneth after ỳ lands so seased. And that a wrytte bee deliuered to hym to certyfie the cause of hys seysin into the Chauncery, and there hee shalbee heard wythout delay to trauerse the office or otherwyse shewe his right, and from thence set beefore the king to make a finall dissolucion wythout attending other commaundement. And that in case that any cõe beefore ỳ chauncellour & shew his right, by which shewing by good euidẽces of his auncient right & good title, ỳ chauncelour by his good discretion & aduise of counsell (if it seeme expedient

Ward waste Fee

Profits

Attaint 3. damages

Next frẽds

Office

Claime Enquest Certifie Chaũcery

Trauers

Chaũcellor

pedient to him to haue counceyle) shall let & deliuer the lands so in debate to ỳ tenant, yelding therof to the king the valour, if it pertaine to ỳ king, in maner as he & ỳ other chauncelors before hym haue done in tymes past of their good discretion, so that he find suerty, ỳ hee shal do no waste nor distruccion, til it be iudged. And that the said Eschetours take such enquestes in the good townes and of good people, and that openly and by indentures to be made betwirt the sayd eschetours and them of the ẽquest as an other time was ordeyned by a statut, that is to say. An. 24. E. 3. cap. 13. before 2. And if any eschetour doe to the contrary of this said ordinance, he shal haue two years imprisonment, and moreouer to bee raunsomed at the kings will. Ann. 36. E. 3. cap. 13. stat. 1.

Lease

Suertie
Waste

Enquests
Indẽtures

Imprisõ.
Fine

5 ¶ No eschetour shalbe made, vnlesse he haue xx. li. of land at ỳ least, or more in fee. And that they do their offices in proper person. And if any other be chosen he shalbe put out. An. 42. E. 3. ca. 5. See here following. 10. 11.

xx. li. land

6 ¶ That no eschetour nor cõmissioner take in any wise any enquest to enquire, but of people returned & impanelled by ỳ sheriffes in the countie, within which hee is eschetour or cõmissioner. And if any eschetour or commissioner take enquests of people which bee not empanelled nor returned by the sheriff as is aforesaid, & therof by examinatiõ or otherwise at the suyt of the party, which for him seise or for the king or any other persõ which will sue, be duely conuict, for euery enquest so taken, ỳ he incurre the paine & forfaiture of xx. li. to be paied, that is to say, ỳ one halfe to the king, and the other halfe to ỳ party greued, at whose suyt hee shalbee conuict and that no landes nor tenements seised into the kings hands, vpon such enquests taken before the eschetours or Commissioners bee not in anywise let nor graunted to ferme by the Chauncelour or Treasourer of England, or any other the kinges officer, til the same enquests and verdicts be fully returned in the Chauncery, or in the eschequer, but al such landes and tenements, shal entierly and continually remayne in the hands of our Soueraigne Lord the king, vntil the said enquestes and verdictes be returned, and by a moneth after ỳ same returne if it be so that hee or they whych fele them greued by the same enquestes, or putting out of their landes and tenementes, come into the Chauncery, & them proffer to trauerse the sayed inquests, and thẽ offre to take the same landes or tenements to ferme. And if they so do, that then the same lands or tenementes bee committed to them if they shewe good cuidence, proouing their trauerse to be true after ỳ forme of the statut made the xxvi. yeare of king Edward the iii. after ỳ conquest, to hold vntill the issue taken vpon the same trauerse bee found and discussed for the kyng or for the party finding sufficient suertie to sue the said trauerse wyth effect, and to render and pay to our soueraigne lord the king the yeare ly value of the landes, whereof ỳ trauerse shalbee so taken if it be discussed for the king. And if any letters patẽts of any of the landes or tenements bee made to the contrary to any other persone, or let to ferme wythin the sayd moneth, after the said moneth, of returne, they shalbee voyd and holden for none. And that the eschetours and commissioners vppon paine of ỳ forfaiture of xx. li. to bee paied, that is to say the one halfe to the kyng, and the other halfe to the party, at whose suit he shal be conuict, returne ỳ enquests before them take into the Chaunterie of our soueraigne lord the king, or into the eschequer, within a moneth next after the taking of the same, & euerie man which will sue, for the kyng shall haue the suit in this behalfe, An. 8. H. 6. cap. 16.

Verdicts

Chauncery
Trauers

Issue

Suertie

L. paterns

Voyd

Forf.

Conuict
Forf.

Moitie

Lease

7 ¶ The which good statut & ordinances

See

(See. of An. 3. H. 6. ca. 16. Before 6.)

diuers persons ymagining to subuert, & by their subtiltie to serue as nought, haue sued to haue such gifts & graunts & fermes by the kings letters patents, before any inquisition or title foũd for the king of ỳ thẽ, pretending such gifts & graũts not comprised nor remedied by the said statut notwithstanding ỳ hee is in like mischiefe of the said stat. our said souereaigne Lord the king considering the premisses, and willing to prouide a remedy in this behalfe, hath ordeined by the auctoritie aforesayd', ỳ no letters patents shal be made to any persone or persones of any landes or tenements before inquisition of the kinges tytle in the same bee found in the Chauncery or in hys eschequer returned, if the kynges title in ỳ same bee not found of record, nor wythin the moneth after the same returne, if it bee not to hym or thẽ which profer their trauerses as afore is sayd. And if any letters patents be made to the cõtrary they shal bee void and holden for none, An. 18. H. 6. ca 6.

L. patents

Inquisitiõ

Chauncery Eschequer

Voyd

8 ¶ In case that any eschetour take any office before hym and retourne not the same office in the Chauncery or in the kings eschequer in ỳ moneth after the taking of the same, he shal incurre the payne of rl. li. which hee hath forfait by the statut made the viii. yere of our sayd souereaigne lord the kyng ỳ is to say Anno. 8. H. 6. cap. 16. before 6. And also hee shalbee holden to pay the same our souereaigne lord the king almuch as hee is indamaged bycause of not retourning of such office. And that the chauncelour of England shal call to him the Treasorer of England in letting such fermes to make due execution of the said statut made ỳ sayd viii. yeare. Anno. 18. Henrici. 6. capitulo. 7.

Office Returne Chauncery Eschequer

Forf.

Chaũcelor

Leals

9 ¶ Euery eschetour shal take his enquestes of office by vertue of ỳ writts of Diem clausit extremũ, & all other writtes, wythin the moneth after the deliueraunce of such writtes. And also that al such inquisitions shalbee taken in good townes and open places. And ỳ none of thẽ shal take privily nor apertly by hym nor by other, by anie meane of any person, for ỳ executiõ of any such writs in one coũty, aboue the sũme of vi. s. viii. d. or viii. s. iiii. d. or aboue, where his labour & his costs shal be borne, so that ỳ sũme which hee so shal take, do not excede in all the sũmes of xl. s. for the execution of anie such writte in one county. And if any Eschetour do contrary to any of the premisses, that then hee shall forfait the sũme of xl. li. Also if a man trauerse any office taken before any Eschetour or commissioner, and thereof hath any scire facias against any patent, that in this case no protection shalbe allowed nor allowable. And as to any graũt or lease to be made to any person, whych shal trauerse any such office, ỳ ỳ sta. in this case before this time made, shalbe duely obserued. And that the king haue the halfe of the said forfaiture of xl. li. & the party which in this behalfe wil sue for the kyng and him selfe, shal haue ỳ other halfe of the same. Anno. 23. H. 6. cap. 17.

Enquests

Diem clausit extremũ

Inquisitiõs Townes

Fees

Forf.

Trauers

Scire fac.

No Protection

Wolfe

10 ¶ No man shal take vppon him thoffice of eschetour, nor occupy ỳ sãe office by him selfe, nor by none other persõ, vnlesse ỳ said eschetour, or other persõ or persons to his vse, haue at the time ỳ he shalbe chosen eschetour, lãds tenements, or rents, in fee simple, fee taile, or for terme of life, of ỳ yearely value of xx. li. lyuyng and being within ỳ sãe countie or counties, whereof hee shalbe made eschetour. Nor that any such eschetour to be chosen after ỳ said feast shall in any wyse sell nor sett to ferme ỳ said office of eschetourship nor make any deputie or deputies, but such or whõ he wil aũswere at his peryl: ỳ name or names of ỳ said deputy or deputies to be certified by ỳ same eschetour by his letters patents to ỳ treasorer & Barons of the kynges eschequer for

xx. li. land

Set to terme

Deputie

Certifie

for the tyme beeing, wythin xx. dayes after such deputation. And that no such deputie or deputies, take vpō him or them to occupie in thoffice of eschetourshippe, except such eschetour haue landes, tenementes or rentes to the aforesayed yearely value, in manner & fourme as is aforesaid. And if any person or personnes after the sayed feast do contrary to the premisses, or any of them, hee shal forfayt for euerie default xl. li. the one halfe thereof to our soueraigne lord ỳ king, to be imploied to the vse of hys honorable house: the other halfe to euery of the kings liege people, wheych wyll therefore sue by accion of debt, wherein lyke procesle, rule, iudgement, costes and dammages, shalbee hadd and awarded, as is vsed in other accyons of debt vsuallie pursued by writt at the common lawe. And that no wagyng of law, protection, nor essoine bee in any wyse allowed in ỳ same. And ỳ the Iustyces of peace in euery place, hauing iustices of peace within thē, shall haue power to heare and determine euery such forfaiture vppon presentment therof had beefore them in their sessions, in which presentment, lyke procesle shall bee had, as is vsed vppon endictments of trespas done with force and armes against the kings peace. Prouyded alwaies that this act do not extend to any person or personnes made or to bee made eschetour of any citie, Borough or towne of this Realme of England, hauing aucthority to make, or to be eschetours wythin thē selues by the letters patentes of our soueraigne Lord the king, or of any of his noble progenitours or predecessours. Ann. 12. E. 4. cap. 9. See here folowing, 11.

11 ¶ If any Eschetour or commyssioner hereafter returne, or putt into any of the kinges courtes any inquysitions or offyces concernyng landes tenementes or other hereditamentes, not founden nor presented by the othes of xii. men, and indented and by them sealed: that then the same Eschetour or cōmissioner to forfait for euery such office or inquisition, so returned and put into any of ỳ sayd courtes, an C. pounds, to the party or parties greeued by any such inquisition, or office: & that frōhenceforth no eschetour ne no man sitt by vertue of any commission to enquere of landes, tenementes or other hereditamēts, except he or other to his vse, haue landes, tenementes or hereditaments of the yearly value of xl. markes aboue all charges and reprises, vpon paine of xx. li. See beefore 5. & 10. And that it shalbe lawful for al persons, that bee not sufficient of freehold in possession or vse, at the time of any such commission to them deliuered, to refuse to sitt and inquire by vertue of the same commission. And ỳ they vpon procesle made against them out of ỳ kings eschequer, by vertue of the same commission to be discharged vppon their othes, for their said none sufficiēcy, wout fine or fee.

And that euery eschetour and commissioner shal sit in conuenient and open places, according to the statutes heretofore made. And that the said eschetours and Commissioners, shall suffer euery persone to geeue euidence openly in their presence, to such enquestes as shalbe taken beefore any of them, vppon paine of xl. pound. And that no Shirife, nor other personne, wheych shall or ought to returne writs or preceptes retourne beefore Eschetours or such commissioner, any person or persons, to enquire of any lands or tenements, except euery of ỳ same Jury so returned, or other to theyr vse, haue landes or tenementes of the yearely value of xl.s. within the same shire where the same enquiry shalbee made without fraud or colluſiō, aboue al charges and reprises, vpon paine of forfaiture for euery personne so returned one C.s. And that the Jury that shall be sworne beefore any Eschetour or such cōmissioner to enquire of lands tenements

Forf.

Commissioners Sitt

xl. marke land

Forf.

Not sufficient

Refuse

Processe Eschequer Discharge

Open places

Open euidence.

Forf. Shirife Returne writs

Jury

Lāds xl.s.

Forf.

tenementes or other hereditamentes ought to receiue inquiſitions or offices
Indentures ſhall receiue the counterpane of ỹ office or inquiſition, that by them ſhalbee retournable into the ſame Eſchequer
preſented, endented and ſealed by the for refuſing ſo to receiue them. And ỹ
eſchetor or by ſuch commiſſioner, and the Commiſſioners or Eſchetour, be-
the ſame deliuer and ſuffer to reſt in ỹ fore whom the ſaid inquiſition or offi-
poſſeſſion of the firſt perſõ that ſhalbee ces be foundē, be diſcharged of the pe- Diſcharge
ſworne in the ſaied Jury, with him to naltie of the ſtatut for none returning
Embeſell Offices remayne, to the intent that the ſayed of the ſame inquiſitions or offices, ſo
Commiſſioner or eſchetour, may not ỹ then the ſaid Eſchetours or cõmiſſi-
chaunge nor embeſell the ſayd offices oners at any time after the moneth of
or inquiſitions. And thys to bee done any ſuch offices, beefore them or anie
vppon paine of euery of the ſayed per- of them taken, vẽin another moneth
xl.s. payne ſonnes, that ſhalbee ſworne xx. ſhil- then next enſuyng retourne the ſaied Returns
linges. And that euery Eſchetour and office into the Chauncery or eſchequer
commiſſioner after a Jury or enqueſt as the caſe ſhall require. And ỹ ỹ ſayd
beefore any of them ſworne bee ready Clerke of ỹ
to giue their verdict or preſentment, petty bagge (for the tyme Clerk of ỹ petty bag
Verdict & offer to preſent the ſame, ỹ the ſame being) certifie or cauſe to bee certyfied
eſchetour or commiſſioners or part of the Tranſcript of euery ſuch office or Tranſcript
them ſhal receiue the ſame verdict vẽ- inquiſition (taken beefore any cõmiſ-
Forf. C.li. out farder delay, vpon paine of one C. ſioners or eſchetours) to the kings eſ-
Counterpayne pound. And deliuer the counterpayne chequer the next time following the
of the inuentors to the Jury, in forme receipt therof, vpon paine of forfaiture Forf.
Clerke of the petybag aboue rehearſed vpon like paine: And for euery ſuch default C.s. And that
ỹ if the Clerke of the petty bagge of the no man bee compelled after the feaſt
kinges Chauncery, for the tyme bee- of all Saintes next comming, to oc-
ing, or his deputie or deputies or anie cupie nor exercile the office of an Eſ-
Offices other officer there, hauing authoritie chetour by any one pattent ouer one Patent
to receiue any ſuch office or inquiſitiõ whole yere. And ỹ he that is once eſ- Eſchetor but once in iij. yere.
to whoſe handes any ſuch office or in- chetour ſhall not bee made Eſchetour
quiſition ſhall come, which ought to againe within three yere after ỹ afore
bee retourned into the ſayed Chaun- ſaid whole yere ended. And if any eſ-
Refuſe to receiue Cite cery, wyl not receiue the ſame office chetour, after the feaſt of al Saintes
or inquiſition and putt it on the Filas, be made eſchetour to exercile hys of-
to remaine of record, vẽin three daies fice by reaſon of one patent ouer the
after it be retained, or offred to him to tyme of one whole yeare ended, or be
Forf. xl.li. bee receiued, hee to forfayt for euerie made eſchetour vẽin three yeares after
ſuch default xl. pound. And the com- (as is aforeſaied) that then after the
miſſioners or eſchetours, afore whom ſaid whole yeare (in fourme aforeſayd)
the ſame office or inquiſition is foun- ended, hys patent ſo made to be void Patẽt void
den, & as is beefore ſaid offered to bee and of none effect. And that the party
delinered into the Chauncery, to bee or parties ſo greeued ſhall haue hys or
Diſcharge diſcharged of the penaltie of xl. li. ly- their recouery of euery of the ſaid for- Recouerie
mitted by ſtatut for none retournyng faitures of one C. li. by accion of debt,
of the ſame office or inquiſition within in which accion the defendaunt ſhall
the moneth (s. An. 18. H. 6. ca. 17. bee not wage his lawe, nor bee by protec-
fore 8.) And ỹ like law & penaltie be to tion nor eſſoine. And the reſidue of ỹ
Officers Eſchequer charge the officer or officers of ỹ kings other forfaitures expreſſed in this pre-
Eſchequer, for the time being, which ſent act, the king ſhall haue the one
moitie thereof, and the party that wil Moitie
ſue therefore by accion of debt, ỹ other
moitie,

moitie. And the defendant shall haue no other delay, but as is aforesayd.

Prouided alway, that this act concerning eschetours for exercising of their offices ouer an whole yeare together, & letters patents or graunts made or to be made to any eschetour for terme of life, or for yeares or otherwyse extend not ne be preiudicial to any eschetour that nowe is, and that hereafter shalbe made and ordeined in any citie or towne corporat, or in the Duches of Lancaster, Cornewall and the counties Palantines of Lancaster, Chester, Durham, or Elie, or to any other county palantine within the Realme of England, wales, or marches of the same. Or to any eschetor, made or here after to be made by any person or persones spirituall or temporall, hauing aucthorite by reason of any fraunches libertes, priuiledges, prescriptions, or graunt, to depute or make any such Eschetour in the same. Prouided also that this act, as to any penaltie in the same concerning the sufficiency of eschetour, and surrours aforesayd, extend not nor be preiudiciall to any eschetour in citye or Townes corporat, ne to any other eschetour made or here after to bee made by any person or persones, hauing priuiledge to make eschetours for inquisition of landes tenementes, or hereditaments, ne to any shirife or bailife for receiuing in any parcel any person or persons before any of the said eschetours of lesse value then is conteined in the sayd act. The Eschetours of the counties Palantine of Lancaster & Chester in this prouiso onely excepted and excepted. Prouided also that this act extend nor bee preiudicial to any Justices of ỳ peace, for any thing doing concerning the commission of the peace &c. This act to endure to the next parl. An. 1. H. 8. ca. 8. This act is made perpetual. An. 3. H. 8. cap. 2.

12 ¶ After such office found aforesayd any eschetour or commissioner, putt into ỳ Chauncery or the eschequer if any person or persons which will render a trauers to the said office, and desireth to haue the lands contayned in the same office to ferme, and finde the iuerty, & sheweth euidence to the Chauncelour of England, for the time being, according to the stat. aforerehersed (s. An. 8. H. 6. ca. 16. before 6.) come into the chauncery within three moneths next after the same office so put into ỳ chaūcery or Eschequer, that he bee then by the said Chauncelour thereto admitted, and that then al other patentes & graunts hereafter to be made there of within the sayd three monethes ended bee void, and of none effect, the sayed statut made the viii. yeare of ỳ raygne of king Henry the vi. or any other sta. made to the cōtrary notwithstanding An. 1. H. 8 ca. 10.

13 ¶ An. 1. H. 8. ca. 12. It is enacted ỳ trauerses may be take to offices procured by Empson & Dudley notwithstanding iuery sued of those landes.

14 ¶ Al and euery such personne and persons, which shalbee named & certyfied into the kings Chauncery by the Lord Treasorer of England to bee eschetour, shall within one moneth next after his letters patents shalbee offered vnto him, take vppon him the execution of the same office, or els appere in the saied eschequer, and shew a reasonable cause why hee ought not so to doe. And if any such personne so named and certified to be Eschetour, doe not appere as is afore said wythin one moneth next after notice to him geue as is aforesaied, nor shewe any reasonable cause why hee ought not to doe the same: that then hee shall lose & forfait for euery such default xx. pownd to the king our soueraigne lorde, to be leuied to his maiesties ple in any his highnesse courtes of record. And be it &c. that no eschetour after &c. shall sitt only by vertue of his office for inquiry of the tenure, title, or valye of any landes tenementes or hereditaments, where the

Chaūcery
Eschequer
Trauers
Ferme
Iuertie
3. monethe
Chauncelor
Patents
Voyd
Trauers
Empson
Dudley
Treasorer
L. patents
Appeare in ỳ eschequer
Appeare within one moneth
Forf.
Title of lād

L. patents
Citie
Countie palantine
Wales
Franchises
Sufficiēcie
Townes corporat
Priuiledge
Shirife Bailife
Iust. of p.
Office

the ſame landes, tenementes or hereditamentes, being of the value of fiue pound by the yeare or aboue, & holden of the king without the kinges writte to bee directed to him for the ſame, vpon paine to loſe and forfayt for euery time that hee ſhall ſitt and make inquiſicion contrary to the fourme of this eſtatute fiue pound. And that any Eſcheatour ſhall take for the finding of any office of any mannours, landes, tenementes, or hereditaments, that ſhal not exceede the cleere yerely value of vi. pound aboue the ſumme of xx.s. That is to ſay, for the Eſcheatours fee vi. s. viii.d. and for the writing of the office iii.s. iiii.d. & for the charges of ỹ Jury. iii.s. And for the officers & miniſters ỹ ſhall receiue the ſaid office in any court of record two ſhillings vpon paine that euery eſcheatour offendyng this act ſhal loſe and forfayt for euery tyme ſo offending fiue pound. And ỹ the officers and miniſters of euerie court of Record, where ſuch inquiſitions ſhalbe returned beeyng offered vnto them wythin one moneth next after the finding thereof, ſhall receyue and take the ſame vpon paine to loſe and forfait euery time offending thys act fiue pound. The one moytie of all whych forfaiture aforeſayd ſhalbe to the king our Soueraigne lord, and the other moitie therof to the party ỹ will ſue for the ſame in any of the kynges courtes of record. In which &c. An. 33. H. 8. cap. 21.

15 ¶ Where many and dyuers perſones, be holding, or that haue holden landes, tenements, or hereditaments, ſome for terme of yeres, and ſome by copy of court roll, haue beene expulſed, and put out of their termes & holdes by reaſon of inquiſitions, or dyuers founden before Eſcheatours, commiſſioners, and other conteining tenures of the king, in Capite, entituling the king to the wardſhippe and cuſtody of ſuch landes, or tenementes, and ſome time entituleyng the kyng to the ſame vppon attaindours of treaſon, felonie, or otherwyſe by reaſon that ſuch leaſes, for termes of yeares or intereſt by copy of court rolls, of ſuch perſonnes haue not beene found in ſuch inquiſitions or offices, after which expulſion or putting out the layed perſonnes haue ben without remedy, for the obteining of the ſaid termes and holdes, duryng the kinges poſſeſſion therein, and cane haue no trauerſe, monſtrãce de droit, ne other remedy for the ſame, becauſe their ſaied intereſt is butt a chatell in the lawe, or cuſtomary hold, and no ſtate of free hold. And alſo where any perſonne or perſonnes, hath any rent, common office, fee, or other profit apprender of any ſtate of freehold, or for yeares or otherwiſe out of ſuch landes or tenementes, ſpecified in ſuch offices or inquiſitions, the ſaid rent, common office, fee, or profit appendre not found in the ſame office or offices, ſuch perſonnes are in like maner without remedy to obteine or haue the ſayd rent common office, fee, or profit apprender by any trauerſe or other ſpeedy meane without great and exceſſe charges, during the kinges intereſt therein, by force of ſuch inquiſition or office. For remedy whereof be it &c. ỹ where any ſuch office or inquiſitions, is or ſhalbee founden, omitting ſuch title, intereſts or matters, as is aforeſaied, that in al ſuch caſes, euery leaſe, tenaunt for terme of yeares, or coppy holder, and euery ſuch perſon or perſons that haue or ſhal haue any intereſt to any rent, common, or profit appendre for terme of yeares, life, or otherwyſe out of any of the landes, tenementes, or hereditaments conteined in ſuch office or inquiſition where the king his heires, or ſucceſſours, is or ſhalbe intituled as is aforeſaied, to any ſuch landes, tenements, or hereditamentes, ſhal haue, hold, enioy, and perceiue all and euery their leaſes, & intereſtes, for terme of yeres, or by copy of court roll, rents commons, offices, fees, and profitts apprendre,

Chatell

Office Fee

Office Inquiſitis Title

Leaſe Copyholder

Commen

Lands

Leaſes Offices Fees

b.ll. by the yeare kynges wyll

Foyl.

Finding of office

Fyne

Foyl.

Offer wythin one moneth

Foyl.

Moitie

apprēdre, in such manner, fourme, state & condition, as they and every of them should, or might have done in case there had beene none such office or inquisition founden, and as they should or lawfully myght or ought to have done, in case such lease, interest by copy of court roll, rent, common office &c, or profitt apprender, had beene founden in such office or inquysityon, any lawe, custome, or vsage to ỳ contrary heretofore vsed, in such cases in anywise notwithstanding. And also where it is or shalbe founden, for the king his heires, or successours, that the heire or heires of his tenāt or tenants, is or shalbe within age, where in deede such heire or heires is or shalbee at the same time of full age, or of a more or greater age thē is, or shalbe contened within such office. Be it &c. that in every such case such heire or heires shall and may at his or their very full age or after prosecute a writt of estate prohanda, and sue his or their liuery or Ouster le maine, as his or their cases shal lye, and haue the profittes of hys or their landes, tenementes or hereditamentes from the time of his or their very ful age, any such verdict, office, or inquisition or any lawe, or custome, to the contrary in any wise notwythstanding. Also where one personne or more is or shalbe founden, heire to the kinges tenaunt by office or inquisition where any other personne is or shalbee heire, or if one person or mo be or shal bee founden heire, by office or inquisition in one countie, and another person or persons is, or shalbe founden heire to the same person in another coūtie, or if any person be or shalbe untruly found lunatike, Ideot, or dead: Be it enacted by ỳ authoritie aforesayd, ỳ every person or persons greeued or to bee greeued by any such office or inquisition shall and may haue hys or their traners to the same immediatly, or after, at hys or their pleasure, ỳ procede to triall therein, and haue lyke remedie and auauntages as in other cases of traverse, vppon untrue inquisitions, or offices founden, any lawe, vsage, or custome to the contrary in any wyse notwithstanding. Also where it is or shalbee hereafter untruely founden, by office or inquisition, that any person or personnes attainted, or that shalbe attainted, of treason, felonie, or præmunire, is or shalbee seased of any landes, tenements, or hereditamentes at any tyme of such treason, felony, or office committed or done, or any time after, where vnto any other personne or personns hath or shal haue any estate title or interest of any estate of free hold, that then in every such case every personne or persons greeued thereby, shall haue hys or their traverse or monstrance de droit, to the same, wythout being driuen to any petytion of ryght, and like remedy and restitution vppon hys or their tytle found or judged for hym or them therein, as hath ben accustomed and vsed in other cases of traverse, although the kings maiestie, his heyres or successors be or shalbee in such case entituled to any such landes, tenemēts, or hereditamentes, by double matter of record, any lawe, custome, or vsage to the contrary in any wyse notwithstanding. And further be it enacted &c. ỳ where any inquisition or offices is or shall bee found by these wordes or like. Quod, de quo, vel de quibus tenementa prædicta tenentur ignorantes prædict ignorant, or els founder holden of the king per quo servicia ignorant, or such like, ỳ in such case such Tenure, so incertainely founden de quo vel de quibus tenementa prædict tenentur ignorant, shal not bee taken for any immediat Tenure of the kyng, nor such tenure so founden of the kyng, per quæ servitia ignorant, shall not bee taken any Tenure in Capite, but in such cases a melius inquirendum to be awarded as hath beene accustomed in olde time, any vsage of later tyme, to the contrary notwithstanding. And bee it further

Rent

Heires

Writ
Liuery
Ouster le maine

Verdict
Office
Inquisitiō
Custome

Heire
Tenant

Lunatike
Ideot

Traners
Triall

Attain!
Treason
Felony
Præmunire

Frechold

Traners
Monstrāce de droit

Inquisitiō
Offices

Melius inquirendum

further enacted &c. that where it is or shalbe founden by any office or inquisition, that anie landes, tenementes, or hereditaments, are or shalbe dyscended, remained, or come to anie heire within age, and in the Kings ward, or that ought to bee in the kings ward and that such landes, tenementes, or hereditaments, are holden of the king, immediatly, where in deed ẏ same are or shall bee holden, of some other common person & not of ẏ king immedyatly: that in such case such heire or heires, shall and may haue their trauers to the same, within age, & like remedie and restitution vppon hys or their title founden, or iudged for him or the therein, as hath been accustomed and vsed in other cases of trauerses, anie lawe, vsage, or custome, to ẏ contrary in any wise notwithstanding. Also where the kinges maiestie by hys prerogatiue ought to haue as well such lãdes and tenementes, as bee holden of other persons, as holden of him selfe, immediatlie whereof his tenant holding of him in chiefe dyeth seysed, hys heire being within age, vntil such time as liuerie bee sued by such heire, and that the meane Lordes of whom the sayd other landes and tenementes, of such heire bee holden, vse to spare the rentes due to them for the same landes or tenementes holden of them, during the kinges possession. And when such heire hath sued his or their liuerie, they vse by distresse or otherwise to compell the sayd heire to pay to them the arrerages of such rentes, for such time as the sayd landes or tenements were in the kings possession by such minoritie where they should haue vsed by petition to the kinges maiestie, to haue obtained the same out of the kings hands if they would haue the same which is to the great detriment, losse, and hinderaunce of such heire and heires: For redresse whereof bee it &c. That from henceforth such meane Lordes during such minoritie, shall haue, receyue and take the sayd rentes, by the handes of such the kinges officers, as shalbe appoynted to haue, receiue, & take the issues, reuenues and profits of the same landes and tenementes, so holden of such meane Lordes during the minoritie and nonage of such heire & heires, and vntill such heire or heires sue hys or their liuerie, and that such heire and heires vntill such tyme as hee or they shall haue sued their liuerie, or myght conuenientlie haue sued their liuerie, shalbee thereof clerely discharged. And that such officer and officers shal vpon requeste made, pay ẏ same to such meane Lordes (they geeuyng to suche officer and officers, a sufficient acquitaunce or acquitaunces for the receypt of the same) And that such payment thereof made, with acquitaunce or acquitaunces thereof shewed shalbee to such officers a sufficyent discharge against the kings maiestie, and his heires, vppon his or their accompt in that behalfe, anie lawe, vsage, or custome heretofore had, or vsed to the contrarie hereof, in anie wise notwithstanding. Prouyded alwayes and it is &c. that this act &c. shall not in anie wyse extend to anie inquisition or office, taken or founden at any time before the twenty day of March next comming &c. Prouyded also, and it is &c. that in all such cases as anie personne or personnes shalbee enabled by this act to haue anie trauers, and shall pursue hys or their trauers, that then hee or they that shall pursue suche trauerse, shall sue one writte, or seuerall writts of Scire facias, (as the case shall require) agaynst all and synguler such personne or personnes as shal haue interest by the king or by his patentee or patentees, in like manner and fourm as is requisit, vppon trauerses or petitions heretofore pursued. And that in euerie such Scire facias, the patentees or other defendauntes shall haue lyke plees, and aduauntage, as they had in anie Scir. facias, before this tyme

Rents Kinges officers Issues & reuenues Monage Liuerie Officers Acquitãces Discharge Accompt Office Enable Trauers writs Scire fac. Patents Trauers Peticions Scire fac.

awarded agaynst anie patent in anie case of petition. And also ꝑ vpon euerie trauerse, that shall bee pursued by vertue or meane of thys act, in such case as the partie or parties that shall pursue anie such trauerse, should by the order of the commō lawes of this Realme, haue beene put to sue by petition to the kyng, there shalbee twoe writtes of search graunted in manner and fourme as lyke writtes haue been graunted vppon peticions made to the kyng. Prouyded also, and it is &c. that if anie iudgement shall be geuen, vpon anie trauerse that shalbee tendred or sued, by vertue or meane of this act: it shall appeare by anie matter of record, that the king hath any other foyer title, right or interest, to the manours, landes, tenements, or other hereditaments, mencyoned in the same trauers, ꝑ then ꝑ same title, right & interest shalbe saued to the kyng the said trauers & iudgement thereupon geuē, in any wise notwithstandyng. Anno 2. E. 6. cap. 8.

Writs

Judgemēt

Title
Manors

16 ¶ See in a printed booke commonly called Magna charta, bearyng date. 1556. Fol. 160. In a Chapiter entituled Capitulo Escaetrie, what things be inquirable by the escheatour, & diuers matters cōcerning escheatours.

## ¶ *Escuage.*

EScuage shalbe taken from henceforth lyke as it was wont to be, in the time of king Henry our graundfather. Mag. carta. cap. 37.

## ¶ *Essoine.*

AND it is to be knowen ꝑ after that a man hath put him selfe vpon any enquest, the which hath or must passe in such manner of writs, he shal haue but one essoine, or one default, so that if he come not at the day geuen to him by the essoine, or make default the second day, then the enquest shalbe taken by his default, and according to ꝑ same inquest they shal procede to iudgemēt. And if such enquest bee taken in ꝑ cōtie, before the sheriffe or coroners, it shall be returned vnto the kings Iusticers at a certaine day, and if the partie defendaunt come not at that day, then vppon his default an other daie shalbee assigned to hym after the discretion of the Iusticers. And it shalbee commaunded to the sheryffe, that he cause him to come to heare the iudgement, if he will, according to the enquest, at which day if he come not, vpon his default, they shall procede to iudgement. In like maner it shall bee done, if he come not at the day geuen vnto him by his essoine. Parlebr. cap. 13. Anno. 51. H. 3.

Enquest

Default

Judgemēt

Shirife
Coroner
Returne

Shirife

2 ¶ It is prouyded that in counties, hundredes, court barons, or in other courtes, none shall nede to sweare to warrant his essoine. Parlebr. cap. 19. Anno. 52. H. 3.

Counties
Hundreds
Court barons
Sweare

3 ¶ For asmuch as in a writ of assise, attaintes, and Iuris vtrum, the iurours bee often troubled by reason of the essoines of tenaunts: It is prouided that after that the tenant hath once appeared in the court, he shalbe no more essoyned, but shall make his attourney to sue for him if he will, and if not, the assise or iury shalbee taken through his default. W. 1. cap. 41. An. 3. E. 1.

Writ of ass.
Juris vtrū
Iurors

Attourney

Default

4 ¶ For as much as demaundants be oftentimes delaied in their right, by reason that many parceners be tenāts, of which none may bee compelled to answere without the other, or ꝑ there be many iointly enfeffed (where none knoweth his seuerall) and such tenants oftentimes fourche by essoine, so that euerie of them hath a seuerall essoyne: It is prouyded that from henceforthe such tenauntes shall not haue essoyne but at one day, no more then one sole tenaunt should haue, so that frō henceforth they shall no more fourche, but onely shall haue one essoine. W. 1. capitulo. 42. Anno. 3. E. 1.

Demandants
Parceners

One essoins

5 ¶ For

Falle essoin

5 ¶ Forasmuch as diuers persones cause them selues falsely to be essoined (for beyng ouer the sea) where in deede they were within the realme the daie of the summons: It is prouided from hencefoorth, that this essoine be not alwaies allowed, if the demaundant will

Auerre

challenge it, and wil be ready to auerr, that he was in England the day of somons, and three weekes after, but shal

Iourns

be adiourned in this fourme, that if the demaundant be ready at a certaine day by aduertisement of the countrey, or other wise, as the court shal award, to proue that the tenant was within the foorer seas the day that he was summoned, and three weekes after, so that hee might be reasonably warned by ỹ summons, the essoine shalbee tourned into

Default

a default. And that is to be vnderstanden onely before Iusticers. Wi.1.cap. 43. Anno.3.E.1.

6 ¶ See Trespas.1. of Essoine for the plaintife, and of essoine for ỹ kings seruice for the defendant.

R. seruice

7 ¶ Where as it is cõteined in the statute of the kyng, that now is, that

Parceners

two parceners, or two that hold in cõmon, may not fourche by essoine, after that they haue once appeared in the court: It is prouided, that the same be obserued and kept, in case where a mã and his wife bee impleaded in ỹ kings court. Glocester.cap. 10. Anno sexto Edwardi primi.

Appeale

8 ¶ In appeale of the death of a man, there shall noe essoine lie for the appellour for anie cause in what soeuer court the appeale shal happen to be determined. Wi.2.cap.12.A.13.E.1.

Circuit Malo lecti

9 ¶ In the circuit of the iusticers an essoine De malo lecti, shal not bee from hencefoorth allowed for landes in the same shire, vnlesse hee that caused him selfe to bee essoined, bee sicke in deede, for if the demaundaunt alledge, that the tenant is not sicke, nor in such plite, but that he may come before the Iusticers, by exception shalbee admitted. And if it can bee so proued by enquest, the essoyne shall bee turned to a default. And from hencefoorth such essoyne shall not lie in a writt of ryght bitweene twoe clayming by one dissent. Westminster. 2. capitulo. 17. Anno.13.E.1.

Default wrn of right

10 ¶ After such time as any hath put him selfe to any inquest, an essoine

Enquest

shall bee allowed him at the next day, but the other daies followyng the takyng of the inquest shall not be delayed by the essoyne, whether hee were essoyned before or no. Neyther shall anie essoine bee allowed after the day geuen by prece parcium, in case where

Prece parcium

the partyes consent to come wythout essoyne. Westminster.2. capitulo.25. Anno.13. E.1.

11 ¶ Where as by the statute of Westminster.1. It was prouided that after the tenauntes haue once appeared in the court, noe essoyne should bee allowed them in writtes of assyses.

writt of all.

In like manner it shal be from hencefoorth obserued agaynst the demaundantes. Westminster. 2. Capitulo 28. Anno.13. E.1.

12 ¶ Here is declared how manie wayes essoynes maie bee challenged, and in what cases essoines do not lie. An essoyne lyeth not where the land is taken into the kynges handes. Essoyne lyeth not where the partie is distrayned by his landes. Essoyne lyeth not where any iudgement is geuen thereupon, if the iurours do come. Essoine lieth not where ỹ partie was sene in the court. Essoine of Vltra mare lyeth not where an other time the partie hath beene essoyned of Malo veniendi. It lyeth not where the partie hath essoyned hym selfe an other daye. It lyeth not where the sheryfe hath commaunded to make the partie to appeare. Essoyne of Seruicio Regis lyeth not where the partie is a woman. It lyeth not in a writte of Dower where it seemeth to bee but a delay of ryght. It lyeth not for that the playntyfe hath not found pledges

Challenge Wherein essoines do not lie

Attourney

of suit. It lyeth not where the attourney was essoined. It lieth not where ỹ party hath an attourney in his matter. It lyeth not where the essoiner confesseth that hee is not in the kynges seruice. It lyeth not where the summons is not returned, or the party not attached, for that the sheryffe hath returned non est inuentus. It lyeth not where the partie an other time was essoined de seruicio Regis, that is to wete such a day, and nowe he hath not put in his warrant. It lieth not where he was resommoned in assise of mortdauncestour, or darrayne presentmẽt. It lieth not because such one is not named in the writ. It lyeth not where the sheryffe had a precept to distrayne the partie for to come by his landes and goodes. It lyeth not where the Bysshop was commaunded to cause the partie to appeare. It lyeth not for that the terme is passed. And it is to be noted, that essoynes de seruicio domini regis, are allowed after ỹ graund cape, petit cape, and after distresses take vpon the landes and goodes. Statut of Essoignes. Anno duodecimo Edwardi secundi.

Kings seruice

13 ¶ Essoyne of the seruice of the kyng, doth not lie in a writ of Nouel disseisin. In a writ of dower, vnde nihil habet. In a writt of darrayne presentment, nor in appeale for the death of a man, Statut' de visu terre et essoñ de seruicio domini regis.

Dower
Darrein presentmẽt
Appeale

## ¶ *Estrepement.*

London

IT is prouyded also, that after such tyme as a plea is moued in the Cities of London by writt, the tenaunt shal haue no power to make any wast or estrepament of the land beeyng in demaund (hauyng plea) and if hee do, the Maior and Bayliffes shal cause to bee kept at the suit of the demaundant. And the same ordinaunce and statute shalbee obserued in other Cities, Boroughes, and euerie where thorough out the Realme. Glocest. capitulo. 13. Anno. 6. E. 1.

Maior

## ¶ *Estretes.*

Delayes
Attachmẽt

COncernyng delayes in all manner of writtes and attachements, it is thus prouyded, that if the tenant or defendaunt after the first attachement returned make default, that incontynent the great distres shalbe awarded. And if the Sheryffe doe not make sufficyent retourne by a certaine day, hee shalbee greeuously amerced, and if hee retourne, that hee hath done execution in due manner, and the issues delyuered to the suerties, then the shyryffe shalbee commaunded, that he retourne issues at an other day before the Justycers. And if the partie beeyng attached come in at hys daie to saue hys defaultes, hee shall haue the issues, and if hee come not, the kyng shall haue them. And the kynges Justycers shall cause them to bee delyuered in the wardrobe. And the Justycers of the Bench at Westmynster, shall delyuer them in the Eschequer, and the Justicers in eire, vnto the sheryffe of the shire (where they pleade) as well of that shire as of forreine shyres, and shalbee charged therewith in summons by the rolles of Justicers. Westminster. I. cap. 44. Anno tertio Edwardi primi.

Default

Shirife
Returne

Issues

Wardrobe

Eschequer
Iust. in eire

2 ¶ Because of the trouble which hath beene had heretofore vppon the accomptes of Sheryffes in the Eschequer, who in the estreating of rolles of the Chauncerie, which haue beene yearely deliuered into the Eschequer, their accomptes haue been by meanes therof mingled, The kyng wyl therefore that from henceforth the estretes bee made in manner followyng.

Accomptes
Shirifes

Eschequer

First shalbee entred the fines whych shall soneste require to haue writtes, and all other fines wherein any sume of money is expressed. And all these manner of fines of one countie for the whole yeare, shall be writtē by them selues

Fines

Rolles

Date

Charters
Lpatents
Comissiõs

Homages
Fealties
Reliefe
Dié clausit extremum

Charters

Oier & ter.
Enquire

Redisseisin
Surcharge
Just.

Eschequer

selues in one place, and by order of priorite, accordyng as the tymes shalbee entred in ỹ rolles. And also of al other Countyes generally whatsoeuer shall happen in any one county. And for the more ready recourse to the rolles, so that nothing in time to come shal need to be doubted, either of the number or letter, to be found in the estreat. The date of the day when the fine was deliuered into the eschequer, shalbee entred into the estreate, And after that those fines shall so bee entred, thé shal bee written Charters, Letters patẽts, and commissiõs, in which any ferme, or yerly rẽt is due to ỹ king, or wherin any accompts are to be made, and these shalbee written seuerallie after the redyest manner. After these shall bee written, homages, and fealtyes, wherein reliefes are to be demaũded, and writtes of diem clausit extremũ, and other things, wherein no summe is expressed, nor any yerely demaund to bee made. Also in the same estreate, shall bee the charters of gyft, by which the kyng ought to haue seruice, so that the court may haue knowledge of the tymes when the reliefes and seruyces are to be demaũded, And there shalbee entred in the same estreate, the names al all those whych that yeare were assigned to heare & enquire of any thyng whereby fine or amerciamẽt or other profit appertaynyng to ỹ kyng might by anie meanes happen, so that thereby commaundement may bee geeuen to deliuer out estreates for the same, And in the end of the estreate, the redyssesyens and surchargyng of pastures whych are now vsed, because that Iustyces, Inquirours, and others whych are assigned to diuers busynesse to heare and determine, ought yearelie to deliuer into the Eschequer their estreates of fynes and amerciamentes, made and taxed before them, and of all other thynges happenyng by meanes of those busynesses, which to the kyng doth appertayne, so that bee maie of the same bee duelie answered. And sometymes it happeneth that diuers of those estreates bee kept backe so long beefore they bee deliuered into the Eschequer, that the kyng hath by meanes thereof great losse and damnage. And in tyme of his father it was ordeyned amongst other thinges, that Iustyces and Inquirours, whatsoeuer they were, and all others whych ought to deliuer estreates into the Eschequer, should cause them to bee deliuered from yeare to yeare, at the feast of Saint Michaell. And Iustices of Oyer should deliuer theyr estreates of their eyer so soone as they were finished. This ordinance shall from henceforth bee kept, and by writt expressly commaunded, and the Iustices of both Benches, and the Warden of the Forrest on this side Trent, and euery of them, shall from henceforth doe those thinges which appertayne to their Office. And the Steward of the Kinges house for the time being, shall bee commaunded and charged by the king, to deliuer yearely to the Treasorer of the Eschequer, which is or shalbe for the time being, his estrets perfectly made, of the fines amercements, issues, forfaitures, and all maner of other profites appertayning to the vse of the kyng, by reason of the pleas or quarrells holden and had beefore the sayd Steward and Marshall of the sayd houshold, and this shalbee done twice in the yeare, that is to say, at Easter, and at Michelmas. Item charge and commaundement is geeuen to the clerke of the market and of measures, that hee deliuer in his estreates for so much as appertayneth to his office in the forme aboue sayd. And the warden of the Aulnage shall deliuer yearelie to the Treasourer of the Eschequer, the estreates of his office, wherein shalbee contayned al the defaultes whych bee both found of clothes throughout the Realme, and also

Iust.

Iust. of eier

Iust. of b.

Forest

Steward

Treasorer

Marshall

Clerke of the market

Aulnage

and also where, and when, and to who ye clothes did appertaine which he solde contrary to their assise, and the price, & to whom he hath delivered the, where and when, and by what warrant. Also the Butler for the kyng for tyme being shalbe charged, that all the wines which he shall provyde for the kyngs vse, either by him selfe or by his attorneys, in what place soever it shal happe to be, ye he shall make the same provysyon by the view of the honestest men in the towne, where the same purveyaunce shall happen to be, so that alwayes the same purveyaunce may be witnessed by the voice of two of the best of the same place, And if it happen ye the same be in a port where ar gatherers of the kynges custome, then the same shall be testyfyed by them. And no Customer from henceforth shall be deputie to the Butler, so long as he shalbe attendaunt upon the Custome, And the Butler whych for the tyme shalbe, eyther by hym selfe or by hys deputie, shall put into a rolle, all his buyinges in this manner (that is to say) how many Tunnes, of whom he bought the, at what time, and by whose byew, and he shall enrolle the wynes of prysage in like maner, how many Tunnes, the testimonie of the personnes, of whom ye prysse was had, where, and when, And all the Customers of England shall be charged accordyng as they are assygned for the gatherying of custome with in certeyne boundes, that they twyes yearely shall certifie the Trealourer and Barons, (that is to say) at the yb. of Easter and of Saynt Michaell, how many shyppes have arryved within their boundes within that time, laden with wynes, and of whence they were, and who ought them, and whe they arryved, and discharged, and how much wine every shyppe did bring &c. how manie shippes arryved, of which the kyng did take prysse of wyne, and how many Tunnes, & in what shyps the kyng dyd take two shillings for the Tunne and none other prysse, and of how manie Tunnes he did take two shillings for the Tunne, and also other prysse. Statut' de forma mittenda extret' ad scaccarium.

Butler

wine

Customers

wines

3 ¶ Where as the greeneware is sent to the sheryffes, to leuie the kings debtes: the sheryffes ministers do leuy the same by rolles and other remembraunces, and do not shew the estretes under the seale of the eschequier, so that which is once leuyed, commeth an other time in demaund, because that they do not charge them fully of that that is leuyed, in discript of the kyng, and impouerishment of his people: It is ordeyned and assented, that men shall see the estretes sealed, and that the same, whych is payed, be totted, and the same estretes sent to the sheryffes vppon the receypt. And if anie sheryffes or minister do to the contrarie, he shalbe holden to answere to the partie which thereof will him complayne, and yeld his treble dammages, and make fyne to the kyng. And that he have hys suit as well before Justices of the peace, as before other Justyces. And that the sheryffes be holden to accompt by the same estrets so totted, and by none other, and the same estreates shall not be doubled by the sheryffes, but the copie of the estretes, in how much they touche the fraunchyses of Lordes, shalbe delivered to the Baylyffes of the fraunchyses vnder the seale of the sheriffe. And that the same baylyffes yeld their accompt in the Eschequer by the same copies so delivered. Anno 42. Edwardi 3. capitulo. 9.

Greenewax Shirifs

damages Fine

Just. of p.

Accompt

Bailifes Shirifs seals

Who Justyces and Judges before who such issues or amerciaments be or shalbe forfayt in time to come, shal charge the clerkes of the estreates in the places where suche issues and amerciamentes be or shalbe forfayt by their othe to be made, and that they make the rolles of the estretes of such issues

Justices

Issues

Rolls

issues and amerciamentes dyllynctlie by expresse woꝛd of the cause of ẏ losse, of the terme, of the yeare, and the nature of the wꝛyt, and bꝛeꝛwyt what parties such issues and amerciaments bee oꝛ shalbe lost, aswell in the kinges suit as in the suit of the party, and that the statute made in the tyme of kyng Edward ẏ third, the two & foꝛty yeere of his raigne (that is to say, cap. 9. before 3.) foꝛ gathering of greene ware, be holden and kept in all pointes. An. 7. H. 4. cap. 3.

Greene wax

¶ *Excepcion.*

When any ẏ is impleaded before any Justicers doth alledge an excepcyon, praying, that the Justicers will allowe it, which if they will not allowe, if bee that alledged the excepcion doe wꝛyt the same excepcion, and require, that the Justicers will put to their seales foꝛ a witnesse, they shall so do, and if one will not, an other of the companie shall. And if the kyng vppon complaint made against the Justicers cause the recoꝛd to come before him, and the same excepcion be not found in ẏ roll, and the playntiffe shew the excepcion wꝛitten under the seale of a Justicer, the Justicer shalbe commaunded to be ready at a certayne day either to confesse oꝛ denie his seale. And if the Justicer can not denie his seale, they shall procede to iudgement according to the same excepcion, and after as it ought to be allowed oꝛ disallowed. in. 2. cap. 30. 13. E. 1.

Just. seals

Recoꝛd

Procede Judgemẽt

¶ *Excommengement.*

The yeare of our Lord a thousand CC. lvi. the third day of May, in the great halle of the kyng at Westminster, in the presence and by the assent of the Lord Henry by the grace of God, king of Englãd, and the lord Richard Earle of Cornwall his brother, Roger Bigot Earle of Noꝛfolk and Suffolke, Marshall of England, Hũfrey Earle of Herford, Henry earle of Oxford, John earle Warren, & other estates of the realme of England, wee Boniface, by the mercy of God Archbyshop of Caunterburie, primate of al England. F. of London. H. of Ely. S. of Wꝛocester. E. of Lincolne. W. of Noꝛwich. P. of Herford, W. of Salisbury, W. of Durham, R. of Excester, P. of Carlile, W. of Bathe, E. of Rochester, T. of Saint Dauids Byshops, apparelled in pontificals, wyth Tapers burning, against ẏ breakers of the churches liberties, & of the liberties oꝛ other customes of the realme of England, & namely of those which are conteined in the charter of ẏ common liberties of England, and charter of ẏ foꝛest, haue denounced the sentence of excõmunication in this fourme: By ẏ aucthoꝛitie of almightie God, ẏ father, the sonne, and the holy ghost, and of the glorious mother of God and perpetual virgin Mary, of the blessed Apostles Peter and Paule, and of all Apostles, and of all Marters, of blessed Edward king of England, and of all the saints of heauen, wee excõmunicate accurse, and from the benefits of our holy mother the church wee sequestre, all those that hereafter willingly & malitiously doyngue oꝛ spoyle the church of her ryght. And all those that by auctoritie oꝛ wylynes do violate, breake, diminysh, oꝛ chaunge the churches, liberties and free customes, cõteined in the charters of the common liberties, and of the foꝛest, graunted by our Lord the kyng, to Archebyshops, byshops, and other prelates of England, and likewise to the Earles, Barons, knights, & other freeholders of the realme. And all that secretly, oꝛ openly by deede, iwarde, oꝛ counsel do make statutes, oꝛ obserue them being made, & that bring in customes, oꝛ keepe them when they be wꝛought in against the two liberties oꝛ any of them, the wꝛiters, inuentours, counsellours, & the executours of

Liberties.

Curse.

Church spoylers.

them, and all those that shall presume to iudge against them. All and euerie whych personnes before mencioned that wittingly shal commit any thing of the premisses, let them wel knowe, that they incurre the forsayd sentence ipso facto. I. vpon the deede done. And those that commyt ought ignorantlie, & bee admonished, except they reforme them selues within xv. dayes after the time of the admonition, and make full satisfaction for that they haue done at the will of ỳ ordinarie, shalbe frō that time forth wrapped in the same sentence. And wō ỳ same sentence we burden al those that presume to perturbe ỳ peace of our soueraigne lord the king, & of the realme. To the perpetual memorie of which thing, we the aforesaid prelates haue put our seales to these presents. An. 12. H. 3.

xv. dayes

Satisfaccō

2 ¶Also the kinges letter directed vnto ordinaries ỳ haue wrapped their clients in the sentence of excommunication, that they should essoile them by a certaine day, or els that they doe appeare and shewe wherefore they haue excommunicated them. The aūswer. The kyng directeth that hereafter noe such letter shalbe suffred to go forth, but in case where it is found that ỳ kynges lyberty is prendiced by the excommunication. Articuli cleri capitulo. 7. Anno. 9. E. 2.

Kinges letter
Ordinaries

3 ¶If anie of the kyngs tenure be called before their ordinaries, out of the parishe where they dwell. If they bee excommunicate for their manifest cōtumacy, and after forty dates, a writ goeth out to take them, and they prē tēd their priuiledg that they ought not to be cited out of the towne and parish where their dwelling is. And so the kinges writ that went out for to take thē is denied. The aunswere. It was neuer yet denyed nor shall bee hereafter. Articuli cleri. capitulo. 12. Anno nono. Edwardi. 2.

40. dayes

Priuiledge

4 ¶In statuto de fallagio nōcōcedendo it is enacted that the Bishoppes should excommunicate those that dyd against the church.

5 ¶In the abridgement of ỳ statuts it is recited that Anno. 8. E. 3. in ordinatione pacis, it was enacted that writtes were ordeined to the bishops to accuse all and euerie of the perturbers of the peace of holie Churche and of the kyng, felons, mayntenours of felons and conspiratours of felonie, false surcours, takers, and mainteinors of false quarelles, euerie Sunday and double feastes etc. in the Cathedrall church, and in euerie colledge and paryshe Church, and to proceede against them according to the cannon lawes. And it is alledged in the said Abridgement that the statute from whence thys writte was fourmed, was Anno quinto Edwardi tertij statut. 3. capitulo primo. But I cannot fynd anie of these statutes.

Writs Accuse Peace breakers Felons

¶ *Excommunicato capiendo.*

BE it enacted that from and after ỳ first day of May next commyng euerie writ of Excommunicato capiendo that shalbee graunted & awarded out of the high court of Chauncerie against any person or personnes wtin the realme of England shalbe made in the time of the terme returnable before ỳ Quenes highnes, her heires & successors in ỳ court cōmonly called ỳ kings bench, in the term next after ỳ Teste of the same, and that the same writte shalbe made to contеine at ỳ least. xx. dayes betweene the Teste & the return thereof. And after ỳ same writ shalbee forthwith brought into ỳ said court of the kings bench, & there in the presence of the Justices shalbe opened, & deliuered of record to the sheriffe or other officer to whom the seruing & execution therof shal appertaine, or to his or their deputy or deputies. And if after words it shall or may appeare to the Justices of the same court for the time being, ỳ the same writ so deliuered of record be not duly returned before the at the day of the

Writ
Chauncery
Returne
K. bench
xx. dayes
Teste
Iust: Shirife

of the retourne thereof, or ẏ any other default or negligence hath ben vsed or had in ẏ not serving & executing of the said writs, ẏ then ẏ Justices of ẏ said court shal & may by authority of this act assesse such amerciamẽt vpõ ẏ said shirife or other officer in whõ such default shal appere, as to the discreciõ of ẏ said Justices shalbee thought meete & conveniẽt, which amerciamẽt so assessed, shalbee extreated into the court of ẏ Eschequer, as other amerciamẽts haue ben vsed.

Negligẽce

Just.

Amerce Shirife

Eschequer

And be it further enacted by thauctoritie aforesaid, that the shirife or other officer to whom such writ of Excommunicato capiendo or other proces by vertue of this act shalbee directed, shal not in any wise be compelled to bring the body of such person or persones as shalbe named in the said writt or prootes, into the saied court of the kinges bench at the day of the retourne therof, but shal only returne the same writ and proces thither, wyth declaration briefely how and in what maner hee hath served and executed ẏ same, to ẏ intent that thereupon ẏ said Justices may then further therein proceede, according to the tenour & effect of this ꝑsent act. And if the said shirife or other officer to whom the execution of the saied writte shal so appertaine, doe or shall retourne, that the partie or parties named in the sayd writt, cannot bee found within hys bailywike, that the sayd Justices of the kinges Bench for the tyme being, vppon euery such retourne shal award one writ of Capias against the sayd persoune or persons named in the saio writt of Excõmunicato capiendo, retournable in the same court in the term time, two monethe at the least next after the Teste thereof, with a proclamation to be cõteined within the sayd writt of Capias, that the Shirife or other officer to whom the sayd writte shalbe directed, in the full countie court or else at the generall assise & gaole deliuerie to bee holden within the same county, or at a quarter sessions to bee holden before the iustices of the peace within ẏ same countie, shal make open proclamation tenne daies at the least before the retourne, that the partie or parties named in the said writ, shal within fyre daies next after such proclamation, yelde hys or their body or bodies to ẏ gaole and prison of the said shirife or other such officer, there to remaine as a prisoner according to the tenour and effect of the first writt of excommunicato capiendo, vppon paine of forfaiture of x.li. And thereuppon after such proclamation hadd, and the saied fyre daies past and expired, then the sayd Shirife or other officer to whom such writte of Capias shalbee directed shall make retourne of the same writte of Capias into the said court of ẏ kings Bench, of al that hee hath done in the execution thereof, and whether ẏ partie named in the sayd writte haue yelded his body to prison or not. And if vpõ the retourne of the said shirife, it shal appeare that the party or parties named in the sayd writte of capias or any of them haue not yelded their bodies to the gaole and prison of the said shirife or other officer according to the effect of the same proclamation, ẏ thẽ euery such person that shal so make default, shall for euery such default forfeit to the Quéenes highnesse, her heires and successours tenne poundes, which shal likewise bee extreated by the sayed iustices, into ẏ said court of Eschequer in such manner and fourme as fines & amerciamẽts there tared and assessed are vsed to bee. And thereupon the said Justices of the kings Bench shal also award forth one another writte of Capias against the person or persons ẏ so shalbe returned to haue made default vnto such like proclamation as was conteined in the first Capias and a paine of xx.li. to be mencioned in the said second writ & proclamation. And ẏ shirife or other officer to whõ ẏ said secõd writte

Quarter sessions

Proclamation yeld his body to prison

Forf.

Returne

K. bench

Forf.

Eschequer

Just. K. bench

Capias Paine of xx.li.

Non est inuentus

Capias

Teste Proclamation

County court

Generall assise

writ of capias shalbe so directed, shall serue & execute the same second writte in such like manner & forme as before is expressed for the serving and executing of the said first writte of Capias

Shirife Returns And if the sherife or other officer shall retourne vppon the sayd second Capias, that hee hath made the proclamation according to the tenour and effect of the same writte, and that the party hath not yelded hys body to prison according to the tenour of the sayed proclamation, that then the sayed party ꝑ so shal make default, shal for such hys

Forf. contempt and default forfayt to the Quéenes highnesse, her heires & succes sours the summe of xx.li. whych sayd

Just. summe of xx.li, the said Justices of the kinges bench for the time being, shall

Extreat likewise cause to be extreated into the said Court of Eschequer, in manner & fourme aforesaid. And then the sayed Justices shall likewise award forth a one other writt of Capias against the saied party, wyth such lyke proclamation and paine of forfaiture as was cõteyned in the said second writt of Ca-

Shirife pias. And the sherife or other officer to whom the said third writte of Capi as shal so be directed, shal serue &

Execute execute the said third writ of capias in such like manner and fourme as before in this act is expressed and declared for ꝑ seruyng and executing of the said first and second writtes of Capias. And if the Sherife or other officer to whom

Returne therecution of the sayed third writte shal appertaine doe make retourne of the sayd third writte of Capias that the party vppon such proclamatyon hath not yelded hys body to prison according to the tenour thereof, that ẽ euery such party for euery such contempt and default, shall likewise for-

Forf. fait to the Quéens maiestie her heires and successours, other xx. li. whych summe of xx.li. shal lyke wise bee extreated into the sayd Court of ꝑ Eschequer in manner and fourme aforesaid, and thereupon the sayed Justices of the kinges Bench shall likewyse award forth one writte of Capias a- Capias

gainst the sated partie, wyth like proclamation and like paine of forfaiture of xx.li. And that also the sayed Justices shal haue aucthority by this act infinitely to award such proces of Capias wyth such lyke proclamation and paine of forfaiture of xx.li. as is before limitted against the sayed partie that so shall make default, in yelding of hys body to the prison of the Sherife, vntyll such tyme as by retourne of sõe of the sayed writtes before the sayed Justices, it shall and may appeare ꝑ the sayed partie hath yelded him selfe to the custody of the sayd Shirife or other officer, according to the tenour of the said proclamation, and that the par ty vppon euery default & contempt by Contempt him made against the proclamatiõ of any of the said writtes so infinitely to bee awarded against him, shal incurre like paine and forfaiture of xx.li. which shal likewise be extreated in maner & fourme aforesaid.

And be it further enacted by the auctho*r*itie aforesaid, that when any person or personnes shal yeld his or their Yeld body or bodies to the handes of the shirife or other officer vppon any of ꝑ said writtes of Capias: that then the same party or parties that shall so yeld In prison them, shall remaine in the prison and custody of the said shirife or other officer, without baile, bayle or mainprise, in such like maner and fourme, Without bayle to all intentes and purposes as hee or they should or ought to haue done if he or they had ben apprehended and take vppon the sayd writ of excommunicato capiendo.

And be it further enacted by the auctho*r*itie aforesaid, that if any Sherife Shirife or other officer, by whom the said writ of Capias or any of them, shal bee returned as is aforesayed, doo make an vntrue retourne vppon any of the said Vntrue returns writs, that the partie named in ꝑ said writt hath not yelded his body, vppon the

the said proclamations or any of them where in deed the partie did yelde him selfe according to the effect of ỳ same: That then euery such sherife or other officer, for euery such false and vntrue retourne shall forfait to the party greued and dammified by the said retourne the summe of fortie pound. For the whych summe of fortie pound the said partie greeued shall haue hys recouery and due remedy by action of debt, bill, plaint, or information in any of the Quenes courtes of record, in whych action, bill, plaint, or information, no Essoine protection or wager of lawe shall bee admitted or allowed for the partie defendaunt. Sauing and reserning to all Archbishoppes and bishops and al other hauing auctoritie to certifie any personne excommunicated, lyke auctoritie to accept and receiue the submission and satisfaction of the saied personne so excommunicated in maner and fourme heretofore vsed, & him to absolue and release, and ỳ same to signifie, as heretofore it hath ben accustomed, to the Quenes maiesty her heires and successours, into the hygh court of Chauncery, and thereuppon to haue such writtes for the deliueräce of the said persone, so absolued and released from the sherifes custody or prison, as heretofore they or any of them had, or of right ought or might haue had: Any thyng in thys present statut specified or contayned to the contrary hereof in any wise notwithstanding.

Sherife Fort.

Archbishops Bishop

Submissiõ

Absolue

Chauncery writs

Prouided alwaies, ỳ in wales, ỳ cõties palãtines of Lancaster, Chester, Durhã, and Elye, and in the Cinque portes, being iurisdictions and places exempt where the Quenes maiesties writte doth not runne, and proces of Capias from thence not retournable into the said court of the kinges bench after any Significauit beeyng of record in the saied court of Chauncerie, ỳ tenour of such Significauit by Mittimus shalbe sent to such of the officers of the said countie of Wales, counties Palantine and places exempt, within whose offices charge or iurisdiction the offendour shalbe resiant, that is to say to the chauncelour or Chamberlayne for the said countie palantine of Lancaster and Chester, and for the Cinque portes, to the lord warden of the same, & for Wales and Ely, and the countie palantine of Durham, to the chiefe iustice or Justices there. And thereuppon euerie of the sayed Justices and officers to whom such tenour or Significauit with mittimus shalbee directed and deliuered, shal by vertue of this estatut haue power and auctoritie to make like proces to the inferiour officer and officers, to whom the execution of proces there doth appertain, retournable before the Justices there at their next Sessions or courtes, two monethes at the least, after the Teste of euery such processe. So alwaies, as in euery degree they shall procede in their Session and courtes agaynst the offendours, as the Justices of the sayd court of the kinges bench are limitted by the Tenour of this act, in Terme times to do & execute.

Wales Counties palantines & Portes

Significauit Mittimus

Chauncelor Chamberlains

warden of the v. portes

Chiefe Just.

Officers

Returne

2. monethes

¶ Prouyded also, and bee it enacted, that any personne at the tyme of any Proces of Capias afore mencioned awarded, beeyng in prisonne or out of this Realme in parties beyond the sea, or vnder age, or of non sane memorie, or woman couert, shall not incurre any of the paynes or forfayture afore mẽcioned, which shal growe by anye retourne or default happening duryng such tyme of nonage, imprisonment, being beyond the Sea or nõ sane memorie. And that by vertue of this estatut, the partie greeued may plead euery such cause or matter in barre of and vppon the dystresse or other proces that shall bee made for leuying of any of the sayed paynes or forfaitures. And then if the offendour agaynst whom anie such writte of Excommunicato capiendo shalbee awarded, shal not in the same writte of

In prison Beyond seas within age women Mad men

Excommunicato

Excommunicato capiendo, haue a sufficient and lawfull addicion according to the fourme of the estatut of Primo of Henry the fifth, in cases of certaine suits whereupon proces of exigent are to be awarded. Or if in the Significauit it be not conteined, that the excommunication doth procede vppon some cause or contempt of some originall matt of heresy, or refusing to haue hys or their child baptized, or to receiue the holy cõmunion as it is now cõmonly vsed to bee receaued in the saied Church of England, or to come to diuine seruice now commonly vsed in the sayed church of England, or errour in matters of religion or doctrine now receiued and allowed in the sayd church of England, incontinency, vsury, simony, periury, in the ecclesiasticall court or Idolatry: That then all and euerie paines and forfaitures limitted against such persons excommunicate by thys estatut by reason of such writ of Excommunicato capiendo, wantyng sufficient addition or of such significauit, wantyng al the causes afore mencioned, shalbe vtterly void in lawe, and by way of plea to be allowed to ỹ partie greued. And if the addition shalbee with a Nuper of the place, then in euery such case, at the awarding of the first capias with proclamation according to the fourme afore rehersed, one writte of proclamation (without any paine expressed) shalbe awarded into ỹ coũty where the offendour shalbee cõmonly resiant at the time of ỹ awarding of the said first Capias, vpõ paine in the same writte of proclamation to be returnable the day of the returne of ỹ said first Capias vpõ paine, & proclamation thereuppon at some one such time and court, as is prescribed for the proclamation vpõ the sayd first Capias with payne. And if such proclamation be not made in ỹ coũty where the offendor shalbee most commonly resiant, in such cases of additiõs of Nuper. ỹ thẽ such offendour shall sustaine no paine or forfaiture by vertue of thiz estatut, for not yelding his or her body according to the tenour afore mencioned: Any thing before specified to ỹ cõtrary hereof in any wise notwithstanding. An. 5. El. ca. 23.

Addicion

Heresie Cõmunion

Not comming to church

Error in religion

Incõtinency Vsury Simony Periury Idolatry

Void

Proclamation

¶ *Execution.*

SEe boucher. 3. of execution vpõ recouery in value against ỹ voucher.

2 ¶ Where debt is recouered or know leged in the kinges court, or dammages awarded, it shall bee from henceforth in the election of him that sueth for such debt or dammages, to haue a writte of Fieri facias vnto the shirife, for to leuy the debt vppon the landes & gwdes of the debtour, or that ỹ shirife shall deliuer to him all the landes and gwdes of the debtour, (Saueyng onely his oxen & beastes of his plough) and the one halfe of hys land vntyll the debt bee leuied vppon a reasonable price and extent. And if he be put out of the land, he shal recouer by a writ of nouel disseisin, and after ỹ by a writt of disseisin if nede be. Wi. 2. ca. 8. Ann. 13. E. 1.

Debt

Fieri fac.

Nouel disseisin

Disseisin

3 ¶ Because that of such thinges as be recozded before the Chauncellour and Justicers of the king, that haue record, and bee inrolled in their rolles, proceile of plea ought not to bee made by sommons, attachmẽts, essoine, view of lãd, & other solempnities of ỹ court, as hath bẽ vsed to be done in bargaines and couenants made out of the court: From henceforth it is to be obserued, that those things, which are found inrolled before them that haue record, or conteined in fines, whether they bee cõtracts, couenãt, obligatiõs, seruices, or customes, knowledged or inrolled, wherein the kynges court without offence of the lawe and custome, may execute their auctoritie, from henceforth they shal haue such vigor, that hereafter it shall not need to plead for thẽ. But whã ỹ plaintife commeth to ỹ

kinges

kinges court, if the recognisaunce or fine leuied bee freh, that is to say within the yeare, hee shall forthwith haue a writte of execution of the same recognisaunce made. And if the recognisace were made, or the fine leuied of a further time passed, the Shirife shall bee commaunded, ỹ hee geeue knowledge to the partie, of whom it is complayned, that hee bee afore the Iustices at a certaine day, to shew if hee haue any thing to say, why such matters inrolled or conteined in the fine ought not to haue execution. And if hee doe not come, or peraduenture do come, & can nothing say why execution ought not to be done, the sherife shalbe commaũded to cause the thing inrolled or conteined in the fine to bee executed. In like manner an ordinarie shalbee commaunded in his case obseruing neuertheleſſe as before is said of a meane, which by recognisaunce or iudgement is bound to acquite. Wi. 2. ca. 44. An. 13. E. 1.

Shirife

4 ¶ See recognisance 1. 2. 5. of execution vpon sta. marchant.

5 ¶ Item because that diuers people seised of diuers tenements, borowing diuers goodes in money or in marchaundise of diuers people of the Realme, doe gyue their tenementes and cattales to their frendes by collusion, therof to haue the profits at their will, and afterward do flee to the fraunchise of Westminster, of saint Martins le grand of London, or other such priuileged places, and there do liue a great time to an high countenance, of other mens goodes, and profit of the said tenementes and cattels, til the sayd creditours shalbee bound to take a small percel of their debt, and release the remnant: It is ordeined and assented, that if it may bee found that such giftes bee so made by collusion, that the said creditours shal haue execution of the sayd tenementes and cattails as if no such gift had ben made. An. 50. E. 3. ca. 6. See ỹ like sta. debt. 5.

Collusion

Bankrupts Sanctuary

6 ¶ See staple. 8. 32. of execution vpõ a sta. staple.

7 ¶ See pallages. 4. of execution against any of the comminaltie, vpon a iudgement geeuen against the comminaltie.

8 ¶ See vses. 7. of execution of debts vpon lands in vse.

9 ¶ See recoueries 2. howe they that haue landes in execution may sallely recouer.

10 ¶ Whereas beefore this time diuers and sundry persons haue sued executions, as wel vpon iudgments for thé geuen of their debtes or damages, as vpon such statuts marchant, statuts of the staple, or recognisances as haue ben to the before made recognised and knowleged, & thereuppon such landes tenements and other hereditaments, as were liable to the same execution, haue ben by reasonable extent to them deliuered in execution for the satisfaction of their said debtes & dammages according to the lawes of this realme: Neuertheleſſe it hath bene oft tymes sene, that such lands tenements & hereditaments, so deliuered and had in execution, haue ben recouered or lawfully deuested taken away or euicted from the possession of ỹ said recoueries obligées or recognisées, their executors or assignes, beefore such tyme as they ben fully satisfied & paid of their sayed debts & damages, wout any manner fraud, deceipt, couin, collusion, or other default in ỹ said recoueries obligées or recognisées, their executors or assignes by reason wherof ỹ said recoueries obligées, & recognisées haue bé therby let clerely without remedy by any maner suit of the lawe to recouer or come by any such part or parcell of their sayed debts and damages, as was behind, and not by them leuied or received beefore such tyme as the said landes, tenementes, and other hereditaments, so by them had in execution, were recouered, lawfully deuested, taken or euicted out of & from their possessions as

Lands

Euicted

without remedy

as is aforeſaid, to their great hurt and loſſe, and much ſeeming to be againſt equal iuſtice and good conſcience. For reformation whereof, be it enacted by aucthoritie of this preſent parliament Lands ỳ if hereafter any ſuch lands tenemẽts or hereditamẽts as be or ſhalbe had & deliuered to any perſon or perſones in execution as is aforeſaid, vpõ any iuſt and lawful title, matter condition, or cauſe wherwãll the ſaied landes tenementes or hereditamẽts, were lyable tyed & bound at ſuch time as they were deliuered & take into executiõ, ſhal happon to bee recouered, lawfully deiected, taken, or euicted out of & from the poſſeſſion of any ſuch perſon & perſons as now haue & hold, or hereafter ſhall haue and hold ỳ ſame in execution, as is aforeſaid, wõut any fraud, deceipt, co- Wsthout deceipt min, colluſion, or other default of ỳ ſaid tenãt or tenants by execution, beefore ſuch time as ỳ ſaid tenãts by executiõ, their executors or aſſignes ſhall haue fully & wholy leuied or receiued ỳ ſayd whole debt & damages, for the whych ỳ ſaid lands, tenements & other hereditaments were deliuered and take in execution as is aforeſaid, then euery ſuch recouerer obligẽ, & recogniſee ſhal Recouerer & may haue and purſue a writ of ſcire facias, out of the ſame court frõ whẽce ỳ ſaid former writ of execution did proceede, againſt ſuch perſon or perſõs as ỳ ſaid writ of execution was firſt purſued, their heires executors or aſſignes of ſuch lands tenementes, or hereditaments, as were or beeme thẽ lyable or charged vnto the ſaid execution, returnable into the ſame court at a certayne day being ſul xl. daies after ỳ date of ỳ ſame writ at which day if ỳ defendant being lawfully warned, make default, or appeare & do not ſhew & plead a ſufficient matter or cauſe, other thẽ ỳ acceptãce of the ſaid lands, tenemẽtes & hereditamẽts by ỳ ſaid former writte of executiõ, to barre auoid or diſcharge the ſaid ſuit for the reſtore of the ſayed debt & damages remayning vnleuyed or vnreceiued by the ſaid former execution, then the lord Chauncellour, or other ſuch iuſtice or iuſtices, before whom ſuch writ of ſcire facias ſhalbee returned, ſhal make eſtſones a newe writ or writs out of ỳ ſaid former record of iudgment ſtatuts merchãt, ſta. ſtaple, or recognisance, of like nature & effect as ỳ ſaid former writ or execution was, for the leuying of the reſtore of al ſuch debt & damage, as thẽ ſhal appeare to be vnleuied, vnſatiſfied, or vnpaied of the whole ſumme or ſummes in ỳ ſaid former writ of execution contained, any law, cuſtome or other thig to the contrary hereof heretofore vſed in any wiſe notwithſtanding. An. 32. H. 8. cap. 5.

11 ¶ See courts. An. 33. H. 8. c. 39. of execution for ỳ kings debts and ỳ ỳ king ſhal haue execution before other, and what landes be liable to that executions.

### ¶ *Execution of ſtatuts.*

THe king our ſouereign lord remẽbreth how by lawful maintenances, geuing of liueries, ſignes & tokens and retainders by endentures, promiſes, or other writinges, or other wyſe embraceries of his ſubiectes, vntrue demeaninges of ſhiriffes in makyng panels and other vntrue returnes, by taking of money by iuries, by great riots, and vnlawfull aſſemblies, the policie and good rule of thys Realme is almoſt ſubdued, and for the non puniſhing of theſe inconueniences, & by occaſion of the premiſſes, nothing or litle may be found by inquiry, wherby the lawes of the land in execution may take litle effect to the increaſe of murders, robberies, periuries, and vnuerſalities of al men liuing, & loſſes of their lands and goods to the great diſpleaſure of almighty god. Therfore it is ordeined for reformation of ỳ premiſſes, by auctheritie of ỳ ſaid parliament, ỳ the Chauncelour & treaſorer of

Maintenãs Liueries

Embraceries Shiriffes Pannels

Riots

Murders Robberies Periuries

Chancelor Treaſorer

Chancelor Juſt.

Newe writs

Scire fac.

40. daies Def. Default

of England for the time being and keper of ỹ kinges priuy seale, or ii. of the calling to them a bishop and a temporal lord of ỹ kings most honorable cou sel. And the two chiefe iustices of the kinges bench & common place for the time beeing, or other two iustices in their absence vpon bill or information put to the said chaunceller for the king or any other againe any person for any misbehauing afore rehearsed, haue auctoritie to cal before them by writ or by priuy seale, ỹ said misdoers. And they & others by their discretions by whom the truth may bee knowen to examine, and such as they find therein defective, to punish them after their demerites, after the forme and effect of ỹ statuts therof to be made in like maner and fourme as they should & ought to be punished if they were thereof cõuict, after the due order of the law An. 3. H. 7. ca. 1. See this nert act.

2 ¶ The Chaunceller, Treasourer of England, & ỹ president of the kinges most honorable coũsell attending vpõ his most honorable persõ, for the time being, & keper of the kinges priuy seale or two of them, calling vnto thẽ one bishop, and one temporal lord of the kings most honorable counsel, and the two chiefe iustices of the kings bench & the comon place for the time being, or other two of the kinges Justices in their absence, vppon any bill of information hereafter to be put in: the chaũcellour of England, Treasorer, president of the kinges said most honorable councel, or keper of the kings priuie seale for ỹ time being, for any misbehauing before rehearsed, (S. in Ann. 3. H. 7. ca. 1. before. 1.) frõ henceforth haue ful power & auctoritie to cal before thẽ by writ of priuy seale such misdoers and thẽ, & other by ther discretiõ by whom the truth may bee knowen, to examine, And such as they shal find defective to punish them after their demerits, after the fourme and effect of the said former statut, and of all other statutes thereof tofore made, and not repealed and expired, in like maner & forme as they should and ought to bee punished, if they were thereof cõuicted after the due order of the kinges lawes. An. 2. H. 8. ca. 20. See iustices of Assises. An. 11. H. 7. ca. 3.

3 ¶ All and singuler the Justices of peace wtin any shire, Citie, Borough or place within this Realme of England Wales, or any other the kynges dominions, shal yerely at the generall Sessions of the peace to bee holden next after ỹ feast of Easter, assemble themselues together, that is to say, euery number of them wythin the lymits of their commissions, wherein they bee named Justices of peace, and at and vppon such their assemble, shal diligently together & amongest themselues paruse, examine study, & know the effectes and true intentes of the Lawes, Statutes, ordinaunces and prouisions hereafter specified, that is to say, the lawes & statuts heretofore made and prouided, concerning or in any wise touching vagabonds, retenors, geuing liueries, signes, tokens or badges maintenance, imbracery, bowstaues, & archery vnlawful games forstallers, and regratours, vitaile, victuallers, and inholders, & euery of them and of all statutes and lawes made in this present parliament touchyng the same or any of them, and after ỹ perusing and delyberate vnderstanding of the sayd lawes, statutes, and ordinances, they shal deuise among them selues, how the same may bee best put in due and iust execution: And for the better proceading therein they shal diuide and seuere themselues, ymitting and assignyng always the number of two of them at the least, or more into the hundreds, wapentakes, rapes, commotes, or nũber of townes and villages by their discretions. And that the said iustices so deuided, or two of them at the least, shall in euerie quarter of the yere, from and after the said

L. keeper Bishop

Chiefe Justices

writ priuy seale

Chaunceller Treasorer President Keeper of the priuy seale

Bishop

Chief Iust.

Informatiõ

Misbehauiour

Writ of priuy seale

Examin Punish

Iust. of ye peace

Generall sessions Assemblie

Study

Vagabõds Retenors Maintenãs Imbracery Bowstaues Archerie Vnlawfull games Victailers Inholders

Deuiding of Iust. of peace

One sessiõs quarterly

saied feaſt of Eaſter next commyng, hold and keepe within the limittes of their deuiſion, one ſeſſions before the general quarter ſeſſions for the peace, ẏ ſaid one ſeſſions to bee kept and holden al waies within the limits of their diuiſion, at and in one ſuch day as by them ſhalbe appointed ſo that it be al waies ſix weekes at the leaſt before ẏ quarter ſeſſions, And that all proces & proceedings in euery of ẏ ſaied ſeſſions ſo to be holden, ſhalbe continued from ſeſſions to ſeſſions. And that the ſayd iuſtices, or two of them at the leaſt at and in euery ſuch Seſſions ſhall haue power and aucthoritie to enquire, as wel by the oths of xii. men, inhabitãts within the limits of their diuiſion, as by any information geuen to them by any perſon or perſons, of al defaultes, offences, and contempts done or committed, or hereafter to be done or committed againſt the fourme of any of ẏ ſtatuts aforeſaied and to heare and determine the ſame, and ſhall alſo haue power and auctheritie vppon any preſentment or information touching the premiſſes or any of them to make proceſſe by Wenire facias, one Capias, & an exigent vnder the ſeales of the ſame iuſtices or two of them, againſt euery ſuch perſon & perſones, againſt whom any ſuch information or preſentment ſhalbee haid for their appearance afore them in their ſeſſions to bee holden as is aforeſaied, to anſwere to ſuch information or preſentmẽt as ſhalbe there had or made. And if the perſon or perſons accuſed by informatiõ or preſentment ſhalbee conuict vppon anie ſuch information or preſentment by confeſſion or verdict of xii. men, that then the ſaid iuſtices of peace or ii. of them afore whom ſuch conuiction ſhalbee had, ſhal haue full power and auctheritie to geeue iudgement againſt euery ſuch offendour or offendours ſo conuict of ſuch paines by impriſonmẽt or ſuch paines loſſes and forfaitures of money or both, or any of them, as are limitted in the ſaid ſeuerall ſtatuts for ſuch offences, whereof they ſhalbe ſo conuict, & cauſe execution thereof to be made and had accordingly. And alſo the ſaid iuſtices of peace, or two of them, at & in their ſaied ſeſſions ſo to bee holden as is aforeſaid, ſhal haue power & auctheritie to correct and reforme the panels of iuries for any inquiries to be made afore them touching the ſayd ſtatutes or any of them, in like maner and forme as iuſtices of gaole deliuery and of peace may do in their ſeſſiõs, by vertue of a ſtatut thereof made in the third yere of king Henry the. 8. (S. ca. 12. vvhich is in panel. 4.) and ẏ the ſhirife and other miniſters hauing power to returne panels, ſhal make his and their returnes according to ſuch reformation and correction of the Iuſtices aforeſaid, vppon the paine limitted by the ſame ſtatut. And it is ꝛc. that if any perſonne or perſonnes be conuicted as is aforeſaid, by any informatiõ afore the ſaid Iuſtices or two of them within the limits of their diuiſion, that then the moity of the paines, loſſes, & forfaitures of money of the offendours ſo conuict, ſhalbe to the kinges maieſties vſe, and the other moitie therof to ẏ partie that purſueth ſuch informatiõ according to the tenour and effect of the ſaid ſeuerall ſtatuts. And if any conuiction be had by reaſon or vppon any preſentment, that then the kinges maieſtie ſhall haue the whole paines, fines, and forfaitures of the offendours, al which paines, fines, loſſes, and forfaitures of money, to bee due to the king by reaſon of any conuiction as is aforeſaid, together with all iſſues, fines, and amerciaments aforè the ſaid Iuſtices within the limits of their deuiſion, ſhalbe leuied by the ſhirife or his miniſters by a Scedule inuented, to bee made betweene ſuch iuſtices or two of them, afore whõ ſuch paines, loſſes and forfaitures, fines, iſſues, or amerciaments, ſhalbee loſt and forfait and the ſaid ſhirife, the one

Iuſt. of p.

Correct

Shirifs

Moitie

Scedule



bi. weeks before quarter ſeſſions

Proces

Iuſt. of p.

Enquirie

Defaults Offences

Wier & ter.

Wenire fac. Capias Exigend

Conuict

Iudgemẽt

Impriſ.

Certifie

part of the which ſcedule ſhalbee certyfied by the ſaid iuſtices or two of them yearely in the terme of ſaint Michaell into the kinges eſchequer, to the intent that the ſherife ſhall there aunſwere ẏ ſame to the kings vſe.

Shirifs

Juſt. of p.

Prouided alwaies and be it &c. that euery of the ſaid Juſtices of peace ſhal haue for holdyng of euerie of the ſayd ſeſſions, as is aforeſayd. iiii. s. for their coſtes, and the clerke of the ſeſſions by them to be appointed for the makyng and writing of the proces and extracts of the ſeſſions, for euery ſeſſions. ij. s. to be paid by the hands of the ſherife of the kinges part & porcion of the paines loſſes and forfaitures and of the iſſues, fines, and amerciaments aforeſaid.

iiij. s. the Clerke of the peace

ij. s. by the ſhirife

Prouided alwaies, that Juſtices of peace, in Cities, boroughes, & townes corporate, not being ſhires or counties of themſelues, ſhall aſſemble once in the yeare with the Juſtice of peace of the ſhire where ſuch Cities, boroughs, or townes corporate be, and ſhall bee limitted to execute this act, within the Citie, Borough, or towne corporate, where they ſhall be iuſtices of peace, & not els where. Prouided alſo, that noe inforꝛmation or preſentment ſhall bee had or taken by the ſayd Juſtyces of peace ſo deuided by authoritie of thys act, but for ſuch offences, defaultes, or contempts as ben or ſhalbe done within the limits of their deuiſion. And be it &c. that ẏ ſaid Juſtices of peace thus deuided or two of them within the lymittes of their deuiſion, ſhall haue full power and authoritie to examine, enquire, heare, and determine, by inforꝛmation and trial as aforeſayd, all defaults and contempts, which after the feaſt of the Natiuitie of our lord next comming, ſhall be done or committed by any ſeruauntes, commonly called yomen or groomes, huſbandmen, labourers, and artificers, or ane of them, againſt the tenour, forme and effect of the ſtatutes & lawes, made for exceſſiue apparel, and to correct and punyſh the offendours therein, beeing thereof conuict afore them, as is aforeſaid, according to ſuch paines, forfaitures, and punyſhmentes, as is lymitted by the ſayd lawes and ſtatutes of apparell, to be leuyed, paid and certified as is aforeſayd. And it is &c. that alſwell the Juſtices of aſſiſe, as ẏ iuſtices of Cheſter, and the kinges Juſtices of Northe Wales and South Wales, in all and ſinguler their circuntes, ſhall haue full authoritie and power by the force of thys preſent act, to enquire as well by inforꝛmation as by preſentment before them, of the defaults, contempts, omiſſions, negligences, fauours, affections, corꝛupcions, & other thinges whatſoeuer they ſhall bee, of all and ſinguler the ſayd Juſtyces of peace, which ſhall not diligently, truely and duely ſee, put, and cauſe the ſayd good lawes, ſtatutes, ordinaunces and proꝛuiſions to bee put in vre, exerciſe, and perfect execution, according to the effectes, as wel of the ſaid ſtatuts herebefore made, as of this preſent act, and to heare, examine, and determine the ſame, as is aforeſaied, and to aſſeſſe ſuch fines vppon the ſaid Juſtices of peace, and vppon euery of them being conuict of any defaultes, negligences, and offences, as is aforeſaid, as to their diſcretyon ſhalbee thought expedient for the qualitie & quantitie of their offences. And bee it &c. that all Shiriſes, Bailifes, Conſtables, hedboroughs, and all and ſinguler other officers and miniſters whatſoeuer as well wythin lyberties as wythout, ſhalbee attendaunt, aiding and aſſiſting to all and ſinguler ẏ ſaid Juſtices of peace, in and for the due execution of this act, vppon paine to make ſuch fines as by the ſaied Juſtices of peace or two of them, ſhalbe aſſeſſed to the kinges vſe by their diſcretions. Prouided allway, that this ſtatut ſhall not bynd any Juſtice of peace, or of Quorum, to aſſemble or execut any thing in this act, or in any other ſhire, cytie,

Juſt. of p.

Cities

Inforꝛmation

Offences

Juſt. of p.

Oier & ter.

Huſbādmē Laborers Artificers

Apparell

The faults of Juſt. of p. to be enquired of.

Enquiris

Oyer & ter.

Fines Juſt. of p.

Shirifes Bailifes Conſtables

Juſt. of p. Juſt. of Quorum Aſſemble

borough or place thē in ſuch ſhire, city, borough or place where he ſhalbee reſident and dwelling at the time when ſuch aſſemble ſhallbee made by vertue of this act. Prouided alſo that ſuch lordes and other which being Juſtice of peace or Quorum, bee or ſhalbee of the kings priuie counſaile, attendaunt vppon his royal perſonne, or any principal officer of his highneſſe houſe, attendaunt vppon his office, and other, which ſhall happen to bee occuppyed in his highneſſe ſeruice by hys maieſties commaundement, ſhall not bee compelled to aſſemble wyth the iuſtices of peace or Quorum, in any ſhire, city, or borough, or other wyſe bounden to do or exercyſe by auctority of this act, thē they bee bounden to do afore the making of this act, any thyng or thinges contayned in thys act to the contrary notwithſtanding. Prouided alſo, that the Juſtices of eyther Bench, Barrons of the kings Eſchequer, the kinges Attourney and Solicitour, and al other Juſtices, officers, and miniſters, beeing bounden to attend at the Termes, ſhall not duryng their attendaunce, bee compelled to hold or keepe any Seſſions in the limittes deuided to them vppon the aſſembles of the Juſtyces of peace as is aforeſaid. And to the intent that the ſayed Juſtices, Barons, and all other officers & miniſters aforeſayed, may the better be once in the yeare at euery aſſēble aforeſayed. It is &c. that the quarter ſeſſions, holdē after Eaſter, ſhalbee yearely kept vppon the tewſday next after lowe Sonday, in euery ſhire of this Realme, Wales, and other the kynges dominions. Prouided alway that thys act, or any thyng therein contayned, ſhall not in anywyſe extend to the county Palantine of Herham, within the Countie of Northūberland, ne to the countie Palantyne of Ely wythin the Countie of Cambridge, nor to any toiwne corporat or libertie wīn either of ỹ ſaid Counties Palantines, hauing Juſtices of peace, for or concernyng the extracting, retourning, certifiyng, or leuying, of any iſſues, fines, forfaitures, amerciaments, or penalties to bee aſſeſſed or tared vppon any perſon or perſons in any Seſſions to bee holden wythin the ſayed Counties Palantynes, or eyther of them or within any toiwne corporat, ſituate, and beeing wythin either of the ſaid countie Palantines: but that the ſame iſſues, fines, forfaitures, amerciaments, and penalties, and euery of them may bee aſſeſſed, tared, extracted, retourned, certified, and leuied, from time to tyme hereafter, in ſuch maner and fourme, to all intentes and purpoſes, as they and euery of them haue beene vſed to be aſſeſſed, tared, extracted, retourned, certified & leuyed at any tyme before the making of thys act, or ſhould bee aſſeſſed, tared, extracted, retourned, certified and leuyed, if the ſaid act had neuer beene had or made, this act or any thing therein contained to the cōtrary not withſtanding. Prouyded alway & be it &c. that iuſtices of ỹ peace wīn any ſhire of this realme of England & Wales, ſhall not be compelled by vertue of this act to aſſemble themſelues for the execution of this act for this ꝑſent yere, before the next general aſſiſes to be holden within euery ſuch cōtie, before the feaſt of ſaint Michael ỹ archangell next cōming, but that they and euery of them ſhalbee compelled vpon like paine mencioned in this act, to aſſemble them ſelues at the ſaid generall aſſiſes for the execution of the ſame, for this preſent yeare onely, according to the purport, tenour, & true meaning of thys act: Any thyng in this act to the contrary not withſtandyng.

Prouided alway, that this act or any thing therein contayned, ſhall not in any wyſe extend or bee preiudiciall or hurtfull to the county Palantine & duchy of Lancaſter, or anie Toiwne corporat

Lordes

Priuie counſaile

Officers of the kinges houſe being Juſt. of p. not bound to aſſemble wᵗʰ the reſt of the Juſt.

Juſt. of both B. Barons of the Eſchequer K. atturney Solicitor

Quarter ſeſſions

County pa.

Returne of iſſues

Amerce-ments

Juſt. of p.

Countie palentine Lancaſter

corporat wtin the ſae county palantine and duchy, hauing iuſtices of the peace for or concerning the extracting, retur
Iſſues ning, certifiing or leuyng of any iſſues fines, forfaitures, amerciamentes, or penalties, to be tared or aſſeſſed vppon any perſon or perſonnes, in any ſeſſyons to be holden within the ſaid coun-tie Palantine, and Duchy of Lancaſter or Townes corporat parcell of the ſame duchy, by vertue of thys act, but that the ſame iſſues, fines, forfaitures, amerciamentes, and penalties, ſhall and may bee extracted, returned, certified or leuied, from tyme to time, in ſuch maner and fourme, to al intentes and purpoſes, as they haue vſed to bee extracted, retourned, certified, & leuied at any time before the makyng of this act, this act or any thing therein contained to the contrary notwithſtanding. Prouided alway, and be it &c. ỳ
Juſt. of p. the iuſtices of peace in euery of ỳ ſhyrſes in South Wales and North-
wales wales, and county Palantine of Chelter, according to their limitation, ſhall and may certifie al the ſtreites by thẽ to bee made in maner and fourme as is aforeſaied, to and afore ſuch chamberlaine or chamberlaines, chaunce-
Chaunceloꝛ lour or chauncellours, auditour or auditoures, in ſuch place or places, as by the kinges maieſtie is or hereafter ſhal be appointed or aſſigned for hearing & determynyng of the ſhirifes accompts in euery of the ſaid ſhires in Wales, or county Palantine aforeſayed, anie thing in this act mencioned to ỳ contrary notwithſtanding. Prouided alwy that this act or any thing therein
County palantine Durham contayned, ſhal not in any wiſe extend to the county Palantine and countie of Durham, or to any towne corporat within the ſame countie Palantine or countie, hauing iuſtices of peace, for &
Returning of iſſues concerning the extracting, retourning certifiyng or leuying, of any iſſues, fines, forfaitures, amerciamentes, or penalties, to be aſſeſſed or tared, vpon any perſon or perſons in any ſeſſions to bee holden wythin the ſayed countie Palantyne, or Countie of Durham, or wythin any Towne Corporat, ſituate and being wythin eyther the ſaied Countie Palantine or countie, but that the ſame iſſues, fines, forfaytures amerciaments, or penalties, and euery of them may bee aſſeſſed, tared, extracted, retourned, certified, & leuied from time to time hereafter, in ſuch manner and forme to al intents and purpoſes, as they and euery of them haue beene vſed to bee aſſeſſed, tared, extracted, retourned, certyfied, and leuied, at any tyme beefore ỳ making of thys act, or ſhould be aſſeſſed, tared, extracted, retourned, certyfied, and leuied, if this ſaied act had neuer beene had ne made, thys act or anie thyng therein contayned to the contrary notwythſtanding. Prouided alwayes, and bee it enacted that thys act or any thing therein contained ſhal not extend to the barrons or inhabytauntes of or within the cinque ports, Barons of v. ports or their members, or to any of thẽ, to compell or conſtraine them or any of them to aſſemble themſelues vnto anie the Iuſtices of the peace, out of their ſaid portes or members and the liberties of the ſame, or for, or concernyng ỳ eſtreating of fines, iſſues, forfaitures Eſtreating of fines. & amerciaments, to bee ſet, loſt or aſſeſſed by vertue of this act, wythin ỳ liberties aforeſaid, but that they and euery of thẽ ſhal & may aſſemble thẽſelues togethers at ſuch place & places within their liberties for the executing of thys act, as to them ſhalbe thought moſt conuenient, & to deuide thẽſelues after ſuch faſhion as they ſhall thynke beſt and moſt requiſite for the executing of this eſtatut in this act mẽcioned. And may and ſhal take ſuch fines Taking of amercemẽts. iſſues forfaitures and amerciamentes and euery of them as ſhalbe ſet, loſt, & aſſeſſed by vertue of this act, in ſuch maner & fourme, and to ſuch vſes, purpoſes and intentes, as they or anie of them lawfully ſhould, might, or ought

to haue had before the making of thys act, this act or anie thing therein cõteined to the contrary notwithſtandyng. Prouided alway, that this act or anie thyng therein conteined, be not at anie [illegible] time hereafter in anie wiſe preiudicyall or hurtful to anie perſon or perſons, bodies politique or corporate, to their heires or ſucceſſours, or to [illegible] ſucceſſoures of anie of them, for or concerning anie their lawfull ryghtes, titles, intereſtes, or claime of, in, or to anie manner of iſſues, fynes, amerciamentes, penalties, or other forfaitures in any wiſe to be aſſeſſed, loſt, or forfaited before any iuſtices of peace at their ſeſſions hereafter to be holden or kept in anie Shires, Cities, Borough or towne corporate, wythin this realme of England, by vertue of auctority of this act, but that euerie ſuch perſon or perſons, bodies politique and corporate their heires & ſucceſſours, & the heires and ſucceſſours of euerie of them, and their lawfull deputies in ſuch behalfe, ſhal and may at al times hereafter aſſeſſe, take, extract, returne, leuy, claime haue and enioy all manner ſuch iſſues, fines, amerciaments, forfaytures and other penalties and euerie of them, to all ſuch vſes and purpoſes, and in like manner and fourme in euerie behalfe, as they or any of them haue lawfullie vſed to doe, and haue or myght haue done and had at anie tyme before the makyng of thys preſent act, by vertue of anie graunt to them or anie of them heretofore made or graunted, or other wiſe by vertue of any cuſtome or lawfull vſage thereof heretofore vſed in euerie behalf, this act or any thing therin conteined to the contrary notwithſtanding. This act to continue to the latter end of the nert parliament. An. 33. H.8. cap. 10. Se here folowing. An. 37. H.8. capitulo. 6. how this ſtatut is altered.

Lawfull rights

4 ¶ The ſayd former act made in the ſayd. xxviii. yeare of the kings maieſties raigne (8. cap. 10. before. 3.) and all ordinances, articles, prouiſions, & thinges therein conteined, ſhalbe from henceforth repealed, annulled, and vterly voyd and of none effect, to al intentes, conſtruccions, and purpoſes. And that all and euerie article therein conteyned, ſhalbe by vertue hereof, inquired of before [illegible] Iuſtices of peace, at their auncient quarter ſeſſions. And that the ſame Iuſtices of peace at their ſayd quarter ſeſſions, ſhall haue lyke power & auctority by vertue hereof to punyſhe and reforme all and euerie ſuch offence and offences in like manner and fourme as they might haue done by vertue of the ſayd former act made in the ſaid. xxviii. yere of the kings raigne. An. 37. H.8. cap. 7.

Repeale

Iuſt. of p. Quarter ſeſſions

¶ *Executors.*

EXecutours frõ henceforth ſhal haue a writte of accompt, and lyke accion and proceſſe in the ſame writte, as their teſtatour had and ſhould haue if he had lyued. W. 2. capitulo. 23. Anno. 13. Edwardi. I.

Writ of accompt

2 ¶ An. 1. E. 3. cap. 3. accions were geuen to the executors of them, that were in the kinges quarell in the purſuit againſt his father.

3 ¶ Where as in times paſt executours haue not had accions for a treſpas done to their teſtatours, as of the goodes and cattalles of the ſame teſtatours caryed away in their life, and ſo ſuch treſpaſſes haue hetherto remayned vnpuniſhed: It is enacted that the executours in ſuch caſes ſhall haue an accion againſt the treſpaſſours, and recouer their dammages, in like manner as they, whoſe executours they bee, ſhould haue had if they were in lyfe. An. 4. E. 3. cap. 7.

Accion of treſpas

4 ¶ In a writt of debt brought againſt diuers executours, the ſame executours, nor none of them ſhall haue but one eſſoine before apparance, that is to ſay, at the ſũmõs or attachmẽt, nor after apparance they ſhal haue but one eſſoyne, as the teſtatour ſhould haue, ſo that

Eſſoine

so that executours do present the person of their testatour as one person. It is also enacted that though the sherife do aunswere at the summons, that some of them haue nought wherewith hee may be summoned: yet there shalbee an attachement awarded vppon him. And if the sherife aunswere, ỳ he hath nought whereby hee may be attached: a great distresse shalbee awarded, so that at the great distresse returned vppon them, he or they that do first appeare in the court, shall aunswere to the playntife. And although some of them hath appeared in the court, and make default at the day, that the great distresse is returned vpō the other: yet neuertheless he or they shall be put to aūswer ỳ first appeared, at ỳ great distresse returned. And in case ỳ iudgmēt passe for the plaintife: hee shal haue his iudgement and execution against thē that haue pleaded, according to ỳ lawe heretofore vsed, and against all other named in their writte, of the goods of the testatour, as well as if they had all pleaded. And it is to bee vnderstand, that if anie in such case will sue after the lawe, that hath been vsed here tofore: hee may freely doe it notwithstanding this statut. Anno. 9. E. 3. capitulo. 3. Stat. 1.

Shirife
Attachmēt
Distres
Default
Goods

5 ¶ Executours of executours shall haue accions of debts, accomptes, and of goodes carryed away of the first testatours, and execution of statuts marchaunts, and recognysaunces made in court of record to the first testatour, in the same manner as the first testatour should haue, if he were in life, as well of accyon of the tyme past, as of the time to come, in all cases, where iudgement is not yet geeuen betwyxt such executours: But that the iudgements geuen to the contrarie in times past shall stand in their force. And that the same executours of executours shal aunswere to other of as much as they haue recouered of the goods of the first testatours, as ỳ first executors, should do, if they were in full life. An. 25. E. 3. cap. 5. Stat. 4.

Accion of debt
Accompt
Judgemēt

6 ¶ That after information made to the Chaunceller of England for the tyme beyng, by the executours of any such Lordes or personne, or twoe of them, of such ryot taking and spoiling made or hereafter to bee made by the houshold seruaunts of their or his said testatour after hys deathe, the same Chaunceller of the aduyse of the chiefe Justyces of the Kynges Benche and of the common bench, and chyefe Baron of the Eschequer for the tyme beeyng, or twoe of them, shall haue power to make so many and such writts to bee directed to such sheriffes by their discretion, as to them in thys behalfe shall seeme necessarie, to make open proclamation in such Cyties, burghs, or Townes or places, two markett dayes, within twelue dayes next after the deliuerie of the same wryttes, as to the same Chaunceller by the aduice aforesayd, shall seeme reasonable, that the sayd offendours shall appeare before the same our Soueraygne Lord the kyng and hys heires in hys bench, at such a day as by the said writ to him shall bee limitted. So that the sayd last proclamation bee made by fiftéene dayes before the same day of appearance. And if any such wrytte be returned at the day conteyned in the said wrytt, and the writ bee executed that proclamation is thereuppon made according to the same ordynaunce. And then if the sayd personne or personnes, whych should appeare by the reason of the sayd proclamation, make default at the day specified in the sayd wrytt, and doe not appeare, then hee or they so makyng default, shalbee attaynted of felonie. And if anie such personne or personnes do appeare at the sayd day, then the Justyces of the sayd kynges bench shall haue power and authority by the sayd ordinaunce, to commit such personne or personnes so appearing to prison, there to abyde after

Chaūceller
Spoile
Seruants
Chiefe Justice
writs
Shirife
Proclamation
Returne
Default
Felony
Appeare
Imprison

their discretion, till the said offenders do answere to the sayd executours in such accyons, whych the sayd executours wyll declare agaynst them or anie of them by byll or wrytt, for the ryot taking and spoylyng afore sayd, and that the same accions be determined. So that the same accyons be pursued with effect and not slackly, to the intent to kepe the same person or personnes in prison. And if such person or personnes bee enlarged out of prison by the sayd Justices, that then the same personne or personnes shall fynd sufficient personnes to bee bounden with them to the sayd executours by way of recognysaunce in the sayd bench, by discretion of the Justices, to kepe such dayes as hee or they shall haue by the same court. And if the kepers of the prison, whereunto the said personne or personnes bee committed, do let them goe at large out of the prison, of his owne auctoritie wythout the consideration and order of the sayd Justices, then the sayd keeper shal forfait and lose forty pound to the said executours. And that no protection bee allowed in anie accion too bee taken vppon the said ordinaunce. Anno. 33. H. 6. capitulo. 1.

Riot

Parties

Recognisaz

Gayler

Go at large

Forf.

7 ¶ Where part of the executors named in any such testament of anie such person so makyng or declaring anie such will of any landes, tenemets, or other hereditamentes, to bee sold by his executours, after the death of anie such testatour, do refuse to take vppon hym or them the administration and charge of the same testament and last will, wherein they bee so named to be executours, and the residue of the same executours do accept and take vppon them the cure and charge of the same testament and last will, that then all bargaines and sales of such landes, tenementes, and other hereditamentes so willed to bee sold by the executours of anie such testatour, as well heretofore made as hereafter to bee made by him or them onely of the sayd executours that so doth accept, or that heretofore hath accepted and taken vppon him or them any such cure or administration of any such wil and testament, shalbee as good and as effectuall in the lawe, as if all the residue of the same executoures named in the sayd testament so refusing the administration of the same testament, had ioyned with him or them in the making of the bargayne and sale of such landes, tenemētes or other hereditamentes so willed to bee sold, by the executours of anie such testament which heretofore hath made or declared, or that hereafter shal make or declare anie such will of anie such landes, tenementes or other hereditamentes after his decease to be sold by his executours. Prouided alwayes, that this act shall not extend to greue power or auctoritie to anie executour or executours at ane time hereafter to bargayne or put to sale any landes tenementes or hereditamentes, by vertue and auctority of any wil or testament heretofore made, otherwise then they might do by the course of the cōmon law, afore the making of this act An. 21. H. 8. cap. 4.

Lands

Refuse

Bargaines Sales

8 ¶ See Rents. 2. how executors or administers shal recouer rentes seruices, due in time of their testatour.

¶ *Exempcion.*

SEe Yorke. 1. of letters patents to citizens of Yorke, to be exempt from offices there, to be void.

2 ¶ An. 4. H. 7. cap. 5. it was inacted that all letters patentes made to Abbots and rulers of spirituall places to be quite of and discharged of paimēt of dismes & of the gatherying of them bee voyd.

L. patents

Dismes

3 ¶ The king remembreth how aswel his highnesse as diuers his progenitours and predecessours, kinges of England, haue made and graunted as well vppon feyned suggestyons as other wise

Religious

otherwise, to diuers Abbots, Priours, gardeins, keepers, maisters, and rulers or souereaignes of spirituall places, and to their successours diuers and manie

L. patents

grauntes and letters patens that they and their successours and their tenants and seruaunts reseeaunts vppon their landes and tenementes. And also all

Lands Goods

landes and tenements, goods and catalls, of them and their sayd tenauntes and seruaunts whatsoeuer reseeaunts vpon their said landes and tenements

Discharged Quitrents Dismes

shalbe quite and discharged of al quinzemes and dismes other quotis, tares, and tallages by the cõmunaltie of this his realme in anywise graunted or to be graunted, by colour of which graut and letters patens the grauntes afore sayd now in late daies haue asked, and

Allowance

yet aske deuccions and allowaunces at euerie quinzime & disme graunted vnto the king, of much greater & more excessiue summes of money then hath ben allowed or deducted vnto them by reason of their said graunts times passed, where through euery quinzime & disme to ỳ king before this time graunted and hereafter to be graunted, is & of likelyhode shalbee greatly minished and lessed, and ỳ poore comunion people of this realme so much the more grieuously assessed and charged to the same quinzimes and dismes. Remembreth that the bearing & employing thereof must as well be to the releefe of them, and their said tenants, fermours, and seruants that haue such grauntes and letter patens, as to other of hys subiects: hath therefore by the assent and aduise of the lords spirituall &c. that the sayd Abbots, Priours, Gardeins, keepers, maisters, rulers or souereaigne of

Religious

spirituall places, nor none of them, nor none other whatsoeuer, having such letters or graunts, haue frõ henceforth by reason of the sayd letters patentes

Allowance

and grauntes anie allowaunce deduccõ or acquitals of any more or greater summes of money at anie such quinzisme and disme graunted or hereafter to be graũted except onely of such & as much summes of money as hath been deducted and allowed to and for them or any of them by realõ or force of the said grauntes and letters patentes in time of king Edward the fourth, at such quinzisme and disme to him grãted and payd, the sayd graunts and letters patentes, or anie act, statut, or ordinaunce before this time in any wise made or ordeyned notwythstanding. Prouyded alway that this act or ordinaunce extend not, nor in anie wise be preiudiciall or hurtful to any our graũt or graunts or letters patentes bearig date the. xij. day of December in the first yere of our raigne, made vnto the bayliffes, burgesses, men, cõmunaltie, & inhabitants of the towne of Salop, called otherwise ỳ towne of Shrewesburie, but that our sayd graunt and grauntes and letters patents and euerie thing therein contayned bee and stande good and effectuall after the tenour and purport of the same. The said act and ordinaunce or any thing therein contayned notwithstanding.

Salop
Shrewesbury

An. 7. H. 7. cap. 5.

¶ See monasteries. 11. & Rome

4. how abbey landes, parish churches, and chapels before exempt out of the iurisdiction of the Ordinarie of the diocese bee by those actes put within the iurisdiction of the ordinaries and within their visitation.

Abbey lãdes

¶ *Exigent and vtlawry.*

In case where the plaintiffe shal recouer dammages, and hee against whom the dammages bee recouered, bee outlawed at the kinges suit: That no chartre of pardon shalbee graunted of this outlawry, except the chauncelor bee certified, that the plaintiffe is satisfied of his dammages. And in case that a man bee outlawed by proces before his apparãce no such charter shall be grãted, except ỳ chãcellor be certified ỳ such persone outlawed hath yel-

Recouer Damages

Pardon Chauncelor

Satisfied

K. bench

Commō p.

Record remoued

Plaintife

Originall

Pardon

Imprisom Shirifes

Defeat

Plaintife

Auerre

K ſeriēant K. atturney

ded hym ſelfe to the prylon bēfore the Juſtyces of the place, from whence the wrytt of Exigend iſſued, that is to ſay, if from the kynges benche, then hē ſhall yēld hym in the ſame place: And if from the common bench, then hē ſhall yelde hym ſelfe there. And if from the Juſtices of Oyer and termyner, whyles the ſame Juſtices do ſitt, hē ſhall yēld hym bēfore them. And if they bē ryſen, then hē ſhall yelde hym in the kynges bench bēfore the Juſtices. And the record wyth the proces to bee remoued before them by wrytte, and the ſayd Juſtices beefore whom, they ſhall ſo yēld them, ſhall cauſe the partie playntyffe to bē warned to appeare bēfore them at a certaine day, at which day if the warnyng be duelie witneſſed, and ỳ plaintyffe appeare vpon his warnyng, then they ſhall pleade vppon the firſt originall writt, as though no outlagary had bēn pronounced. And if the plaintyfe come not, hee that is outlawed ſhalbe deliuered by vertue of his charter. And it is to be vnderſtād that all ſuch charters bē of the grace of the kyng, as before they haue been. Anno. 5. Edwardi tertij capitulo. 12.

2 ¶ Where as dyuers being duelie outlawed, haue auoyded the outlagaries pronounced againſt them, by reaſon of imprysonmentes, vntruelie witneſſed by ſherifes and other, which haue no record: It is enacted, that if any from henceforth will defeate anie outlagarie pronounced vppon him by ſuch witneſſing, ỳ hē ſhall yēld hym ſelfe to the prylon, and then the Juſtices of the kynges bench ſhall cauſe the partie at whoſe ſuit the outlagary was pronounced, to bee warned to bee before them at a certaine day, at which day if the partie will verifie that the witneſſing is vntrue, his auerrement ſhalbe receiued. And in lyke maner ỳ kynges ſeriēaunt or his attourney or other that will ſue for the kyng, ſhalbē receiued to haue the ſame auerrement againſt ſuch witneſſing, in caſe where ſuch outlagarie is pronounced at the kinges ſuit. Anno 5. Edwardi tertij capitulo. 13. Stat. 1.

K. ſuit

3 ¶ It is accorded and eſtabliſhed, that from henceforth of them which be or haue bēn receiuours of ỳ kinges money, or of his woolles, which they take of the people, and the ſame carrie away, or deteine, ſo that our ſoueraigne Lord the kyng may not be thereof ſerued: And of them that bring woolles to the partyes beyond the ſea, wythout beyng cokett̄ed, or paying cuſtome or ſubſidie, whereto they bee aſſeſſed, and of Cuſtomers and Searchers, which ſuffer the ſame to the kynges damage, of lay miniſters which receiue the kinges money, and the ſame reteyne: Alſo of conſpiratours, tōfederatoures of falſe quarels: Alſo of them that bring routes into the preſēce of the Juſtices or other the kinges miniſters, or elſe where, in the counties, in affray of the people, ſo that the laive may not bee done, as well of them which bring the ſame, as of them which come in their companie, or as of them which bring falſe money in diſceypt of the people, againſt all thoſe; in caſe they may not be found, nor brought in, to anſwere, by attachement or diſtreſſe, for ỳ profit of our ſoueraigne Lord the king, ỳ exigend ſhalbe geuen & ſued, and not againſt other. An. 18. E. 3. Stat. 1.

Receiuors Money Woll

Detaine

Cocket Cuſtome

Cuſtomers

Conſpirators Quarelers

Falſe mony

4 ¶ No Exigent ſhal frō henceforth go out, in caſe where a man is indicted of treſpas and it be againſt the peace, or of things which be conteined in the declaration made in that caſe, in ỳ laſt parliament holdē at Weſtm. An. 18. E. 3. cap. 5. Stat. 2.

Indict Treſpas

5 ¶ If ẽ where any writt of exigent at any time frō the xv. day of Eaſter next cōming, or after ſhalbee awarded at the ſuit of the king, or any other perſon or perſons plaintife or plaintifs in any accīō perſonal againſt any perſon or perſons called of any ſhire or Cytie being a ſhire corporate of it ſelfe, or els

K. ſuit

Accion perſonal Citie

late

late of any such shire or citie other thē into such shire or citie whereunto such exigēt shalbe awarded, to be called according to the lawe. And also in euery writ of exigent in any accion personal whereof the proces or exigent at ẏ said vi. day of Easter or after shalbe directed vnto London or Mid. ẏ defendant being called late of London, or late of Mid. & at the time of the exigēt awarded not dwelling in Lond. nor in Mid. or els that the said defendant or defendants in the same exigent dwelling in any other shire or place thē where the kings writt runneth, then the iustices before whom any such exigent is to be awarded, in al accions, where the exigent shall not be directed into London nor Mid. to award a writte of proclamation to be directed to the shirife of the same county, where it doth appere by the vsing of such accion, that the partie defendaunt is, or lately was dwelling, if the kinges writt there bee currant, and els to ẏ next shire adioining to the county or counties, or other places, whereof the partie is called, or lately supposed by the said exigent to haue hys being of, where the kinges writ so runneth not, and in euery accion, as is before said whereof the exigent shalbee directed into London or Mid. and the defendaunt or defendāts in the same called late of London or Mid. and at the time of the exigent awarded not hauing his or then dwelling in London or Mid. then the writt of proclamation to be awarded, made and directed vnto the shirife of ẏ shire where the defendaunt at the tyme of the exigent so against him or them awarded, shal haue hys dwelling, or in case where the kinges writs runneth not vnto the nert shire thereunto adioyning, the which said writte of proclamation, shall conteine the effect of ẏ same accion, and that the sherife of the county, to whom any such writ of proclamation shalbe directed to make iii. proclamations wythin hys countie at thre seuerall dates, that is to say, two of the same proclamations in ẏ ful and plaine shire court of the same countie and the third of the said proclamatiōs to bee made at the general Sessions in those partyes where the defendaunt is suppoſed to bee dwelling, or in the parties of the countrey nert adioining to the countie or counties where the kings writ runneth not, that ẏ partie defendaunt yeldeth himselfe to ẏ sherife of the forein countie to whom any such exigent in any accions personals awarded, so ẏ the sherife of such forein countie may vpon his yelding, haue the body of the said defendant before the Iustices, before whom ante such exigent is not awarded, at ẏ day of the same exigent compelled, there to answere to the plaintife in the same according to the lawe. And that euery such writt of proclamation shal haue the same day of retourne, as the writt of exigent vppon such forein actions so awarded shall haue, and that euerie such writ of proclamation be deliuered of record to the shirife or deputie of the countie, into the which any such writt of proclamatiō is to be awarded. And that the shirife of the same countie duly do exercise the same, & thereof make true retourne at the day of the same writ appointed, vpon paine to forfait such amerciament vnto the king and hys heires by the discretion of ẏ iustyces before whom such exigent shalbee retornable to bee set. And that the officer, in whose office the sayd exigent is taken, make out the sayd writ & writs of proclamation, as hereafter shalbee awarded in any of the said courtz. And that ẏ same officer shall take no more for the making of any such writ of proclamation & the entring of the same of record but only vi.d. And if any outlary hereafter be had or promulged against any person or personnes in any accion personal, in any forein county, and no writte of proclamation, as is aforesaid, awarded and returned, ẏ

then

London Mayer

Shire

Proclamation Shirife

Middlesex

Shirife

iii. Proclamations

Shire court

Generall sessions

Day Returne Forreine accions

Record Shirife

Returne Forf.

Fee

Accion personall Forreine countie

Lloyd

Inerment

then euery such outlawry to be vtterly void and of none effect ne force in the lawe. And that al outlawries had contrary to this act bee avoided by auerement without suing of any writte of errour. Ann. 6. H. 8. ca. 4. Note a like sta. to this was made. An. 4. H. 8. ca. 4. to endure to the next parliamẽt. See here folowing. 7. this altered for the county Palantine of Lancaster.

6 ¶ Where in the high court of Parliament holden at Westminster the xxvii. yere of king Henry the viii. s. ca. 26. which is in Wales. 28. by the assent of ỹ lords spiritual and temporal, etc. that his highnes dominion & principalitie of Wales, and all mannours, landes, tenementes, and other dominions wỹn the said dominion & principalitie of Wales, should bee deuided into twelue shires or counties, that is to say, the shires or counties of Glamorgan, Radnour, Brecknok, Karmarthẽ, Pembroke, Cardigan, Merioneth, Pongomery, Flint, Carnarnan, Anglesie, and Denbigh, in euerie of which said Counties and shires amongest the officers yerely appointed it was then ordeined that there should be distincte and seuerall shirifs yerely, and also where the counties palantine of Chester, and of the city of Chester, be auncient, seuerall counties Palantine of themselues, in all which sayed counties the kinges writ hath not nor yet doth not runne: So that the proclamation awarded vppon any erigent against any person or personnes in any accion wherein processe of outlawrie doth ly, according to the statut made in the first yeare of the raigne of the saied late kinges. cap. 4. before. 5. cannot be directed vnto ỹ shirife or shirifes of any of the said shires or cõũties, but vnto the shirife of the countie next adioyning, so that the partie dwelling in any of the said shires or cõũties against whom any such erigent and proclamation shalbe so awarded, shall not nor can haue any knowledge of ỹ same suit, or processe, by reason wherof, many of the personers inhabiting in the saied Shire and Countie, wout knowledge or cause of suit, haue bene wrongfully and vnlawfully outlawed to their vtter vndoing. Be it therfore and for dyuers other good considerations etc. that if and whensoeuer any writt of erigent at any time after the first day of Aprill next comming shall be awarded at the suit of the king or of any other person or personnes, plaintife or plaintifes, at any accion or suit, in any of the courts of the king, his heires or successours, commonly called the kinges Bench, and the comon place, agaynst any personne or personnes dwelling in any of the aforesaid counties in Wales or in the said Counties Palantine of Chester, or the citie of Chester, or in any of them, that then immediatly vppon the awardyng of euery such erigent, the iustice or Justices before whom any such writte of erigent vppon such suit, or accion shal bee sued, shal haue ful power and authoritie to award one writt of proclamation, according to the tenour and effect of proclamations awarded vpõ erigents directed out of any of the sayd courtes in London, against any personne dwelling in any other Shire, where the kinges writte is curraunt, according to the order and fourme of the saied statut made in the first yeare of the said late king to bee directed to such of the aforesaid shirifes of any of the aforesayd Counties in Wales, & of the Counties Palantine of Chester and of the Citie of Chester, for the time being, where it shall happen the said defendaunt (against whõ any such accion shalbee sued, as is aforesayd) to be dwelling. And that euery such writ of proclamation shall haue the same Teste & day of returne, as ỹ erigents whereuppon euery such writte of proclamation shalbe awarded, shal haue. And that euery such shirife to whom any such writt of proclamation shalbe directed

Wales

Pũ. Shires in Wales

Shirifes County palantint

Proclamation

R. bench Common place

Justices

Proclamation

London

Shirifes

Teste Day of returne

Outlawrie

Chester

Lloyd

Depatie

Fes

Enron

dyrected, shall make proclamatyon, of the said writ of proclamation accordyng to the tenour of the same, & shall make true retorne of the same in such court, and beefore such Justices, as the tenour of the same writ shal require & demaũd. And that al outlawries hereafter to be promulged or pronounced, against any person or personnes vpon any such erigent or erigents, awarded against any personne or persons, dwelling in any of the sayd Countries of Wales, and the comties palantine of Chester, and of the city of Chester, and no writte of proclamation awarded in fourme aboue said, to the shirife or Shirifes of the countie, where the partie defendaunt shalbe, as is aboue said dwelling, or not returned, to bee clerely void, and of none effect, nor force in the law. And bee it &c. that all and euery shirife and shirifes of euerie of the said countries of Wales, and of the counties Palantine of Chester, & of the citie of Chester aforesayed, shall haue in euery of the said courtes of the kinges bench, and of the comon place one sufficient deputie at the least to receiue al writs directed to such shirife or Shirifes for whom the same deputie or deputies shalbee appointed, in like maner and fourme, and vpon like paines, as by the former statuts and lawes of this Realme, other shirifes of other Shires or coũties with in this realme of England bee bound to haue in either of the same courtes, & that al writs of proclamation afore said shalbee deliuered vnto euery such deputy of record in the same courtes, and also like fee shalbee paied for making euery such writ of proclamation & for enrolling the same of record, as is limitted in the said statut made in the saied firt peare of king Henry the eight. And be it &c. that if any persone dwelling in any of the said countries of Wales, after the foresaied firſt day of April, shalbe outlawed in any suit or accion aforesaid, that then writtes of

Outlawrie

Chester

Royd

Deputie

Fee

Enrouling

special Capias vtlagatum, single Capias vtlagatum, non molestandum and al other proceſſe, for or agaynſt any personne outlawed, shall and may from thẽceforth be directed to the shirife of any of the sayed Counties in Wales, as immediat officers to the sayed courtes of the Kinges Bench or common place in that behalfe, and ẏ euery such writttes may bee deliuered of record to the deputie of such of the saied Shirifes, to whom any such writte of proceſſe shalbee directed, and that euery such shirife shall make executiõ, and retourne of euery such writt of proceſſe to him directed vpon like paine and penalty, as is aboue limytted. And be it &c. that if any such writ or writs of proclamatiõ heretofore directed to any of the shirifes of any of the said shires in Wales, or counties Palantine of Chester, or in ẏ Citie of Chester, bee deliuered vnto any of the said shirifs for the time being, or to his or their deputy, in maner and fourme aforesaid, & the same shirife or shirifes do not make true retorne of euery such writ or writs of proclamatiõ, into such court & courts, out of which the sayed writ or writs of proclamation shal bee awarded. that for euery such default of non retourne, euery such shirife for ẏ tyme being shall lose and forfait, x. li. the one halfe thereof shalbe to our soueraigne lord the king his heirs & successours, thother halfe to any such person or persons as will sue for ẏ same in an accion of debt &c. Prouided alwayes ẏ this act or any thing therin cõteined shal not in any wise extend, or be preiudicial to ẏ same counties of Wales, or to ẏ said counties palantine of chester, or to the citie of Chester, for or cõcerning such liberties, fraunchises, or priuiledges as belong to thẽ or any of them, or any ministers, or officers of them or any of them, otherwise, or in any other maner, thẽ by the true meaning of this act is before prouided & declared: any thing in this act mẽcioned

Capias vtlagatum
Non molestandum

Officers

writs of record

Execution
Returne

Non returne
Fort.

Writtis

Countie palantine

to

to the contrary notwithstanding.

Prouided alwayes & be it &c. that this act ne any thing therin cõtained, shall not in any wise be preiudicial, or hurtful to any lord marcher in Wales, but that they and euery of them and their heires, and the heires of euery of them shal & may haue ful libertie, interest, & preheminẽce as they and euery of the had might or ought to haue had before the making of this act, and as though this act had neuer bene had ne made, any thing in this act mencioned to the contrary notwithstanding. An. 1. E. 6. cap. 10.

Lord marcher

7 ¶ If and whensoeuer a writ of exigend at any time after the first day of April nert comming shalbee awarded at the suit of the king, his heires or successours, kinges of this Realme, or at the suit or suits of any other person or persons plaintife or plaintifes, in any accion, or suit in any of the courtes of the king his heires and successours kinges of this Realme, commonly called the kings bench, and ỳ common place, against any person or persones dwelling within ỳ county Palantine (s. of Lancaster) that then immediatly vppon the awarding of euery such exigend, the iustice, or iustices before whom any such writ of exigend vpon suit, or accion shalbe sued, shal haue ful power and authoritie by vertue of this act to award one writte of proclamation according to the tenour & effect of writtes of proclamatyon awarded vpon exigends, and commonly directed out of the said courts into London or into any other shires of this realme against any person or persones, dwelling in other Shire or shires of this Realme where the kinges writt doth run, according to the order and fourme of the said statut made in the vi. yeare of king Henry the eight cap. 4. to bee directed to the shirife of ỳ sayd county Palantine of Lancaster, where it shal happen the said defendaunt agaynst which any such accion shalbee sued as is aforesaid to be dwelling, and not to ỳ shirife of any other shire nert adioyning to the sated countie Palantine, any lawe, custome, or vsage heretofore vsed to the contrary notwithstanding. And that euery such writ of proclamation so to be hereafter awarded to the shirife of the said county palantyne, shal haue the same Teste & day of returne, as the exigends wherupon euery such writt of proclamation shalbee awarded, shal haue.

R. suit

R. bench
Common place
Countie palantine

Iustices

Proclamation

London

Shirife

Teste

And that euery such shirife of the sayd countie Palantine of Lancaster, to whom any such writte & writs of proclamation shalbe directed, shal make proclamations of the saied writte and writtes of proclamation, according to the tenour of the same, and shal make true returnes of ỳ same, in such court & courtes, & before such iustices as the tenour of the same writ and writes of proclamatiõs shal require & demaũd. And that all outlawries hereafter to bee promulged or pronounced against any person or personnes, vppon paine any such exigend or exigendes awarded against any personne or persones dwelling in the said county Palantine of Lancaster, and no writt of proclamations awarded in forme aboneaid to the shirife of the said county Palantine of Lancaster, where the party defendãt shalbe or is aforesaid dwelling, or not returned, to be clerely void and of none effect nor force in the lawe.

Shirife

True returne

Outlawries

Void

And bee it &c. that euery shirife of the saied countie Palantine for the tyme being, shal haue in euery of the sayed courtes of the kinges bench and of the common place, one sufficyent deputy at the least, to receiue all such writtes of proclamations, which shalbe hereafter directed to euery such shirife of ỳ saied county Palantine, for whom the same deputie or deputies shall bee appointed, in like maner & fourme, & vppon like paine as by the former statut and lawes of this Realme other Shirifes of other shires or Counties within

Shirife

Deputie

wythin the Realme of England, bee bound to haue in eyther of the same courtes.

And that al such writtes of proclamations aforesaied, shalbee delyuered vnto euery such deputie or deputies of Record in the same courtes and either of them, and also like fees shalbe paied for making euery such writtes of proclamations, and for enrolling ỳ same record as is limitted in the same stat. made in the said firt yere of king Henry the eight. Wee it &c. that if any such writ or writts of proclamations hereafter to be directed to any shirife of ỳ saied county Palantine of Lancaster bee delyuered vnto any of ỳ shiryfes of the saied county Palantine for the time beeing, or to his or their deputie or deputies, in maner & fourme aforesaied, and the same shirife or shyrifes doe not make true retourne of euerie such writt and writtes of proclamations into such court and courtes, out of which the said writte or writtes of proclamations shalbee awarded, that for euery such default of non retourne euery such shirife for the time beeyng shall lose and forfait v.li. the one halfe whereof shalbe to the king his heires and successours, and the other halfe thereof to any such person or persones as wil sue for the same in any accion of debt &c. Prouided alway that thys act or any thyng therein contayned, shall not in any wise extend or be preiudiciall to the same countie Palantine of Lancaster, for, or concerning such liberties, fraunchises, or priuiledges, as beelong to the same, or to anie ministers or officers of the same coũtie Palantine, other wise or in any other maner then by the true meanig of this act is before prounded and declared, any thyng in this act mencioned to the contrary notwithstanding. Prounded also and be it &c, that if any person or persones, dwelling wythin the said countie palantine, after the aforesayed firt day of April, shalbee outlawed in any such suit or accion, as is aforesaid, that then al writtes of speciall Capias vtlagatum, single Capias vtlagatum, non molestandũ, and al other processes, for or against any personne or persones so outlawed shal & may from thencefoorth be directed frõ time to time, to the chaũcelor of the duchie of Lancaster, who shall make like writtes and processe thereuppon, and of like effect, sealed wyth the seale of the saied countie palantine of Lancaster, to be directed to ỳ shirife of the said countie Palantine, for the time being, as heretofore hath ben vsed and accustomed in such cases Ann. 5. E. 6. ca. 26.

Record Fees

Enrouling

Proclamations

False returne

Default

Forf. Moitie

Liberties

Outlawed

Capias vtlagatum

Chauncelor of the Duchie

Seale of the county palantine

¶ See proces 10. of outlawry geuen in certaine accions.

¶ *Exposition of wordes.*

SOk. This is suit of men in your court accordyng to the custome of the realme. Sak. This is plee & correccion of Trespasses of men in your court, because Sak in Englishe, is a chelon in French, and Sak is put for Sick, as to say for sick sak, also for what hurt, and Sak is put for forfait. Toll, that is that you and al your men of all your homage bee discharged or quite in al markets, of Toll of things bought and sold. Them, that is that you haue al the generation of your villaines with their suites and cattayle whersoeuer they shalbe foũd in England, except that if any bond man shall remaine quiet one yere and a day in anie priuiledged towne, so that he shalbe receyued in to their cominaltie or guild as one of them, by that meanes hee is free and deliuered from villenage. Infangthef, that is, that theeues taken within your demesne or fee, conuicted of thefts, shalbee iudged in your court. Hankwite, that is to be quite of a felon or theefe hãged without iudgement, or escaped out of your custodie. Outfangthefe, that is, that theeues or felons

felons of your lande or fee, out of your land or fee taken with felony, or a stealing, shalbe brought back to your court and there iuged. Homosoken, that is to be quite of amercements for entring into houses violently and without lycence, and contrarie to the peace of our soueraigne Lord the king. And ỳ you hold plee of such tresspasses done in your court, and in your lād. Orechbrech, that is, the peace of our soueraigne lord the king broken because peace in Englysh is Griethe in latin. Blodewit, that is to be quite of amercementes for blod shedyng, and what plees are holden in your court, you should haue the amercemēts therof comming, because wite in English is misericordia in latin.

Fletwit, that is to be quite from contention and cōuicts and that you may haue plea thereof in your court & thamerciamentes, for flit, in Englishe is Mensono in french. Fledwit, that is to be quite from amerciaments when an outlawed fugitiue cometh to the peace of our lord the king, of his owne will or being licenced. Flemeswit, that is that you may haue the cattel or amerciaments of your man a fugitiue. Lotherwit, that is that you may take amendes of him which doth defile your bondwoman without licence. Childwit, that is that you may take a fine of your bondwoman defiled and begotten with chyld wythout your lycence. Forstall, that is to bee quite of amerciamentes and cattals arrested within your land & thamerciamentes thereof comming. Scot, that is to bee quite of a certain custome, as of common tallage made to the vse of the sheriffe or hys bayliffes. Geld, that is to bee quite of seruyle customes, which were wont to bee geeuen and as yet are geeuen as Horngeld and such like. Hidage, that is to be quite if our lord the kyng shall take al the land by hides. Caruage, that is to be quite if our Lord the king shal take all the land by carues. Wangeld, that is to be quite of a certaine custome which hath runne sometimes, whych ỳ Danes did leuie in Englād. Horngeld, that is to bee quite of a certayne custome exacted by tallage thorough al the land, as of whatsoeuer horne beast. Lastage, that is to be quite of a certain custome exacted in faires and markets for carrying of thigs where a mā wil. Stallage, ỳ is to be quite of a certaine custōe exacted for ỳ streate takē or assigned in faires & markets. Shewing, that is to be quite with attachement in any court, and beefore whomsoeuer, in plaintr shewed and not answed. Abiscrsling, that is to be quite of amercementes beefore whomsoeuer of transumption proued. Burghbreth, that is to be quite of trespas done in Citie or Borough againſt ỳ peace. Warwite, that is to be quite for geuing of money for keeping of watches. Hundredum, that is to bee quite of money or customes to bee done to the gouernors and hundredors, Brodehalpeny, that is to bee quite of a certaine custome exacted for setting vp of tables. Brugbote, that is to bee quite of geeuing ayd to the repairing of bridges. Burghbote, that is to be quite of geeuing of ayd to make a borough, castell, citie, or walles thrwen downe. Auerpenny, that is to be quite of ouers summes of money for the kinges auerages, the statute of the expolition of woordes.

¶ *Extorcion.*

NO sheriffe, nor other the kinges officer, take anie reward to doe hys office, but shalbe paid of that they take of the kyng, and hee that so doth, shall yeld twice so much, and shalbee punished at the kings pleasure. Westminster. 1. cap. 26. Shirife Reward Punish

2 ¶ No clerke of anie Iusticer, escheatour, or commyssioner in eyre, shall take anie thyng for deliuering chappyters, but only clerks of Iusticers in their circuites, which shall take two shillings and no more. Of euery wapentake Clerke Fee

pentake hundred or towne that answereth by twelue or by vi. according as it hath ben vsed of old time. And he that doth contrarie, shall pay thrice so much as hee hath taken, and shall lese the seruice of his maister for one yeare. W.1.cap. 27.

Fork. Lolle of seruice

3 ¶ For as much as many cõplaine them selues of officers, criours of lre, and the Marshals of Justices in eire, taking money wrongfully of such as recouer seisin of land, or of them that obtaine their suits, and of fines leuied, and of Jurours, Townes, prisoners, and of other attached vppon plees of ỹ crowne, otherwise then they ought to do in diuers maners. And for as much as there is a greater number of them then there ought to be, whereby ỹ people are sore greeued, the king cõmaũdeth, that such things be no more done from henceforth, and if any officer of lre do it, his office shalbe taken vnto the kinges handes, and if any of the Justicers Marshals do it, they shalbe greeuously punished at the kings pleasure, and as well the one as the other shall pay vnto all complainantes the treble value of that they haue receiued in such maner. Westminster. 1. capitulo. 29. An. 3. E. 1.

Coroners Marshals

Officer of lre Lolle of office Punish

3. damages

4 ¶ Item whereas diuers waterbayliffs, searcheours, comptrollours of searche, and other their deputyes and seruauntes within the ports of this realme and specially within the ports of Fowey, Plimmouth, Dertmouth, & Pole, by colour of their offices daylie doe wrongfullie take by constreynt of distresses and arrestes vppon ỹ ships, barges, balengers, and other vessels, goodes, and marchaundises of ỹ kings liege marchauntes of the said realme, and among all other vppon the kinges liege marchauntes of Gascoyne, Guyen, Ireland, Gerneley, and Garneley, in their commyng and goyng in the sayd portes great charges and impositions, that is to say, for euery peece of cressloth fower pẽce, for euery hundred of canuas sixe pence, for ỹ weight of euerie tunne of Iron twelue pence, and sometime more, and likewise of al other goods & marchaundises of ỹ sayd liege people and other marchauntes of the kinges amity, & by such wrong full distresses, arrestes, charges, and impositions they doe disturbe the said merchantes freely to come into thys said Realme, and to passe against all law and cõscience among al customes & subsidies due to our said soueraygne Lord the king, to the great preiudice of our said soueraigne Lord the kyng in lolle of his customes & subsidies, & to the great damage of the said Marchants & their successors, vnles due remedy thereof bee had in the same. By aduice, assent and authoritie aforesaid it is ordained and established, that the said marchantes, their successors and euery of them, of al such iniuries, distresses, arrests, charges, and impositions afore recited to be made to them, or any of them, aswell by such waterbayliffes, serchers and comptrollers of the serch, as by Collectors of the sayd customes and subsidies, comptrollers of the same, surueiors of the customes, subsidies, of serch packers, or any other officers or their deputies or seruantes by their commaundement, or any of them hereafter may haue thereupon a general writ of trespas against such offendors and euery of them, after the fourme of the law, and to recouer against them and euery of them, therof so conuicted xl.li. And that the said marchants their successors & euery of them so greeued (as before is said) may pursue the said writte of Trespas against the said offendors and euery of them for such iniuries, distresses, arrests, charges, and impositions so to be made, as afore is said, within two monethes next after such iniuries, distresses, arrestes, charges & impositiõs to be made by them or any of thẽ as afore is sayd. And in case that the sayd marchaunts

Waterbayliffs Serchers

Marchãts

Impost

Canuas Iron

Distres

Cõperolers

Writ of trespas

40.li. Marchãts

ij. moneths

marchants, their successours or any of them do not pursue the saied writt of trespas of such iniuries, dystresses, arrestes, charges, and impositions aforesaid, against the saied offendours, nor none of thē within the sayed two monethes, that then it shalbee lawfull to euery other persone of the kynges liege people to pursue the said writ of trespas of such iniuries distresses arrestes, charges and impositions to be made as is aforesaied, against al such offendours & euery of them after the fourme of the law, and to recouer against them and euery of them therof so conuict xl.li. the kyng to haue ỹ one halfe, and hee or they which wil pursue, the other halfe. An. 28. H. 6. cap. 5. stat. 2.

Recouer 40. li. Moitie

*False iudgement.*

NOne frō henceforth (Except our soueraigne lord the king) shal hold in hys court any plea of false iudgement giuen in the court of his tenāts. For such plea specially belongeth to the crowne and dignitee of our soueraigne lord ỹ king. Marlb. ca. 20, An. 52. H. 3.

Record

2 ¶ When any record cometh into the kinges court by writ of false iudgmēt, in case where the partie alledged that the record is otherwise, then the court doth record the same: the auerrement shalbee receiued of the good countrey, and of them whych were present in the court when the record was made, if they doe come: and by other of the countrey by the Shyrifes retourne. And if they come not, ỹ enquest shalbe takē by the good coūtrey. An. 1. E. 3. ca. 4.

Auerment

Shirifes returne Enquest

*Fee fermes.*

An. 2. E. 6. c. 5. An act was made for the remitting for 3. yeres, of fee fermes made by any corporat towne or corporation, with diuerse clauses concerning the matter. And after in Ann. 3. E. 6. cap. 18. the said remission of fee fermes was restrayned to one yeare.

Corporat Towne Corporatiō

*Fees.*

COncerning the kings marshalles of fee, chamberlaines, porters in the circuit of Justices and sergeants, bearyng vierge before Justyces at Westminster, which haue the same office in fee, and that are more by reason of their fee, then they haue vsed to are, whereuppon many do complaine on them, that haue knowen and seene the order of the court of long tyme. Our soueraigne Lord the kyng hath caused to bee inquired by an inquest what the said officers of fee haue vsed to haue in tymes passed, and hath ordeigned and commaunded, that a marshall of fee, which of newe areth a palfraie of Earles, Barons, and other holding by a part of barony, whē they haue done homage, and neuertheless an other palfraie when they are made knights, and of ỹe ỹ ought not to geue any, are a palfraie: It is in like manner ordeigned, that the sayd marshall of euery Earle and baron holding by an entier baronie, shal bee contented wyth one palfraie, or wyth the prycе of it, such as hee hath vsed to haue of olde: so that if he tooke a palfray, or the price of one at the doing of his homage in forme aforesaid, he shal take nothing whē he is made knight: & if he take nothing at ỹ doing of hys homage, when he is made knight hee shall take. Of abbottes & priours holding an whole barony, when they doo hōage or fealtee for their baronies, he shall take one palfraie, or the price, as afore is sayd, and thys shall also bee obserued amongest archbishopes and bishoppes of such as hold but a part of a baronie, whether they be religyous or secular, he shall take according to ỹ porcion of the part of the baronie that they

Marshals fee

Earle Baron

Abbots Priors

Archbishops Bishops

Religious

they hold. Of religious men that hold in free almes and not by a barony, nor part of a barony, ỳ marshal frō hence forth shal demād nothing. And our soueraigne Lord the king hath graunted that by this statute a marshall of fee shal not be barred hereafter to demaūd more, if he can shew that he hath right vnto more. The kings chamberlaines from henceforth shall haue of Archbyshops, Bishops, Abbots, Priours, and other persones spirituall, of Earles & Barons holding an entier baronie, a reasonable fine, whē they do their homage or fealtie. And if they hold by a part of a barony, they shall take a reasonable fine according to the portiō to them belonging. Other Abbots, Priours, persones spirituall and temporall, ỳ hold no entier barony, nor part of a barony, shal not bee distrained to make fine, as it is sayd by them ỳ hold by a barony, or part of baronie, but ỳ chamberlaine shalbee contented wyth his vpper garment, or with the price therof, which is done in fauour of persones religious, more then of lay persones, for it is more conuenient, that religious men should fine for their vpper garment, then to bee straygned. xv. 2. cap. 42. An. 13. E. 1.

Chamberlains

Vpper garment

2 ¶ Concerning porters, bearyng verge before Justicers of the bench in the circuit: It is prouided, that of every assise & iurie, that they haue, they shall take terme pence onely, and for the bils nothing. Of such as recouer their demaundes agaynst mainie by default, confession or other iudge by iudgement without assise or iurie, they shall take nothing. Of such as go without day by default of the demaundaunt or playntiffe, nothing. And if any recouer hys demaund against mainie by one writ, and by recognisaunce of assise or iurie, they shal be content with. iiij. d. And likewise if many named in one writ do recouer their demaund by recognisāce of assise or iurie, they shall take foure pēce. Of such as do homage in ỳ bēch, they shall bee content with their vpper garment. Of great assises, attaintes, iuries, and battaile waged, they shall take xij. d. onely. Of such as bee called before Justices to sue or to defēd their plea, their comming in or forth. At the pleas of the Crowne, for euery dolen xij. d. shall be taken: Of euery gaole deliuerie. iiij. d. shall bee taken. Of euerie one, whose peace is proclayned. xij. d. onely shalbee taken. Of the finders of men slaine, and other of a towne attached. iiij. d. Of tything men nothyng shall bee taken. Of Cyrographers for makyng of a Cyrografe. It is ordeyned, that they shalbee contented wyth iiij. s. Of clerkes writing writtes originall and iudiciall, it is ordeyned, that for one writte they shall take but one peny. And ỳ king chargeth all his Justicers vpon their faith and othe, that they owe him, that if such maner of officers offend in any artycle agaynst this statute, and complaint come to the thereof, they shal execute on them reasonable punishment. And if they offend the second time, they shal award greater punishment, ỳ they may be duelie corrected, and if they offend the third tyme, and bee thereupon conuicted (if they bee officers of fee) they shall leese their fee, and if they be other, they shal auoyd the kings court, and shal not be receiued againe wythout the speciall grace and licence of the king him selfe. W. 2. cap. 44. An. 13. E. 1.

Vpper garment

Porters

Jury x. d.

iiij. pence Homage

Gaiole deliuerie

Cyrographers

Clerkes

Justicers

Punish.

ij. fault

iij. fault

3 ¶ Se courts. An. 33. H. 8. cap. 29. what fees ỳ kings Auditours & receyuours shall take for paiment of acquytances and inrolments.

Auditors Receiuors Acquitāces

¶ *Feoffements.*

ITem because it is complayned to the king, that many people of hys sayd realme as well great as small, hauing right and true title as well to lāds tenements, and rents, as in personell actions, be wrongfully delated of their right, because that the occupions of

Delay

defendants being maintayned and sus-
teyned in their wrong: do commonlie
Gifts make gifts and feoffementes of their
landes and tenements which be in de-
bate and of their other goodes and cat-
tals to lordes and other great men of
Manaces the realme, against whom ỳ said pur-
suants for great manace that is made
to them may not nor dare not make
their pursuites: And also on the other
part, complaint is made to the kyng, ỳ
Disseisie Alienatiõs oftentymes many people doe disseyse
other of their tenementes, and anone
after the disseisin done, they make dy-
uers alienations & feoffements, some-
time to Lordes and great men of the
realme to haue mayntenaunce, & some-
time to many persõs of whose names
the disseysies can haue no knowledge,
to the intent to deferre, & delay by such
fraudes, the said disseisies & the other
demaundants and their heires of their
recouerie, to the great nopance & op-
pression of the people: It is ordeygned
and established, that from henceforth
no gift of feoffement of landes, tene-
ments, or goods be made by such fraud
and maintenãce. And if any be in such
Voyd wise made, they shalbe holde for none
and of no value. And the said disseysies
shall from henceforth haue their reco-
Recouerie uery against the first disseisors, as wel
ỳ. damages of the lands and tenements, as of their
double damages, without having re-
gard to such alienations, so that ỳ dys-
seysies commence their suites within
the yeare next after the disseisin done.
And it is ordeined and stablished, that
the same statute shal hold place in eue-
rie other accion in plee of land, where
such feoffements be made by fraud or
collusiõ, to haue their recouery against
the first such feffour. And it is to wete,
that this statute ought to be vnderstãd
where such feoffours thereof take the
profites. An. M.CC. cap. 9.

¶ *Faires & markets.*

IT shall bee commaunded to all the
sheriffes of England, and els where,
wherein he shal require, to crie & pub-
lish within liberties and without, that
all the lordes which haue faires, be it
for yelding certaine ferme for ỳ same
to the kyng, or otherwise: shal hold the
same for the tyme that they ought to
hold it, and no longer, that is to say,
such as haue them by the kynges char-
ters graunted them, for the time limit
ted by the sayd charters. And also they Charters
that haue thẽ without charter, for the
tyme that they ought to hold them of
right. And that euerie lord at the be-
ginning of his faire shall there do crie
and publish, how lõg the faire shal en- Proclaime
dure, to the intent that marchants shall Merchants
not be at the same faires ouer the time
so published, vpon peine to be greuous-
lie punished towardes the king. For
the sayd lords shall not hold them ouer
the due time, vppon peine to seyse the Seisure
faires into the kinges handes, there to
remayne till they haue made a fine to Fine
the kyng for the office, after it be due-
lie found that the Lords held the same
faires longer then they ought, or that
the marchauntes hath sitten aboue the
time so cried and published. Anno se-
cundo Edwardi tertij capitulo. 15. a-
pud North.

2 ¶ It is conteyned in the statute
made at Northampton, in the second
yere of the raigne of ỳ kyng that now
is, that the Lordes which haue faires
by charters or otherwise, shal hold thẽ Charters
duryng the time that they ought to do,
and noe lenger, vppon payne to seise Seise
such faires into the kyngs hands: And
that euerie lord at the beginning of his Proclaime
faire do crie and proclaime therin how
long the faire shall endure. And in the
same statute is no certaine punishmẽt Merchãts
ordeyned agaynst the marchauntes if
they sell after the tyme: It is accor-
ded that the sayd marchauntes after
the said time, shall close their bothes
and stalles without puttynge anie
maner of waire or marchaundyse to
sell there. And if it bee found that a-
nie Merchaunt from henceforth sell

anie

anie ware or marchaundise at the said faires, after the said time, such marchaunt shall forfait to our soueraygne Lord the king, the double value of that that is sold. And euerie man that wyll sue for our soueraigne Lord the kyng shalbee receyued, and also haue the fowerth part of that that is lost at hys suit. Anno quinto Edwardi tertij capitulo quinto.

Forf. ij. value

iiij. part

3 ¶ That all manner of faires and markets in the sayd pryncipall feastes and Sundaies, and good Fryday, shall clearely cease from all shewing of any goodes or marchaundises (necessarie vitaile onely except) vppon payne of forfaiture of all the goodes aforesayd so shewed, to the Lord of the fraunchyse or libertie where such goodes contrary to this ordinaunce bee or shalbee shewed, the lower Sundayes in haruest except. Neuertheleſſe of hys specyall grace, by auctoritie aforesaid graunteth to their power, which of old time had no day to hold their faire and market, but alonelie vppon the festyuall dayes, aforesayd, to hold by the same auctority and strenth of his old graūt within three daies nert before the sayd feasts, or nert after, proclamation first made to the symple common people, vppon which day the aforesayd faires shalbee holden alwaies to be certyfied without anie fine or fee to bee taken to the kynges vse. And they which of old tyme haue by specyall Commyssyon sixty seyent dayes before the feastes aforesayd, or after full number of hys dayes shall in lyke manner as is aforesayd, hold his faires and markettes. The sayd festyuall dayes and Sundayes, and good Fryday except. Prouyded alwayes, that this present ordynaunce shall begynne to take effect at the feaſt of Saynt Mychaell nert comming and not before, and shall endure till the nert Parliament, and so forth, except in the sayd parliament a reasonable cause be alledged, shewed and prooued, for the whych it shall seeme not expedyent that the forsayd ordynaunce so shall endure. Anno vicesimo septimo Henrici octaui capitulo quinto.

Principall feastes Sundaies Goodfryday

Proclamation

4 ¶ Noe Steward, vnderSteward, Bayliffe nor Commyssarie, nor other mynyster of anie such courtes of Pypowders shall hold plea vpon anie action at the suit of anie persone or personnes, vnleſſe the playntyffe or plaintyffes or hys or their attourney in the presence of the defendaunt or defendauntes, do sweare vpon the holie Euangelyll vppon the declaratyon, that the contract or other feate conteyned in the sayd declaration was made or committed wythin the faire, and wythin the tyme of the same faire, where hee taketh hys action, and wythin the iurysdyccyon and boundes of the same faire. And notwithstandyng that the playntyffe or playntyffes doe affirme the same, yet neuertheleſſe the sayd defendaunt or defendauntes shall not bee concluded by the same, but shall answere and pleade to the accyon, or in abatement of the pleyntes, and to proffer an issue that the same contract, trespas or other feate conteyned in such declaratyon, where vppon the playntyffe or playntyffes doe declare, was not committed nor done wythin the tyme of the faire and iurisdiccyon of the same, but out of the time of the faire; or at other places out of the iurisdiccyon of the same faire, according to the trouth in thys behalfe. And if it bee so tryed, or that the playntyffe or playntyffes or their attourneys doe refuse to make the other in the fourme aforesayd, that then the defendaunt or defendauntes shall bee quyte dismissed and discharged in this partie out of the same Court, the partie playntyffe to take his aduauntage at the Common lawe or other place conuenyent, as shall to hym seeme

Steward Bailiff Commissarie

Pypowders

Sweare

Answere

Refuse

Discharged

Common law

ſame good notwithſtanding thys or-
dinaunce. And that euery ſteward, in-
ferior ward, bayllife and commiſſarie
or other miniſter, holding, ruling or go
uerning ante of the ſaid courtes ẏ doth
the contrarie of this ordynaunce, ſhal
Foꝛf. Moitie forfait for euery default in this behalfe
C.s. The one halfe therof to our ſouer-
raigne lord the king, and the other half
to hym that will in this behalfe purſue
his accion vppon this ſtatute by accion
of debt vn his owne name. And that
writtes of proclamation bee in al good
haſt directed to euery ſheriffe of euerie
countie of England to make this ordi-
naunce to be proclaymed in euery faire
within his countie as well within frã-
chiſe as without. This act to endure
from the ſayd firſt day of May till the
firſt day of the next parliament. Pro-
uided alwayes ẏ this act nor nothing
compriſed in the ſame act be hurtful or
preiudiciall to William now Byſhop
of Durham, nor to his ſucceſſours vñ
the libertie and frauchiſe of the biſhop-
rich of Durham. Anno. 17. Edwardi
quarti capitulo. 2. This act is made
perpetuall. Anno primo Richardi ter-
tii capitulo. 6.

Free men of London 5 ¶Euery free man and citizen of
the Cytie of London that nowe is or
hereafter ſhalbe, may lead, carry or go
with his or their vitaile, ware or mar-
chandize whatſoeuer it bee, at hys or
their libertie to ante faire or market ẏ
ſhall pleaſe him or them within thys
realme of England, ante ſtatute, act,
or ordinaunce made or to bee made vñ
in the ſaid Cittie of London to the con-
trary of the premiſſes notwithſtanding.
And the ſaid ordinaunce and act made
Lloyd in the ſaid Cittie bee voyd and of none
effect. And that no perſonne of the ſaid
Cittie bee hurt or preiudiced in loeſing
of his libertie and frauchyſe wythout
the cytie or otherwiſe by reaſon or oc-
caſion of annulling of the ſayd ordy-
naunce and act, or for non obeying to
the effect of the ſame, and if ante per-
ſonne bee preiudiced in ante wyſe by
occaſion of the ſame, that hee that put-
teth or cauſeth any perſon to ſuch preiu-
dice loſe and forfait to the king. x.li. as Foꝛf.
often as hee ſo doth. And hee that will
ſue for ſuch forfaiture haue therfore an
accyon of debt againſt ſuch offender,
the kyng to haue execution of the one Moitie
halfe, and he that ſueth the other halfe.
And in ſuch accyon the defendaunt bee
not admitted to wage his lawe. Anno
3. H. 7. cap. 9.

Owner Steward Bailife 6 ¶The owner, gouernour, ruler,
fermour, ſteward, baylyfe, or chyefe
keeper of euerie faire & market ouer
vñ this realme, & other ẏ Queenes
dominiõs ſhal before the feaſt of Eſ-
ter next, & ſo yerely, appoint and lymit
out one certayne and ſpecyall open
place within the townes, place, fielo,
Horſes Mares Geldings or circuit where horſes, mares, gel-
dynges, and coltes hath bẽ and ſhal
be vſed to bee ſold in ante faire or mar-
ket ouert, in which ſayd certayne and
open place as is aforeſayd, there ſhall
bee by the ſayd ruler or keeper of the
ſayd faire or market put in & appoyn-
ted one ſufficiẽt perſon or more to take
Tolle tolle and keepe the ſame place from
tenne of the clocke before none, vn-
till Sunne ſet of euery day of the fore-
ſayd faire and market, vppon paine to
loſe and forfait for euerie default forty Foꝛf. Tolgatherer
ſhillinges, and that euery toll gathe-
rer, his deputie or deputies ſhal during
the tyme of euerie the ſayd faires and
markettes, take their due and lawfull
tolle, for euery ſuch horſe, mare, gel-
dyng, or colt at the ſayd open place to
be appointed as is beforeſaid, and bee-
twixt the houres of tenne of the clocke
in the morning, and the Sunne ſett of
the ſame day if it bee tendred, and not
at another time or place, and ſhal haue
preſently before him or them at the ta-
king of the ſame toll the parties to the
bargaine, exchaunge, gift, contract, or
puttyng away of euerie ſuch Horſe,
Mare, Gelding or colt, and alſo the
ſame horſe, mare, gelding or colt, ſo
ſold, exchanged or put away, and ſhall
then

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Felonioul-ly taken

Property

Howse Secret place.

then writt or cause to bee written in a booke to bee kept for the purpose, the names, surnames, and dwelling places of al the sayd partyes, and the colour with one special mark at the least of euery such howse, mare, geldyng or colt, in paine to forfait at and for euery default contrary to the tenor hereof. xl. shillings. And the said toll gatherer or keeper of the said booke, shall within one day next after euerie such faire or market bying & deliuer his sayd booke to the owner, gouernour, ruler, steward, bayliffe or chiefe keeper of the sayd faire or market, who shall then cause a note to bee made of the trewe number of all howses, mares, geldings, and coltes, sold at the sayd market or faire, & shall there subscribe his name or set his marke thereupon, upon payne to him ẏ shall make default therein to lose & forfait for euery default. xl.s. and also to answere the partie greeued by reason of the same hys negligence in euerie behalfe. And bee it &c. that the sale, gift, exchaunge or putting away after the last day of Februarie nowe next comming in any faire euert of any horse, mare, geldyng or colt, that is or shalbee theeuishly stollen or felonyously taken away from any person or persons, shall not alter, take awaie or exchange the propertie of any person or personnes to or from anie such howse, mare, gelding, or colt, vnlesse the same howse, mare, geldyng or colt, shalbee in the tyme of the sayd faire or market, wherein the same shalbee sold, geuen, exchanged or put away, openly ridden, lead, walked, driuen or kept standyng by the space of one howre together at the least, betwixt tenne of the clock in the morning and the Sunne set, in the open place of ẏ faire or market, wherein commonly howses are commonlie vsed to be sold, and not within any house yard, backsyde or other priuie or secret place, and vnlesse all the parties to the bargayne, contract, gift or exchaunge present in the sayd faire or market, shal also come together and bying the horse, mare, geldyng or colt, so sold, exchanged, geuen, or put away to ẏ open place appointed, for the tolle taker or for the booke keeper, where no tolle is due, and there enter or cause to bee entred their names and dwelling places in maner as is aforesaid with the colour or colours & one special marke at ẏ least of euery the same horses, mares geldings, or colts, in the tollers booke, or in the keepers booke for that purpose where no tolle is due as is aforesayd, and also pay hym their tolle, if they ought to pay any, and if not, then the buyer to geue one peny for the entrie of their names and executing the other circumstances aforerehearsed to him that shal writ the same in the said booke, and if any horse, mare, gelding, or colt that is or shalbe theeuishly stollen or taken away, shall after the sayd last day of Februarie next commyng be sold, geuen, exchaunged or putt away in anie faire or market and not bled in al pointes according to the tenour and entent of this statute, that then the owner of euerie such horse, mare, gelding or colt, shall and maie by force of this statute, seyse or take againe the sayd horse, mare, geldyng, or colt, or haue an accyon of detynue or replevin for the same, any sale, gift, chaunge or putting away of anie such horse, mare, Geldyng or colt, other then according to thys statute, in anie wyse notwythstandyng, the one halfe of all which forfaitures to be to ẏ king & Quenes maiesties, her heires & successours, & the other to him or the ẏ will sue for the same before the Justices of peace, or in any of the king and Quenes maiesties ordynarie courtes of record by bill &c. And bee it further enacted &c. that ẏ Justices of peace of euery place and county as well within liberties as without, shall haue authoritie in their sessions within the limyttes of their authoritie & commission, to enquire, heare and determine, al offences

Tol taker

Colour Marke Tollers booke

Entrie

Seise

Accion of detynue Replevin

Fork. Moitie

Iust. of p.

Iust. of p.

Quarter Sessions

againſt this eſtatute, as they may doe any other matter triable before them.

Priuiledge

Prouided alwaies that in euerie ſuch faire and market where any toll is or ſhalbe due ne leuiable by reaſon of the freedome, libertie or priuiledge of the ſaid faire or market, ſ keper or keepers of the booke touchyng the execution of this preſent act, ſhal take not exact but one penie vppon and for euerie contract, for his labour in writing the entery concerning the premiſſes, in maner and fourme as is before declared, An. 2. & 3. E. 6. cap. 7.

¶ *Felonie.*

Euil name

NOtorious felons, ſ which openly be of euill name, and will not put themſelues in enquiſts of felonies, ſ men ſhall make them ſure before the Juſticers at the kings ſuit, ſ ſhall haue ſtrong ſ hard impriſonment, as they which refuſe to be iuſtified by the common laiwe of the land. But this is not to be vnderſtãden of ſuch priſoners as be taken of light ſuſpecion. W. 1. cap. 12. Anno. 3. E. 1.

Impriſon

Breaking of priſon

2 ¶ Concerning priſoners, whych breake the priſon, our ſouerayne lord the kyng willeth ſ commaundeth, that from henceforth he that breaketh his priſon, ſhal not haue puniſhmẽt of life or member for breaking of the priſon onely, except the matter or cauſe for which he was impriſoned and take, did require ſuch iudgement, if he had been conuict thereupon after the laiwe ſ cuſtome of ſ realme, albeit that in times paſt it hath ben done ſ vſed otherwiſe. Stat of breaking priſons. An. 1. E. 2.

Multiplying Gold Siluer Multiplication

3 ¶ None from henceforth ſhal vſe to multiply gold or ſiluer, nor vſe the craft of multiplication, ſ if any ſ ſame do, hee ſhal incurre the paine of felonie in that caſe, An. quinto Henrici quarti capitulo quarto.

Beat Wound Impriſon Maime

4 ¶ Becauſe that many officers be dayly beate, wounde, impriſon, and maime diuers of ſ kings liege people, and after purpoſely cut their tongues, or put out their eies. It is ordeyned ſ eſtabliſhed, that in ſuch caſe ſ offenders that ſo cutteth tongues, or put out the eyes of any of the kinges liege people, and that duely proued, and found, that ſuch deede was done of malice preteruced, they ſhall incurre the paine of felonie. An. 5. H. 4. cap. 5.

Cutting of tongues
Puiting out of eyes

Staple

5 ¶ Anno. 11. H. 6. capit. 14. it was made felonie for three yeares, to buy marchaundyſe of the Staple in anie Creeke.

6 ¶ An. 28. H. 6. cap. 4. an act was made to endure for v. yeres, to be felonie for taking, arreſting or diſtreyning of any perſonne or goodes in Wales or in the Duchy of Lancaſter ſ carrying them out thereof.

Hunting by night
Painted faces
K. counſell
Juſt. of p.

7 ¶ At euery ſuch time as information ſhalbee made of anie vnlawfull huntings by night or by painted faces hereafter to be done to anie of ſ kinges counſel or to any of the Juſtices of the kings peace of the county where anie ſuch hunting ſhalbee had of any perſon to bee ſuſpected thereof: It ſhalbe lawful to anie of the ſame counſell or Juſtices of peace to whom anie ſuch informatyon ſhalbee made, to make a warrant to the ſheriffe of ſuch countie to any conſtable, bailliffe or other officer within the ſame coũtie to take and arreſt the ſame perſon or perſonnes to whom any ſuch informatyon ſhalbee made. And to haue him or them afore the maker of the ſaid warrant or any other of the kynges ſayd counſayle or Juſtices of his peace of the countie.

Warrant
Shirife
Conſtable
Baylie
Arreſt

Juſt. of p.

And the ſaid counſailor or Juſtices of peace afore whom ſuch perſon or perſons ſhalbe brought, by his diſcretyon haue power to examine hym or them ſo brought of the ſayd hunting and of the ſaid doers in that behalfe. And if the ſame perſon ſuſpitiously conceale the ſayd huntings or anie perſonne with him priuie thereto, ſ then the ſame concealyng be againſt euerie ſuch perſonne ſo concealing ſclony, as the ſame

Examin

Conceale

Concealer

same felony to bee enquired of and determined as other felonies within this Realme haue vsed to bee. And if hee then confesse the truth and all that hee shalbee examyned of and knowen in that behalfe, that then the same offenders of hunting by him done be against the kyng but trespas, finable by reason of the same confession at the next generall Sessions of the peace to bee holden in the same countie by ỳ kinges Justices of the same Sessions there to bee sessed. And if any reseuis or dislie plaines bee made to anie personne hauing auctoritie to doe execution or Justice by any such warrant by anie person the which so should bee arrested, so that execution of the same warrant thereby be not had, that then the same resseuse and disobeysance be felony inquirable and determinyable as is aforesaid. And ouer that it is ẽ. that if anie persones or personnes hereafter bee conuicted of any such huntinges vi payntid faces, visours or otherwise disguised to the entent they should not bee knowen of vnlawfull hunting in time of night, that then the same personne or personnes so conuicted haue like punitiõ as hee or they should haue if he or they were conuicted of felonie An. 1. H. 7. cap. 7.

Confesse

Trespas finable Sessions

Reseuis

Conuict

Punish

8 ¶ Where women as well maides as wydowes and wyues, hauing substãce, some in goods mouable and some in landes and tenementes, and some being heires apparant vnto their ancestors, for the more of such substaunces haue been often times take by misdoers contrary to their will. And after maryed to such mysdoers or to other by their assent, or deloyled to the great displeasure of God, and contrary to the kings lawes and dispergement of the said wouch, and otherwise ruines & discomfort of their frends, & to the euill example of all other: It is ẽ. that what person or persõs from henceforth that taketh any woman so against her will vxor wyfe, that is to say, maide, widow or wife, that such taking procuring, and abbetting to the same & also receiuing wittingly the same woman so taken against her will, & knowing ỳ same be felony. And that such misdoers, takers and procurators to the same, and receitours knowing the said offence in fourme aforesaid bee henceforth reputed & iudged as principall felons. Prouyded alwaie that this act extend not to anie person taking anie woman onelie claiming her as his ward or bond woman. An. 3. H. 7. capitulo. 2.

Women Wydowes Maydens

Heires

Maried

Dispergement

Against her will

Taking Procuring Abbetting Receiuing

Principall felons

ward Bond woman

9 ¶ From henceforth the Steward treasorer & comptroller of the kynges house for the time being or one of them haue full auctoritie and power to enquire by xij. sad men and discreete persons of the check rolle of the kings honorable household if any seruaunt admitted to bee his seruant sworne and his name putt into the Checke rolle of household whatsoeuer he be, seruing in any maner Office or rowme reputed, had and taken, vnder the estate of a Lord, make any confederacies, compassinges, conspirations, imaginations, with any person or persons to destroy or murder the king or any Lord of this Realme, or any other person sworne to the kinges Counsaile, Steward, Treasorer, Comptroller of the kinges house, that if it bee found afore the said Steward for the time being, by the said xij. men, that any such of the kinges seruants, as is aboueseyd, hath conseadered, compassed, conspired or imagined as is aboueseid, that hee so found by the enquirie be put thereupon to answere. And the Steward Treasorer, and comptroller or two of them haue power to determin ỳ same matter according to the law.

Steward Treasorer Cõptroller Enquirie xij. of the check roll

Seruant Sworne

Confederacies Conspirations Murder the king or any lord K. counsaill

Determin

And if he be put in triall, that then it be tried by other xij. sadde men of the same household. And that such mysdoers haue no challenge but for malice. And if such misdoers bee found guiltie by confession or otherwise, that

Triall

No challenge Guilte Confession

Judgemẽt

the sayd offẽce be iudged felonie. And they to haue iudgement and execution as felons attaynted ought to haue by the common lawe. Anno. 3. Henrici 7. capitulo. 14.

Seruant

10 ¶An. 21. H. 8. cap. 7. it is enacted (to endure to the next parliament) ꝑ if any seruant to whom hys master or maistresse deliuereth anie goodes of the value of. xl. s. to keepe, goe away with those goodes to thintent to steale or embesill them, or conuert them to hys owne vse, with purpose to steal them, it is felonie, this act not to extend to ꝓntices nor to any wm age of. xviii. yeres. And after An. 27. H. 8. cap. 17. it is enacted ꝑ if any feloniously take any goods of his master or maistresse, or if any to whom any goodes shalbee deliuered by his master or maistresse, go away with the same, or imbesill ꝑ same to conuert them to his owne vse with entent to steale them, beeing of the value of. xl. s. he shall not haue hys clergy or sainctuarie. And after An. 28. H. 8. cap. 2. these two acts before made to continue for euer. And after An. 1. E. 6. cap. 12. ꝑ said act of 27. H. 8. ca. 17. is cõfirmed. And after An. 1. M. 1. cessione, as much as is made felony by any of these actes is repealed by generall woorde. And after Anno. 5. Eliz. the sayd statute of 21. H. 8. after. 19. is reuiued.

Runne away Conuert them to his owne vse Ꝓntices within age

Goods of master or maistres Deliuered In bessil

Clergie Sanctuary

Repealed

Reuiued

11 ¶An. 22. H. 8. cap. 11. breaking or cutting downe of Powdick ditche or Oldfield diche in Marshlãd, or any bãk of the vttermost part of Marshland was made felony, with diuers articles and clauses concerning the same. But it is repealed by 1. M. 1. cessione, by generall wordes. And after. An. 2. & 3. P. & M. cap. 18. the said act of. 22. H. 8. and al articles in the same is reuiued. See at large the statute of 22. H. 8.

Powdicke Oldfield dich Marshlãd

Repealed

Reuiued

Breaking of the Ordinaries ꝓson

Clerke conuict Repealed

12 ¶An. 23. H. 8. cap. 11. wilful breaking of ꝑ Ordinaries ꝓyson by a clerk conuict of felony & escape thereby, was made felony. But it is repealed by. 1. M. 1. cessione.

13 ¶An. 33. H. 8. ca. 16. it was made felony to sell or deliuer wythout the kinges licence any horse, mare, or gelding into Scotland, or in the bataile ground to the vse of a Scot, or sell anie horse, mare, or gelding in England to thyntent to bee conueyed into Scotland &c. And An. 32. H. 8. cap. 6. auctoritie is geuen to the wardens of ꝑ marches, to heare & determine those felonies. But by An. 1. E. 6. ca. 12. and by. 1. M. 1. cessione the said act made An. 32. H. 8. ca. 16. is repealed, & thereby the said act of 32. H. 8. cap. 16. is of no force.

Sel Gont licence Horse Mare Gelding Scotland

Wardens of marches

Repealed

14 ¶Be it enacted ꝑ the same offence (by Buggary) bee from henceforth adiudged felonie, and such order & course of proces therein to be vsed against the offendours, as in cases of felonie at the common lawe. And that the offendours thereof conuict by verdict, confession or outlawrie shal suffer such paines of death, and losses and penaltie and paine of their goods, cattals, debts, lands, tenements and hereditaments, as felõs ben accustomed to do, according to the order of ꝑ cõmon lawes of this realm. And ꝑ no persõ offending in such offence shalbe admytted to his clergy. And that Justices of peace shal haue power & auctoritie w̃in the limits of their commissions and iurisdiction, to heare & determine the sayd offence, as they do vse to do in cases of other felonies. This act to endure till the last day of the next parliament. An. 25. H. 8. cap. 6.

Buggery

Conuict Verdict Confession Outlawrie Lands Goods

Clergie Just. of p.

Oier & ter.

Thys statute by diuers continuances remayned in force till the first yere of Queene Marie, and then was repealed by generall wordes, and afterward is reuiued in the fifth yere of El. cap. 17. by.

Repealed Reuiued

Bee it enacted &c. that the statute before mẽcioned, made in the 25. yere of the sayd late kyng Henry the. viii. for the punishment of the sayd detestable vice of Buggery, & euery branch, clause, article, and sentence therin

Buggery

conteined

contained, shal from and after the first day of June next comming bee reuyued, and from thencefoꝛth shal stand, remaine, and bee in full foꝛce, strength & effect foꝛ euer, in such maner, foꝛme, and condition as the same statut was at ỳ said day of the death of ỳ saied late king Henry the. viii. the sayd statut of repeale made in the said first yeare of the saied late Quéene Mary, oꝛ any woꝛdes generall oꝛ speciall therein cõtayned, oꝛ any other act oꝛ acts, thing oꝛ things, to ỳ cõtrary notwithstanding. An. 5. El. ca. 17.

Reuiued

15 ¶ An. 31. H. 8. ca. 12. & An. 32. H. 8. ca. 11. taking of hauks egges out of ỳ kings groundes was made felony, and taking vp of the kinges hawkes, and not restoring them within a time was made felony, and hunting in the day wyth vilers oꝛ painted faces, oꝛ faces hid oꝛ disguised, oꝛ in the nyght in the kinges groundes, and diuers other groundes, was made felonie, except Wales and the boꝛders of Scotland. And after Ann. 1. E. 6. cap. 12. these actes were repealed. And after An. 3. E. 6. cap. 17. they were reuyued to continue foꝛ iii. yeres. And after they were continued, An. 5. E. 6. cap. 1. to continue to ỳ last day of the next parliament, & then they expired.

Hawkes egges

Hawkes

Hunting & vilours

Painted faces

Wales

Scotland

Repealed

Reuiued

Expired

16 ¶ An. 33. H. 8. c. 8. dealing oꝛ practising conurations, witchcraftes, soꝛcery, oꝛ inchauntments, and diggyng vp of crosses, was made felony, and the offendour not to haue hys clergy. But it is repealed by An. 1. E. 6. c. 12. & by An. 1. M. 1. cessione, as appeareth here folowing. 23.

Cõuiratiõs

Witchcraftes

Soꝛcery

Digging vp of crosses

Clergie

Repealed

17 ¶ An. 33. H. 8. c. 12. stealing of ỳ kinges goodes, of the value of xii. d. oꝛ aboue, oꝛ breaking oꝛ entring ỳ kings house, to thentent to steale, &c. was made felony, and the accessarie also a felone (without clergy oꝛ sanctuary) and the triall thereof there appointed. But these felonies be repealed by An. 1. M. 1. cessione by general woꝛdes.

K. goods

Breaking of the K. house

Clergie

Sanctuary

Repealed

18 ¶ An. 33. H. 8. ca. 14. prophesying vpon declaration of armes, names, cognisaunces oꝛ badges, was made felony, and the offendour not to haue his clergie. But it is repealed by 1. E. 6. c. 12. & by 1. M. 1. cessione by generall woꝛdes.

Prophesying

Clergie

Repealed

19 ¶ An. 37. H. 8. cap. 6. burnyng of farmes was made felony, but it is repealed by 1. E. 6. cap. 12. as here folowing appereth.

Burning of frames

Repealed

20 ¶ An. 37. H. 8. cap. 10. calling of slanderous bils was made felony, but it is repealed by 1. E. 6. c. 12. as hereafter appereth.

Sclãderous bils

Repealed

21 ¶ Ann. 1. E. 6. cap. 12. all offences made felony by statute since. 23. Aprilis. An. 1. H. 8. not being felony before, and all paines and forfaytures concerning the same, bee from thencefoꝛth repealed. Prouided also and bee it &c. that all wilfull killing by poysoning of any persoune oꝛ persoones, that at any tyme hereafter shallbee done, perpetrated, oꝛ committed, shalbe adiudged, taken and deemed wilfull murder of malice prepensed: and that ỳ offendours therein, their aydours, abbettours, procurers, and counsailours shal suffer death, and foꝛfayt in euery behalfe, as in other cases of wylfull murder, of malice prepensed. Ann. 1. E. 6. ca. 12.

Repealed

Poysoning

wilfull murder

Abbettors

Foꝛf.

22 ¶ Anno. 2. E. 6. cap. 2. departing of a Souldiour without speciall licence was made felony. See thereof Captayne. 5.

A souldior departing out licece

23 ¶ All offences made felony, oꝛ limitted oꝛ appointed to bee wythin ỳ case of præmunire by any act oꝛ actes of parliament, statute oꝛ statutes made sithence the first day of the first yeare of king H. ỳ viii. not being felony before, noꝛ within ỳ case of præmunire, & also al & euery braunch, article, and clause mencyoned oꝛ in any wyse declared in any of the same statutes, cõcerning the making of any offence oꝛ offences to bee felony, oꝛ within the case of præmunire, not being felony, noꝛ wiin the case of præmunire before,

Præmunire

and

and al paines & forfaiture concerning the same, or any of them, shall from henceforth bee repealed, and vtterly void and of non effect. Anno. 1. El. cestlone.

Repealed

Embesilling of records

24 ¶ See amendement. 3. of embesilling or imbesyling of records to be felony.

Servants

25 ¶ See execution. 6. of felony of seruants, taking their maisters goodes after their death.

Stolen cattel

26 ¶ See faires & markets. 6. for stollen cattel.

Hunting

27 ¶ See forrests. 10. that hunting was not then felony.

Felonies on the sea

28 ¶ See triall. 8. of felonies done vppon the sea.

29 ¶ Be it enacted, that the said act made in the said first yere, & 21. of H. the viii. before, & euery clause, article, branch, sentence & prouision there in contained, be from henceforth ratified & put in due execution, according to the intent and meaning thereof: & from henceforth shal stande good, effectuall and continue for euer. Anno 5. Eliz. before ca. 16.

Reuiued

30 ¶ And be it also enacted by the authoritie aforesaid, that if any personne or personnes, at any time after the end of this present session of Parliament, shall imagine, conspire, deuise, intende, or go about vnlawfully & malitiously, to enlarge or set at liberte, any person or persones, committed, or to bee committed to any prison, gard, or custodie, being, or which hereafter shall be inicted of any treason, in any wise concerning the person of our said Soueraigne Lady the Queene, and the succession, practises, imaginations, deuises, or inuentions, shall by expresse wordes, writing, or other matter, or act, expresly & manifestly set forth, vtter, or declare, that then euery such personne so offending, shalbee deemed and adiudged a felon, and suffer, lose, and forfaict, as by rules of felonie by the cou[illegible] of the lawes of this Realme. Anno 14. Eliz. cap. 2.

Enlarge

Denise

Indicted

Crushed

Words

Writing

Forf.

It shal not be lawful to any person of what condition hee bee to take, or cause to bee taken any Fesaunites or Partriches by netts, snares and other engins out of his owne warren vpon the free holde of anie other personne without thassent, agreement, and speciall licence of the owner or possessioner of the same, vppon paine of forfaiture of tenne poūd, the one halfe thereof to the partie that will sue for the same by accion of debt, or by bill or other wise, and the other to the owner or possessioner of the said ground vpon which the said Fesaunts and Partriches bee so taken. Anno. 11. H. 7. cap. 17.

Nets

Snares

Licence

Forf.

Poitie

2 ¶ An. 32. H. 8. cap. 8. an act was made to endure to the last day of the next Parliament prohibiting anie to kil anie Fesaunts or Partriches, except to the Officers of the Kynges, Quenes & princes houshold &c.

Bell

## Fishing & spearing.

If any person whatsoeuer shall at any time after the first day of May next comming, by woordes onely, quarrell, chide or braule, in any Church or Churchyarde, that then it shalbee lawfull vnto the ordinary of the place where the same offence shalbe done, & proued by two lawfull witnesses, to suspend euery personne so offending, that is to say if he bee a lay man, ab ingressu ecclesiæ, and if he bee a clerke from the ministration of his office, for so longe time as the said ordinary shall by his discretion thinke meete & conuenient, according to the fault. And further it is ent. that if any persone or persons, after the said first day of May shall smite or lay any violent handes vpon any other, either in any church or churchyard, or els where to the like personne so offending, shalbee deemed excommunicat, and be excluded from the felowshipp and companie of Christian congregation, and also

Quarel

Braule

Church

Churchyard

Ordinarie

Suspend

Lay men

Clarkes

Smite

Church

Churchyard

Excommunicats

also it is &c. that if any person after the
Strike w weapon
Drawe any weapon Church
said first day of may, shall maliciously
strike any persone, with any weapon,
in any church or churchyarde: or if
the same first day of May shall drawe
any weapon, in any Church, or church-
yard, to thentent to strike an other
with the same weapon: That then e-
very person so offending, & thereof be-
ing convicted by verdict of xii men, or
Conuict
Verdict
Confession
Justices
Just of p.
by his owne confession, or by two lau-
full witnesses, before the Justices of Af-
sise, Justices of oyer and terminer, or
Justices of peace, in their sessions, by
force of this act, shalbe adiudged by
same Justices before whom such per-
son shalbe so convicted, to have one of his
Iudgem
One eare cut of
eares cut off. And if ye person or persons
so offending, have none eares, wherby
they should receive such punishment,
as is before declared, that then hee, or
they to bee marked and burned in the
cheeke, with an hote yron having this
Burned in the cheeke
letter F, wherby he or they may bee
knowen and taken for frai makers &
fyghters, besides that every such per-
sonne to bee, and stand in ipso facto ex-
Excommu-
nicate
communicated as is aforesayd. An. 5.
E. 6. ca. 4.

Fines.

FOr asmuch as fynes leuied in our
court ought & do make an end of all
matters and because therof are called
fines, where after waging of battaile
or the great assise in their cases ouer-
more they hold ye last & final place, and
now by a certaine fyne passed & leuied
in the tyme of king Henry ye fifth our
moste graue progenitor, as in our
time, the parties of such fines & their
heirs contrary to the lawes of our
Realme of auncient time in force, were
Annul
Defeat
Demaun-
dants
Plaintiffes
admitted to annulle and defeat such
fine, alleaging that before the fine le-
uied, and that the leuying therof, and
sithes, demaundants or plaintifes or
their auncestours were alway seased
of the landes contayned in the fine or
of some parcell therof. And so fynes
lawfully leuyed, were many tymes
vnlawfully defeated and annulled by
errours of the countrey, falsly & malicy-
ously procured, wherfore intending
to prouide a remedy in the premisses,
in our parliament at Westminster,
haue ordeined that such exceptiõs and
Exceptiõs
Answers
answers, or inquisitions of ye countrey,
shall from henceforth neuer layde nor
admitted contrary to such recognisan-
ces or fines. And further, wee will
that this stat. shall extend vnto fynes
heretofore leuied as to the ye shalbe le-
uied hereafter. And that the Justices
Justices
of ye
Bench openly
ye such notes & fines as hereafter shall
be leuied in our court, be read openly &
solempnely, & ye in the meane tyme all
pleas shall cease. And this must bee at
two certaine dates in ye twelue month
according to the discretiõ of ye Justices. An.
27. E. 1. stat. 1. ca. 1.

The king vnto the Iustices of his
bench, greeting, whereas of late wee
haue ordeined ye all such fines as are to
be leuied in our court, bee lawfully le-
uied which wee will in no wyse to bee
backed or to be annulled of their parties
wee haue sent vnto you our mynd in
writing firmely to be obserued, ye is to
wete, that as well the parties demaun-
dant as plaintife, as the tenauntes or
defendants that will yelde or knowledge
right, of landes or tenementes vnto o-
Warrant
Charter
Couenãt
ther in pleas of warrantie, of charter,
couenant and other whereupon fines
are to be leuied before you, bee fore such
fines doe passe, ye parties shall appeare
Appere personally
personally vnto that shear age, idiocie, or
any other defaut being in the may bee
iudged & determined by you. Prouyded
alway that if any person aged or des-
crepite or impotent by casualty ber so
Impotent
oppressed & holde & byde in such cer-
tain place within your realme, that
in such case wee will that two or one
of your Iustices of the Bench shall
Will the party diseased
visite the party so diseased, and
shall receive his cognisance vpon the
plea & forme of ye plea ye he hath in our
court

Abbot Prior Knight

court whereupon the same fine ought to be leuyed. And if there go but one, but that calle yͤ him an abbot, a prior, or a knight, a man of good fame and credence, & shal certifie yon thereof by record, so yͭ al thinges incident to the same fine being examined by him or them, the same fines according to our statute & ordinance may bee lawfully leuied, yet we will not that any of our barons of yͤ eschequer or our Justices, shal admit any attournies but only in pleas and matters yͤ palle afore them in the Benches and in places where they be assigned by us. And the same power of admitting attornies, we yͤ prohibite & deny to the clerks, & seruants of the sayd barons and Justyces. And do ordeine that if any attournies, be admitted hereafter by any of the persons aforesaid, their admission shalbee of none effect. Reserued alwayes to the Chancellour for the tyme being his auctorities in admitting attornies, according to whose discretion they shall be admitted, & to whom our subpœnes as hetherto hath ben obserued in the admission of attournies, we will also that this our ordinaūce shal take effect & beginning at the day of the trinity next ensuing. Geuen at our parliament at Carlil the yͤ. yere of our raigne, Ann. 15. E. 2. Acta at Carlile.

Barons of the Eschequer Attornies

Clerkes Seruants

Lord Chaūcelor

Originall

3 ¶ Whē the writ originall is deliuered in presence of yͤ parties, & plesour shal say that the Iustice songe tarrywer. And yͤ Iustice shal say to him. Sic. & shal name one of the parties, & then when they be agreed of the same of money that must be geuen to yͤ king, yͤ Iustice shal cōmaund yͤ peace to be cried, and after the plesour shall say: In so much as the peace is by consent thus vnto you W. & A. his wife, that here be two knowledges vnmade of W. vnto the appurtenants, contained in the writt, to the right of our soueraigne lord the king, whych hee hath of their gift. To have and to hold to him & to his heires, of yͤ lord the king & his heires, to the heires of the said A. as in demeanes, rents, seignyories, pleas, purchases, boards, mariages, reliefes, theis, mills, aduowsons of churches & al other fraūchises & free customes to yͤ said manor belonging, paying yearely to K. & his heires, as chief lords of the fee, yͤ services & customes due for all services. And it is to be noted, that yͤ order of the law will not suffer a finall accord to be leuied in yͤ kings court vpon a writ original, & that must bee at the least before lower Justices in the bench or in eire, & not otherwise, & in presence of the parties named in the writt, which must be of ful age, of good memorie, and out of prison. And if a woman coueri bee one of the parties, then shee must be first examined, by some of the said Iustices. And if shee doth not assent thereto, the fine shall not be leuied. And the cause wherefore such solempnities ought to be done in a fine is because a fine is so high a barre of so great force, & of so strong nature in him selfe, that it concludeth not only such as be parties and priuies there to & their heires, but al other people of the world, being of full age, out of prison, of good memory, and with in the lower seas, the day of the fine leuied, if they make not their claime of their action vpon a yere & a day by the coūtrey. An. 18. E. 1.

Presence of the parties Ful age Good memorie Out of prison Woman coueri Examin Assent

Claime vpon a yere & day

Money Proclamation

4 ¶ The plea of Nonclaime of fines, which fro henceforth be to bee leuyed, shall not bee taken nor holden for any barre in time to cōe. 34. E. 3. Ca. 16.

Nonclaime

5 ¶ All the fines to be taken before any Iustices, shalbe in the presence of yͤ pledges, and yͤ the pledges knowe the same of their fine before their departing. An. 38. E. 3. ca. 3. Ka. 2.

In presēce of yͤ pledges

6 ¶ All the writes of Couenant, and all other writtes whereupon fines shalbe leuied in time to come, with the writs of Dedimus potestatem if any be, vp al knowledges and notes of the same before that they be drawen out of the comon bench by yͤ chirographer, shalbee

writs of couenant

Dedimus potestatem Cōmon place

Enrolle

shalbe enrolled in a roll, to be of recoꝛd foꝛ euer, to remaine in the saufe custody of the chiefe clerke of the common Bench, and of his successours, foꝛ the old fee of xvii.d. accustomed to be paied to the chiefe clerke foꝛ the entryng of the concoꝛd of euery fine, wythout paying any moꝛe, to the entent that if the notes in the custody of the cirographer, oꝛ the fines bee embesyled, a man may haue recourse to the said rol to haue execution, as hee should haue if the fines were not embesylled, and all the wꝛyttes of the couenaunt, and al other wꝛits, whereupon fines haue beene leuied in times past, shal be also of recoꝛd. And moꝛeouer al ẏ fines ẏ were nowe late embesiled in the treasoꝛie of our soueraigne loꝛd the king by persones vnknowē, if the notes and ẏ same wꝛittes of Couenaunt of such fines embesiled remaining in ẏ custodie of the cirographer may bee found, that then to the partie shewing part of the fynes embesiled, such notes and wꝛits of couenauntes shall remaine of recoꝛd as far foꝛth as the sāe fines should haue beene, if no embeselyng thereof had beene made. Anno. 5. H. 4. capitulo. 14.

Fee

Embesil

Notes

Recoꝛd

Engrossing

7 ¶ After the engrossing of euerie fine to be leuyed after the feast of Easter next comming in the kinges court befoꝛe his iustices of the comon place, of any lands, tenements, oꝛ other hereditaments, The same fine shalbe openly & solemnely read and proclaimed in ẏ same court ẏ same terme, & in iii. termes of ẏ yere next ensuing after the same engrossing in the same court at iiii. seuerall dayes in euery terme. And in the same time ẏ it is so read & proclaimed, al pleas shal cease, and moꝛeouer a transcript of the same fine shalbee sent by the said iustices of the comon place, to the iustices of assises of ẏ countie where ẏ said lands and tenements be. They to cause the sayd fine to be read and proclaimed openly and solemnly in euery their sessyons of assises to be holden the same yere, if assises do then hold, and all the pleas in the meane tyme to cease. Also it is oꝛdeined and established by the sayed authoꝛitie of parliament, that a tyte transcript of the same fine shalbe sent to the Iustices of peace of the countie where the said landes and tenements bee, and they shal cause open & solēne proclamation of the sayed fine to bee made at iiii. general sessions of ẏ peace to bee holden in the same yeare. The saied iustices of assises, and also iustices of peace to certyfie the same proclamation to the kinges Justyces of the comon place at the second day of retourne of the terme then nert folowing, after which proclamatyō had made and certyfied, the sayed fine to bee a fynal end, and to conclude as well pꝛiuies as straungers to the same, except women couert, other then be parties to the said fine, and euery person oꝛ persones then being wythin age, in pꝛison oꝛ out of this realme of England, oꝛ not of whole memoꝛie at the tyme of such fine leuyed. Also sauyng to euery persone oꝛ persones such right, title, claime & interest, which they haue to oꝛ in the sayd lands tenements & other hereditamentes at the time of such fine engrossed, so ẏ they do pursue their said right, title, clayme oꝛ interest by way of action oꝛ lawfull entrie within fiue yeres nert after the sated proclamation made had oꝛ certyfied. And also sauing to al other persons al such actions, right, title, claime, and interest in & to al the said lands, tenements, & other hereditaments, which shall growe remaine discend oꝛ come to thē after the sayd fine engrossed, by foꝛce of any gift in taile, oꝛ by any other cause oꝛ matter had oꝛ made beefoꝛe ẏ said fine leuied, so ẏ those persons take their sayd actions, oꝛ pursue their said right & title accoꝛding to the lawe wythin fiue yeares next after such actions, tytle, claime oꝛ interest, growen, descended, remained, oꝛ come to them,

Proclaimed iij. seuerall dates

Trāscript Iust. of the common place

Iust. of ass. Proclaimed

Trāscript to the Iust. of p.

Proclamation

4. general sessions

Iust. of ass. Iust. of p. Certifie

Women couert

Within age

Pꝛisoners

Out of the Realme

Non sane memoꝛie

Right

v. yeares

Gift in taile

them; And also that the saied persons and their heires may have their said action against the taker of ỹ pfites of ỹ said landes, tenementes, & other hereditamentes at the time of such action to be taken. And if the same persons at the time of such action right, & tytle growen, discended, remained or come to them, be couert baron, or within age, or in prison, or out of this land, or out of whole memory: It is ordeyned, establisshed and enacted by aucthoritie aforesayed, that their actions right and title bee reserued and saued to them and their heires till the tyme they come and be at their ful age, out of prison, within this land, vnmaried and of whole memory; so that they or their heires take their said actions or lawful entrie according to their right and title within fiue yeares next after they come and bee at their ful age, out of prison, within this land vnmaryed, and of whole memorie, & pursue the same actions, or take their lawfull entrie with effect according to ỹ lawe of England. Also by auctoritie of the sayd parliament it is ordeyned establisshed and enacted, that all such personnes, which be couert, not parties to the fine, and euery person being within age, in prison, or out of this realme, or out of whole memorie at the tyme of the sayed fines leuyed & engrossed, by this act of parliament before excepted, hauyng any right or tytle or cause of action to any of the sayed landes tenementes and other hereditamẽts that they or their heirs take their sayed actions or lawfull entrie according to their right and title within fiue yeares nert after that ỹ sayd personnes come or bee of ful age, out of prison, vnmaried, within this land, & also being of whole memorie, And also sue the same actions & take their lawful entrie, and so pursue w effect according to the lawe of the Realme of England. And moreouer if they bee not; and take their said actions, and also their sayed lawfull entrie in the maner as is aforesayd, that then they shalbee concluded by the sayd fines for euer in like forme as they bee that bee parties and prys vies to the saied fines leuyed and engrossed. Also by the sayd auctheritie it is ordeyned and establisshed, that euery fine, which shalbe from henceforth leuied in any of the kings courts of any mannors, landes, tenements, or other possessions, after the maner vsage and forme that fines hath ben leuyed before the makyng of this act before rehersed, shalbe of like strẽgth effect & auctheritie, as fines so leuyed be or were before ỹ making of this act thys act or any other act in this parliament made or to bee made notwithstanding. And that euery person shall bee at hys lybertie to leuy any fine hereafter as hee will hym selfe at his pleasure after the makyng contayned and ordeyned in and by thys act, or after the maunet and forme before vsed. Anno primo Richardi. 3. capitulo. 7.

8 ¶ That after the engrossyng of euery fine to be leuied, after the feast of Easter that shalbee in the yeare of our Lord. MCCCC. xc. in the kinges court afore his Justices of the comon place, of any landes, tenements, or other hereditaments the same fine bee openly & solempnly read and proclaymed in the same court, the same term and in three termes the next folowig the same ingrossing in the same court, at iiii. seueral dates in euery terme. And in the same time that it is so read and proclaimed all pleas shall cease, & the said proclamations so had & made, the said fine to be finall end, and conclude aswel pryors as strangers to ỹ same, except wome couert, other then bee ne parties to the said fine, & euery persone then being within age of xxi. yeres, in prison or out of this realme, or

Action reserued.

v. yeares

Within v. yeres after full age, out of prison, vnmaried, within this land, or of whole memorie

Engrossing

Proclaimed in. iiii. termes in. iiii. seueral dates

Concluded

Women couert

Within age

Prisoners

Out of this Realme

Non sane memorie

or not of whole mind at the tyme of the sayd fine leuied, nor parties to such fine. And sauing to euery persone or persons and to their heires other then the parties in the said fine, such ryght, claime, and interest as they haue to or in the said lands, tenementes or other hereditamētes tyme of such fine ingrossed. So þ they pursue their title, claim or interests by way of accion or lawful entre within fiue yeares next after the said proclamations had and made. And also sauing to all other persones such accion, right tytle, clayme, and interest, in, or to the said landes, tenementes, or other hereditamentes, as first shal growe, remayne, or discend, or come to them after the sayd fine ingrossed & proclamation made by force of any gyft in the tayle, or by any other cause or matter had and made before the sayd fine leuied. So that they take their sayd right, and title according to the law, within fiue yeres next after such accyon, right, title, clayme, or interest, to them accrued, discended, remained, fallen or come, and the sayd persons and their heires may haue their sayd accion against þ pernour of the profits of the sayd lāds and tenementes, and other hereditamentes, tyme of the sayd accion to be taken. And if the same persones at tyme of such accion, right, & tytle, accrued, discended, remayned, or come vnto them be couert baron or within age, in prison, or out of thys land or not of whole mind, that then it is ordeyned by the said auctho'itie, þ their accion, right, and title to bee reserued and saued to them and to their heires vnto the tyme they come and bee at their full age of xxi. yeares out of prison wythin thys land vncouert and of whole mind so þ they or their heires take their accions or þ lawful entrie according to their right & title within fiue yeres next after that they come & bee at their full age, out of prison wythin this land vncouert & of whole mind.

Gift in tail

Pernor of profits

Court baron
within age
Prisoners
Out of this land
Non sane memorie

Full age
Out of prison
Vncouert
whole mind
v. yeres

And the same actions pursue, or other lawful entrie take, according to þ law. And also it is ordeyned by the auctho'itie aforesaied, that all such persones as bee couert de baron not partie to the fine, and euerie persone beeyng within age of xxi. yeres in prison or out of this land, or not of whole mind at tyme of the sayd fines leuyed and engrossed, and by this saied act afore excepte hauyng any ryght or tytle, or cause of action to any of the said lands and other hereditaments that they or their heires inheritable to the same, take their saied actions or lawfull entrie according to their right, and title within fiue yeares next after they cōe and bee of full age of xxi. yeares out of prison vncouert wythin thys land and of whole mind, and the same actions sue, or their lawfull entrie take & pursue according to the lawe.

Accion
Pursue

v. yeres

And if they doe and take not their actions and entrie, as is aforesaied, that they & euerie of them and their heires, and the heires of euery of them be cōcluded by the sayed fines for euer in like fourme, as they bēne that bene parties or privies to the sayd fines, saiuing to euery persone and persones not partie nor privie to the saied fine, their exception to auoid the same fine by that, that those that were parties to the fine, nor any of them, nor no person nor persons to their vse, ne to the vse of any of them, had nothyng in the landes and tenements compryzed in the said fine at þ time of the said fine leuyed. And it is ordeined by the said auctho'itie that euery fine þ hereafter shalbe leued in any of þ kinges courtes, of any maners, landes, tenementes, or other possessions after the maner, vse, & fourme, that fines haue beene leued afore the making of this act, be of like force, effect, and auctho'itie as fines so leuyed bee or were afore the making of this act, thys act or any other act in the said parliament made or to be made not withstanding.

Concluded

Exception

Nothyng in the lands

Force

And

And euery person be at his libertie to leuy any fine hereafter after his pleasure, whether he will after ỳ forme contayned and ordeined in and by this act, or after the manner and fourme afore tyme vsed. Anno. 4. H. 7. capitulo. 24.

¶ All and singuler fines, actuell heretofore leuyed as hereafter to be leuyed before the said Justices (s. of ỳ common place) with proclamatyons according to the said statut, by any person or personnes of ful age of xxi. yeares of any mannours, landes, tenementes, or hereditamentes, before the time of the same fine leuyed, in anie wise entailed to the person or personnes so leuying the same fine, or to any the auncestour or auncestours of ỳ same person or personnes, in possession, reuersion remainder, or in vse, shalbee immediatly after ỳ same fine leuied, engrossed, & proclamations made, adiudged, accepted deemed, and taken to all intentes and purposes, a sufficient barre and discharge for euer against the said person and personnes and their heires claiming the same landes, tenementes, and hereditamentes, or anie parcell thereof, onely by force of anie such entaile, and against all other personns claiming the same, or any parcel thereof onely to their vse, or to the vse of any maner of heire of the bodies, of them, any ambiguitie, doubt, or contrariositie of opinion risen or growen vpon the said statut to the contrary notwithstanding. Prouided alwaies that this act nor any thing therein cõtayned, shall extend to barre or exclud the lawful entry, title or interest of any heire or heires, persone or personns, heretofore geuen, or hereafter to ben geuen, graunted, or accrued to them, or any of them, in or to any mannors, landes, tenementes or hereditamẽtes, by reason of any fine or fines heretofore leuied or hereafter to be leuyed by any woman after the death of her husband, contrary to the fourme, intent, & effect of the statut made in the eleuenth yeare of king Henry the vii. (s. ca. 20. which is in discontinuance of right.) of any manours landes, tenementes, and hereditamentes, of the inheritaunce or purchase of the sayed husband, or of any his auncestours, geuen or alligned to any such woman in dower for terme of life, or in taile, in vse or in possession, but that the same act made in the said xi. yeare of the said late king Henry the vii. (s. ca. 20) shal stand, remaine, & be in full strength & vertue in euery artycle, sentence, and clause therein contained, in like maner & fourme as though this present act had neuer bẽ had nor made. Prouided also that this act ne any thing therein contained, doe extend to any fine, or fines: at any time heretofore leuied, or hereafter to be leuied, of any lordships manors, landes, tenementes, or other hereditaments, whatsoeuer they be, ỳ possessioners & owners therof by reason of any expresse wordes cõtained in any especial act or actes of parliamẽt, made or ordeyned sithen ỳ said fourth yeare of king Henry the vii. stand, bee bouden, or restrained frõ making any alienations, discontinuances, or other alterations of any of the same Lordships, maners, landes, tenemẽts, or hereditaments, contained in the said fine or fines, but that all & euery such fyne & fines, at any time heretofore leuyed, or hereafter to bee leuied by any such person or persons, or their heires, of any such lordships, manors, lãds, tenemẽts, or other hereditaments, shalbe of such like force & strength in the law & of none other effect, then ỳ same fine so leuyed or to bee leuied, should haue ben, if this present act had neuer beene had or made: any thing therein contained to the contrary notwithstanding. Prouided also that this act nor any thing therein contayned, shal extend to any fine or fines heretofore leuyed of any manors, landes, tenements, or hereditaments nowe in suit, demaund

or

Proclamations

Full age

Entailed

Possession Reuersion

Barre

Heires

Woman

Dower Terme of life In taile

Lordships Manors

Alienatiõs Discontinuances

Landes in suit

Charters Euidences

Chauncery

Auncestors in taile L. patents

Reuercion

Countie p. of Lanc. Iust. of all.

Proclaimed 3. daies

Open sessions

Openly red

or whereof anie charters, euidences, or muniments concernyng the same bee now in demaund in the kynges high court of Chauncery nor to any fine or fines heretofore leuied of any manors lands, tenements, or hereditaments, which before ỹ first day of this preſēt parliament haue been recouered, gotte or obtained by reaſō of any iudgemēt, entry, decree, arbitremēt, or other lawfull meanes contrarie to the purport, intēt or effect of any such fine or fines thereof heretofore leuyed, nor to anie fine or fines heretofore leuied or hereafter to bee leuied by anie persōne or persones of any manors, landes, tenements, or hereditamentes before the time of the leuying of ỹ same fine, geuen, graūted, or alligned to ỹ said perſō or persons so leuying the same fyne, or to any of his or their auncestors in ỹ taile by vertue of any letters patentes of our sayd soueraigne lord, or anie of his progenitors or by vertue of any act or acts of parliamēt, ỹ reuerciō where of at the time of the same fyne or fines so leuied, being in our sayd soueraygne lord, his heires or successors. But that euery such fine and fines shalbe of lyke force, strēgth & effect, as they were or should haue ben, if this act had not ben had or made. An. 32. H. 8. cap. 36.

10 ¶ All and singuler fines which at any time hereafter shalbe leuyed or knowledged before the iustices of our soueraigne lord the king, or of his heyres or successours of the countie palantine of Lancaster, commonlie called Justices of assises at Lancaster or before one of them, of anie landes, tenementes, or other hereditamentes, lying or being within the county palantine of Lancaster, which shalbe openly read & proclaimed three seuerall dayes in the open sessions in the presence of the Justices of Assise at Lancaster, or of one of them for the tyme beyng, at the same Sessyons, that the same fine shall fortune to bee ingrolled and also that shalbee openly read & proclaymed in the presence of the Justices of assyse at Lancaster, or of one of them, for the tyme beeyng, at the two next generall sessyons that shalbee holden in the sayd county Palantine of Lancaster before the iustices of ỹ same county commonly called Justices of assyse of Lancaster, or before anie of them next after the leuying, or ingrossing of such sayd fine at three seuerall dayes in eyther of the sayd two sessions, after such manner and fourme as is commonly vsed in the kings court of his common place at Westm. shalbee of lyke force strength, and effect in the lawe, to all intents, constructions, & purpoles, as fines, beeing duely leuied with proclamation before the kings iustices of his common place, bee or ought to be of. An. 37. H. 8. cap. 19.

Generall sessions

3. daies

11 ¶ Fines which at anie time hereafter shalbee leuied or knowledged before the high Justice of our soueraigne lord the king, or of his heires and successours, of hys countie Palantine of Chester for the tyme beyng, or before the deputie or lieutenant, iustice there for the time being, of any lands, tenements, or other hereditamentes, lying or beeyng wythin the sayd countie palantine of Chester which shalbee openly read and proclaymed iii. seuerall dayes in the open session, in the presēce of the Justice of the sayd countie palantine of Chester, for ỹ time being, or before ỹ deputie or lieutenant Justice there at the same sessions of the same shall fortune to be ingrolled. And also ỹ shalbe openly read & proclaymed in the presence of the Justice of the sayd countie palantine of Chester, or before the deputie or lieutenant Justice there for ỹ time beeing, at the two next generall sessions that shalbe holden in the sayd coūtie palantine of Chester before the Justice of the same coūty palantin, or before the deputy or Lieutenant Justices there, next after the leuying and ingrolling of such fine at three seuerall dayes in eyther of the said two sessions

Countie p. of Chester

Lieutenant

Proclaimed 3. daies

Open sessions

Engrolled

Generall sessions

after such maner and fourme as is cõmonly vsed in ỳ kings court of cõmon pleas at Westminster, shalbe of lyke force, strength, & effect, in the lawe, to all intents, constructions, and purposes as fines duely leuied in proclamations before the kinges Iustices of his commõ pleas, be or ought to be of, An. 2. E. 6. cap. 28.

Force

12 ¶ All fines alwell heretofore leuied, as hereafter to be leuied, before ỳ Iustices of the cõmõ place of any maners, lands, tenements, or other hereditamsnts, whereuppon the proclamations hath not, or shall not by reasõ of adiournemẽt of any terme by writ, bee duely made, shalbee of as good force effect, and strength to all intents, constructions, & purposes, as if anie terme hertofore so adiourned, or at any time hereafter, shalbe so adiourned, had ben holden and kept from the beginning to the end thereof, not adiourned, & proclamations therein made according to ỳ forme & effect of ỳ said statut. Prouided alwaies ỳ this act shal not in anie wise extend to any fines heretofore leuied of any the manors, lands, tenements, or hereditaments, now in suit demaũd or variãce in any of ỳ quenes courts, or whereof anie charters, euydences, or immunimentes concerning the same bee nowe in demaund in the Quenes high court of Chauncery, nor to any fine or fines heretofore leuyed, of any manors, lands, tenementes, or heredytaments, which before the first day of this present parliament haue be recouered, gotten or obtained by reasõ of any iudgement, entre, decree, arbytrement or other lawfull meanes contrary to the purport, entent, or effect of anie such fine or fines thereof, heretofore leuied. An. 1. E. 1. parliamẽt ca. 7.

Proclamations Adiournmẽt

Lands in suit

Charters Chauncery

Recouered

¶ *Fines to the king.*

NOthing from henceforth shalbee geuen for a writ of Inquisitiõ, nor taken of him that prayeth Inquisition of lyfe or of membet, but it shalbee graunted freelie. Magna Charta. capitulo vicesimo sexto.

Writ of inquisition

¶ *First fruites & tenthes.*

ANno. 26. H. 8. capit. 3. An act was made whereby the first fruits and yerely tenthes of spiritual promotiõs, were geuẽ to the kyng, his heires and successors, and diuers articles are there at large, expressing how and by what wayes the kyng should bee answered of those first fruites and tenthes, and diuers other thynges concernyng the sayd first fruits and tenthes. And that the first fruites of benefices accustomed to bee payd to the Bysshopp of Norwich within that dyocez, and to the Archdeacon of Richmond within his archdeaconry, or to anie other person within this realme, or the kynges dominions, shall cease, and be extinct, and no lenger be payd but onely to the king, his heires and successours. These first fruites graunted to the king, bee extinct, and these tenthes graunted to the king bee dyscharged frõ the king & Quẽne as hereafter appeareth. An. 2. & 3. E. 6. M. cap. 4.

Tenthes

Bishop of Norwich Archdeacon of Richmõd

Extinct

2 ¶ An. 26. H. 8. cap. 17. was enacted ỳ the leases of spiritual persons be discharged of paying of the first fruites & tenthes, notwithstanding any couenant, contract &c.

Leases

3 ¶ An. 27. H. 8. cap. 8. was enacted ỳ he ỳ payeth or cõpoundeth for hys first fruits, shalbe deducted of the tenth for ỳ yere out of his first fruits, & shal pay that tenth.

Compound

4 ¶ An. 32. H. 8. cap. 22. was enacted how the Bysshop should be discharged of the tenth that they could not leue, and how the king should bee answered of the tenth of anie benefyce omitted &c.

Bishops

5 ¶ An. 32. H. 8. ca. 47. was enacted ỳ the Bysshop of Norwich should collect the tenthes in his dyoces, & accompt for the same.

B. of Norwich Accompt

6 ¶ An.

New bishops

6 ¶An.34.H.8.ca.17. was enacted where the new erected bysshops should pay their tenthes &c.

Certificat

7 ¶An.2.E.6.cap.20. was enacted ẏ by a certificat frō the bisshop of none paiment of any tenth of anie benefice, the incumbent should lose but the benefice onelie.

Non payment

Losse of benefice

Collectors bound

8 ¶Anno.7.E.6.ca.4. was enacted howe the Collectours of the tenthes should bee bound to collection. And a larger day geuen for the payment of the tenthes: and howe the king should be payd of the tenth, for the time of the vacation of the benefice: and howe a patent of collectourship of the tenthes should be good, onelie during the time of the graunt ours

King

Vacation

Patent of collectorship

9 ¶All payments of the first fruites &.graūted by.An.26.H.8.capitulo.3. was taken away from the crowne by one act.An.2.&.3.P.& M. and afterward restored by.1.Elizabeth.cap.3. as follo weth.

Crowne

Restored.

10 ¶That the sayd act made in the second and third yeare of the raygne of the said late king Phillip & Queene Mary, and all articles, clauses: and sentences therein contained, shalbe from and after the first day of thys present parliamēt, vtterly and clearely repealed, made voyd, and of no force, ne effect. And all authorities and liberties graunted, limitted and appointed in & by the sayd act, to the sayd late Cardinal Poole, or made or deriued by force strength, or coloure of the same act, by or from the said late Cardinal to any other person or persons, bodies politike or corporate, to cease and bee vtterlie void: and determined. And that ẏ sayd first fruites and all payments thereof, from & after the sayd first day of thys parliament, shalbee reuyued and haue their being and continuance againe, & be demed and adiudged to all intentes constructions & purposes to ẏ queenes highnes most royal person, her heires & successours, & vnited, and annexed to the Imperial crowne of this realme,

Repealed

Liberties

Cardinal Poole

Voyd

Crowne

of and in such like, and the same estate interest, title, qualitie, sort degree, and condition, and in as ample and beneficial maner and fourme, as the same was or were in the person or possessiō of the said late Queene Mary, at & before the said eight day of August in the said act of extinguishment mencioned & expressed. The same act of extinguishment or any letters patents, or any other matter or thing had, done, or suffered by the said late Queene, to the contrary therof in any wise notwithstāding. And also ẏ as well so much of the sayd perpetuall and annual tenth, & pencion graunted by the said act made in the said xxvi. yeare of the raigne of the said late king Henry the eight, as also so much of the said yerely rentes, reserued vpon the said seuerall letters patents nomine decime, and also so many of the said rectories, personages, & benefices impropriate, glebe landes, tithes, oblations, pencions, portions, & other profits and emoluments, ecclesiastical and spiritual aforesaid, and that reuercion and reuercions thereof, and all rents emoluments, and profits, incident to the same, as were in ẏ hands and possessions of ẏ sayd late Queene Marie, at and before the said eight day of August, shal from the feast of saynt Michael the archangel last past, be vested, adiudged and demed actually and really in the seisin and possession of our sayd soueraygne Ladie Queene Elizabeth, her heires and successours, to all intentes, constructions, and purposes, of and in such lyke and the same estate, interest, order, degree, qualitie, sort & condition, and as fullie, wholly, largely, and beneficiallie as the same were in the seisin and possession of the sayd late Queene Marie, at and before the same eyght daie of August. And ẏ as wel the said first fruites and tenthes and the order thereof, as also the sayd annual rēts, reserued nomine decime, & the sayd rectories, personages, benefices, glebe landes, tithes, oblatiōs, pēticions

L. patents

Rectories Parsonages Glebe lāds

Possession

Annuall rents

Oblations

tions, pẽcions, & other profits, & emo-
luments, eccleſiaſtical and ſpirituall a-
foꝛeſaid, and euery of them, and the re-
uerciõ & reuercions of them and of all
rents & profites, vnto the ſame oꝛ any
of them incident oꝛ belonging, ſhalbee
within the ſaid oꝛder, ſuruey, rule and
gouernance of the ſaid court of Eſche-
quer, in euery degree, ſoꝛt and condiciõ
as they were (at and beſoꝛe the ſayd
viij. day of Auguſt) the ſaid act made
in the ſaid ſecond & third yeres, oꝛ any
other matter oꝛ thing to the contrarie
thereof notwithſtanding. And ẏ ſo much
of al & euery ẏ ſaid actes & ſtatuts, firſt
reuiued, oꝛ of any other act oꝛ ſtatut
touching oꝛ concerning the oꝛder, leui-
ying, true anſwering and payment oꝛ
qualification of the ſaid firſt fruits and
tenthes, and of the ſaid rectoꝛies per-
ſonages, and benefices impꝛopꝛiate, &
of the rents, reuenues, emoluments, &
profits therof, and of al other the pre-
miſſes, and alſo the charge, diſcharge,
oꝛ alteration of them oꝛ any of them,
oꝛ any matter oꝛ thig in any wiſe ſoũ-
ding oꝛ tending thereũto, which were
ſtanding and being in foꝛce, effect and
vnrepealed at and beſoꝛe the ſayd viij.
day of Auguſt, except onelie the ſayd
actes of the erections of the courtes of
Augmentations and firſt fruites and
tenthes, ſhalbe, remaine & continue in
their full and perfect ſtrength & foꝛces
and be obſerued and put in due execu-
tion, accoꝛding to the tenoꝛs and pur-
poꝛtes of the ſame, & of euerie of them.
And that the Quenes Maieſtie, her
heires and ſucceſſoures, by authoꝛitie
of this preſent parliament, ſhal frõ the
ſayd firſt day of thys preſent Parlya-
ment, haue, hold, poſſeeds and enioy
foꝛ euer the aduowſons, gifts, and pa-
tronages of all vycarages belonging
oꝛ incident to anie of the ſayd recto-
ries and perſonages impꝛopꝛiate, in ẏ
ſame ſoꝛt, qualitie, condition and de-
gree to all intents and purpoſes, as the
ſame were in the perſonne and poſſeſ-
ſion of the ſayd late Quene Mary at
and beſoꝛe ẏ ſaid eyght day of Auguſt:
Anie thyng oꝛ act done by the ſame
late Cardinall, oꝛ anie graunt oꝛ grau-
tes by letters patentes made by the
ſayed late Quene Maris, of the
ſayd auowſons and patronages, oꝛ a-
nie of thẽ to anie Eccleſiaſtical oꝛ ſpy-
rituall perſonne oꝛ perſonnes oꝛ anie
ſpirituall coꝛpoꝛation to the contrarie
in any wiſe not withſtanding. Hauing
to all and euery perſon and perſonnes,
bodies politique and coꝛpoꝛate, & their
heires, executours, ſucceſſours, and aſ-
ſignes and euerie of them, other then
ſuch perſons as be mencioned and na-
med in any letters patents, made by ẏ
ſayd Quene Marie the ſayd eyght
day of Auguſt, oꝛ at anie tyme ſithen,
oꝛ claiming onely by oꝛ vnder the au-
thoꝛytie & ſtrength of the ſame act, oꝛ
letters patents oꝛ anie of them, al ſuch
right, title, intereſt, eſtate, office, leaſes
graũtes, annuities, pẽcions, fees, co-
rodies, rents, and other perely profits
& commodities as they oꝛ any of them
ought oꝛ ſhould haue had, pereyued,
oꝛ enioied, of, in, oꝛ by reaſon of any ẏ
perſonages, rectoꝛies oꝛ of any other ẏ
premiſſes, in caſe the ſayd foꝛmer act
nowe repealed & this preſent act of re-
peale had neuer beene had ne made.
Anie thyng in the ſame actes oꝛ eyther
of them conteined oꝛ ſoundyng to the
cõtrary thereof in any wiſe not with-
ſtandyng. And bee it further enacted
by the auctoꝛytie aforeſaid, that from
and after the ſayd feaſt of Saint Mi-
chaell the Archangell laſt paſt, and ſo
from thenceforth from tyme to tyme,
the ſayd pencions, annuities, rents, co-
rodies, fees & other perely payments,
ſhalbee payed and payable onelie by
our ſayd Soueraigne Lady, her heirs
and ſucceſſoures, at the receipt, of the
Eſchequer, oꝛ in ſuch other places as
the Quenes Maieſtie, her heires and
ſucceſſoures ſhall appoynt, to all and
euerie perſonne and perſonnes that
ought to haue & enioy the ſame in ſuch
ſoꝛt, oꝛder and foꝛme as the ſame
ſhould

Eſchequer

Leuying Qualification

Unrepealed

Augmentation

Auowſon
Patronages
Vicarages

Graunts

Spiritual perſon
Spiritual coꝛpoꝛation

Office
Leaſes
Graunts
Annuities

Repealed

Rents
Coꝛodies
Fees

Eſchequer

shoulde or ought to haue been payd and payable in case the sayd act nowe repealed, had neuer bene had ne made: Anie thyng therein or else in thys act contayned to the contrarie thereof in anie wyse notwithstandyng. And bee it further enacted by auctho*r*itie afo*r*esayd, that all and singuler incumbents p*r*o*p*rietaries tenants farmours lessees and occuppyers of the p*r*emisses, or any part thereof, their heires, executo*r*s & assignes which at the sayd first daie of this p*r*esent parliam*ē*t were behind or in any arrerages of & with the rēts farmes, tenths or other reuenues p*r*ofits or duities by them or any of them due and payable for or by reason of the p*r*emisses or any of thē, shal and may bee by auctho*r*itie of this act, seuerallie chargeable, accomptable, and aūswerable to ẏ Quenes maiestie, her heirs and successours in & at the sayd court of thexchequer, of and for the same arrerages and duties, as other accomptants been & shalbee in the same court, any thyng in the said act, now repealed i this act, or any other matter or cause to the cōtrary therof, in any wise notwŧstanding. And yet neuertheless the Quenes most excellent maiesty, at ẏ humble request of her sayd subiectes, of her aboundaunt grace & bountefulnes, is pleased and contented that it bee enacted by thauctho*r*ity afo*r*esaid, that all and singuler vicarages, not exceeding the yearely value of tenne poūds after the rate & value vpon the reco*r*ds and bookes of the rates and values for the first fruites and tenthes, now remaining in the exchequer, or that shall hereafter come & remaine in the same court. And also all and singuler personages not exceedyng the yearely value of tenne marks, after the like rate and valuation, and the incumbents thereof and of euery of them, their executours, administratours, successours and suerties and euery of them, from the sayd feast of saint Michaell the archaungell last past, shalbee free and clearelie vnd*e*charged, & acquited for euer against the Quenes maiestie, her heires and successours, of & from the sayd first fruits: Any thing in the said act of first fruits and tenths, made in the sayd xxbi. yere of the raigne of the sayd late king Hēry the eight or in this act of repeale, or any other act or actes before recited to the contrary thereof in anie wise notwithstanding. P*r*ouided alwayes and be it enacted by auctho*r*itie afo*r*esaid ẏ if any incumbent of anie such p*r*omotion spiritual as is afo*r*esaid, charged or chargeable to the paiment of ẏ sayd first fruites, happen to liue to the end of one halfe yere next after the last auoydaunce of the same p*r*omotion spiritual, so as hee hath receiued or wythout fraud or couin, myght lawfullie haue receiued or enioyed the rentes or p*r*ofits of that halfe yere. And before ẏ end of the other halfe yeares then next following, shal happen to die, or to bee lawfully euicted, remoued, or put frō the sayd p*r*omotion spiritual, by iudgement in anie accyon at the comon lawe, wythout fraud or couine: That then euery such incumbent, his heires executours, administratours, and suerties, shalbee charged and chargeable but onely with the fowerth part of the first fruites due to bee payed for such hys p*r*omotion, & with no more of the sayd first fruites, Any thing in this act contained, or any bond or writing to bee made for the payment of the said first fruites, or anie other matter or cause to the contrarie notwythstanding. And if it shal happen any such incumbent to liue by the space of one whole yeare next after the last auoydaunce of the same p*r*omotion spirituall, and after before the end of one halfe yeare then next following, shall fortune to die, or to bee lawfully euicted, remoued or put from the sayd p*r*omotion spiritual, by iudgement in any accion at the common lawe, wythout fraud or couin: That then euery such incumbent, hys heires, executours,

Incūbēts P*r*opꝛietaries

Irrerages

Accōptable

Vicarges of x.li.

Personages of x.marks

Incūbents Executo*r*s Suerties

Discharged

Incumbent

Halfe yeres rent

Dye Euicted

Heires Executo*r*s Administrato*r*s Suerties

Bond

whole yere

Dye Euicted

Heires Executo*r*s

Administratorꝛs

administratours and suerties shalbee charged and chargeable but onely wᵗ ẏ

Moitie

moitie, and one halfe of the first fruits due to bee paid foꝛ such his pꝛomotion spirituall, and with noe moꝛe of the same first fruites. Anie thyng in this

Bond

act conteined, oꝛ anie bond oꝛ wꝛytyng obligatoꝛie, to bee made foꝛ the payment of the same first fruites, oꝛ any other matter oꝛ cause to the contrary notwithstanding. And if it shall happen any such incumbent to liue to the end of one whole yere & a half, next

Yere & half

after the last anoydaunce of such pꝛomotion spirituall, and beefoꝛe the end of vi. monethes then next followyng,

Dye Guicted

shall foꝛtune to die, oꝛ to bee lawfully guicted, remoued, oꝛ put from the pꝛomotion spirituall by iudgement in any accõ at the cõmon law without fraud oꝛ couin, ẏ then euery such incumbent his heirs, executours, administratours and suerties, shalbe charged & chargeable but onelie wyth thꝛee partes of the

iij. partꝛs

first fruites of the same pꝛomotiõ spirituall in foꝛ wer partes to bee deuided & with no moꝛe. Anie thing in thys act conteined, oꝛ anie bond oꝛ wꝛytyng obligatoꝛie, had oꝛ made foꝛ ẏ paiment of the sayd first fruites oꝛ anie other matter oꝛ cause to the cõtrary notwith standyng. And if it shall happen anie such incũbent to liue to thend of two

ij. yeres

whole yeaꝛes, next after the last anoydãce of ẏ same his pꝛomotiõ spiritual, and not to bee lawfully guicted, remoued oꝛ put frõ the same pꝛomotiõ spirituall as is afoꝛesayd, that then euerie such incũbent, his heires, executours, administratours and suertie shall content and pay to our sayd Soueraygne Ladie the Queene, her heires and successours, the whole first fruites due to bee payd foꝛ the same pꝛomotiõ spꝛyritrall accoꝛding to the estatuts afoꝛesayd.

Graunts Oꝛford Cambꝛidge Colledge

Pꝛouided also and be it enacted, that all graunts, tuimuniments, and liberties, gruen to the vniuersities of Oꝛford, & Cambꝛidge, oꝛ to anie colledge oꝛ Hall in eyther of the sayd vniuersyties, and to the colledges of Winchester, and Eton, and vnto euerie oꝛ anie of them by our late soueraygne Loꝛd king Henry the eyght, oꝛ anie other of the Queenes highnes pꝛogenitours oꝛ pꝛedecessours, oꝛ by act of parlyament foꝛ oꝛ touching the releasse oꝛ discharge of the sayd first fruites and tenthes oꝛ any part thereof, shalbee allwayes and remaine in their full strength & vertue. And that all such lawfull conueyances and assuraunces in the lawe, as were had oꝛ made beꝛoze the making of this act, to either of the sayd vniuersities of Oꝛforde and Cambꝛidge, oꝛ to anie colledge oꝛ Hall, within anie of them, by what name oꝛ names so euer they oꝛ any of them be incoꝛpoꝛated oꝛ named, of any of the sayd personages oꝛ benefice impꝛopꝛiate, oꝛ of anie part of the same, oꝛ of anie patronages, foꝛ the maintenaunce of students, oꝛ learning, shalbee as good and effectuall in the lawe, to al intentes, constructions and purposes, as though this act had neuer been made. And bee it further enacted by thauthoꝛitie afoꝛesaid, that the Deane & Canons of the fꝛee chappell of saint Geoꝛge ẏ Martir, within ẏ Castell of Windsoꝛe, and all the possessions and hereditaments of ẏ same fꝛee Chappell, Deanry and Canons, by whatsoeuer name oꝛ names they be incoꝛpoꝛated oꝛ knowen, shal be exonerated & shal stand foꝛ euer, discharged of the tenths and first fruites, beefoꝛe mencyoned: Anie thing in this act oꝛ in anie other act oꝛ statute beꝛfoze mencyoned to the contrary thereof in any wise notwithstanding. Pꝛouided also & bee it enacted, that all leases made beꝛoze the xx. day of Decẽber last past, foꝛ xxi. yeares, oꝛ thꝛee lyues at the most by anie personne oꝛ personnes bodies politique oꝛ coꝛpoꝛate, beyng lawfully seysed, of, oꝛ in anie of the said personages impꝛopꝛiat oꝛ of, oꝛ in any other the pꝛemysses wont commonly to bee let, oꝛ sett to ferme, then beyng

out of

Winchester Eaton

Cõueyãces

Vniuersities

Personages Benefices impꝛopꝛiat Patronage

Deane Cannons Fꝛee chappell

Discharged

Leases foꝛ xxi yeres iij. Lyues

out of lease, or whereof there was not at the time of the making of the sayd lease or leases, anie former lease to endure aboue one yere then to come at ỳ most. And vppon which new lease or leases the old yearely rent accustomablie wont to be payd, for the same by the space of rr. yeres last before ỳ making of such lease or leases, or more yerely rents reserued and payable, during the said terme, and all other lawfull graunted, by them or anie of them heretofore made of anie office or offices in old time, wont commōly to bee graunted, and all gifts and grauntes of any personage or personages impropriat, heretofore belonging to the archdeaconrie of Welles, in the countie of Somerset, or to the incumbent of ỳ same office or dignity, or to the incumbent of the same lately geeuen and restored, shalbee as good and effectuall in ỳ law, as though this act or any thyng therein contained had not been had or made. And be it further enacted by the aucthoritie afore sayd, that ỳ said archdeaconry, and all rectories and spirytuall promotions, geeuen, assigned, limitted or appointed to the same. And all and euerie incumbent and incumbents which hereafter shalbee presented, collated, preferred, & admitted vnto the sayd Archdeaconrie, and the Rectories and spirytuall promotions thereunto limitted & appointed or appertaynyng or belonging, shall stand remaine and bee charged and chargeable with the paiment of the first fruits & tenthes for the same to the Quēnes highnes, her heirs & successors, in such lyke manner and fourme as other spirytuall promotions, and the incumbentes of the same be and shalbe charged and chargeable by thys act, or by anie other act or statute before specyfied. Prouided alwaies and bee it further enacted by thauctoritie aforesaid, that so many of the said rectories, personages & benefices impropriat, glebe landes, tythes, oblations, and other profites and emoluments ecclesiastical and spirituall, and euery of them and the reuercion and reuercions of them, and all rentes and profits vnto ỳ same or anie of them incident or belonging, as were at and before the sayd eyght day of August, in the handes or possessions of the sayd late Queene Marie, and within the survey, rule and order of the Court of the Duchy of Lancaster, shalbee agayne within the order survey, rule, and gouernment of the sayd Court, in such and the same maner and fourme to al intents & purposes as they were at and before the said eyght day of August in the said two & thres yeares of the raygne of the late king and Queene, anie thyng in thys act or in the same act of the same late king and Queene to ỳ contrary thereof in any thing not withstanding.

Former lease

Old rent

Offices

Gifts of personages

Welles

Archdeacon

Incumbent

Chargeable

Duchy of Lanc.

Prouyded alwaies and be it further enacted by the auctoritie of this parliament, that no personne nor persons, presented, instituted, or inducted at any tyme sithens the first daie of this present parliament, or that shalbe presented, instituted, inducted, on this side ỳ feast of the Natiuitie of Saynt Iohn Baptist nert comming to any the said spirituall or ecclesiastical promotions, chargeable to or with the payment of the first fruits or one yeares profits of such promotion, shall incurre anie penaltie of forfayture, by entring into anie of the sayd Spirytuall or Ecclesiasticall promotions, or by taking the profites thereof for the none paiment or not compounding of or for the first fruites therof, so that hee or anie other for hym, shall or doe compound for the same first fruites according to the true meaning of the statute before the sayd feast of the Natiuitie of Saynt Iohn Baptist, anie thing in this act contayned to the contrarie not withstanding.

Instituted
Inducted

Compound

Prouided also that thys act or anie thing therin contained, shal not in anie wise extend to charge anie hospytall founded and vsed, & the possessions

Hospital

Poore people Scholes

thereof employed to, and for the relief of poore people, or anie Scholes of the possessions or reuenues of them, or any of them, with the payment of anie tenthes. Anie thyng in thys act before mencyoned to the cõtrary in any wise notwithstanding. Anno primo Elizabeth capitulo. 31.

## ¶ Fishers & fishing.

Humber

THe waters of Humbre, Owse, Trent, Done, Arre, Derewent, Wherfe, Nidderc, Swale, Tese, Tyn Edẽ, & al other waters (wherin Salmons be taken) shalbe in defence for taking Salmons from the Natiuitie of our Lady vnto saint Martins day. And likewise that yong Salmõs shall not bee taken nor destroyed by nettes, nor by other ingins at mille poles, frõ the middes of Aprill vnto the Natyuitie of saint John Baptist. And in places where as fresh waters be, there shalbee assigned ouerseers of this statute, which beeing sworne shal oftentimes see and enquire of the offenders, and for the first trespasse they shalbee punished by burning of their nets and ingins: And for the second time, they shall haue imprisonment for a quarter of a yeare: And for the third trespasse, they shalbee imprisoned a whole yere. And as the trespasse encreaseth, so shal the punishment. Vi. 2. cap. 47. See ỳ like in port and hauen. 1.

Salmons

Netts Mill pools

Ouerseers

First trespas

Burning of netts

Imprison

Herring

2 ¶ First ỳ no Herring be bought nor sold in the sea, till the fyshers bee come into the hauen with their herryng, and that the cable of the shyp be drawen to ỳ land. Stat of Callice. An. 31. E. 3. cap. 1.

Herring Faire

Hostlers

3 ¶ The fyshers bee free to sel their herring to all that commeth to ỳ faire of great Yarmouth, without any dysturbãce of their hostelers, or any other. And when the fyshers wyll sell their marchaundizes in the port, they shall haue their hostelers with them, if they there will be, and in their presence and the presence of other marchants openlie shall sell their marchaundises. And that euery man claime his part for the taking after the rate of the same marchaundyses so sold. And the sayd sale shall bee made from the Sunne rising till the Sunne goyng downe and not beefore nor after, vppon forfayture of the same marchandises. And that the sayd fyshers bee free to buy their victailes and that ỳ them needeth, where shal please them. And that none hostelers nor other, buy any for to hang in their houses by coun nor in other maner, at an higher prycc the last, then forty shillings, but lesse, in as much as hee may, according as hee may agree wỳ ỳ seller. And ỳ none hostelers nor none of their women, nor none other whatsoeuer hee bee, comming to the sayd faire, shall not go by land nor by sea to forstall herring prycely nor apertly, but the herring shal come freely vnsolde vnto the hauen. Nor that none make buying of fresh herring in the hauen of Yarmouth betwyxt the feastes of saynt Michaell and Saynt Martin, vppon paine of imprysonmẽt at the kynges wyll, and to forfayt all the herring so bought, and that no vessell called Pycar of London, nor of none other place, shall enter in the sayd hauen to abate the faire in damage of the people, vpon the paine of forfaiture of their vessell, and all their cattailes found wythin. And that all the hostelers bee sworne beefore the wardeynes of the sayd faire, and enioyned vppon a great forfayture to the kyng, to receyue their hostes well and conenable, and to ayde and ease them reasonablie, taking of euerie last that shalbe sold to other marchauntes then to the sayd hostelers. xl. d. And that of herryng sold to the same hostelers to take in their houses, the same hostelers shall take nothing, and that because of the profytes, which they shall haue of vitailes sold to their said hostes, and of the aduauntage that they haue more

Hostlers

xl. s. the last

Forstall

Yarmouth hauen

Imprison

Forf.

Forf.

Hostlers sworne

there

then other of cariage of herryng ſo by them bought and ſold in their houſes. And that ỳ hoſtelers, bycauſe of this ordinaunce, doo not refuſe their hoſtes but receiue them and intreat them in good and frienly manner, as they haue done beefore thys time. And ỳ they for the auantage of rl.d. the laſt, take vppon them for the payment of all the herring that ſhalbe ſold by their aſſent to any perſonnes. And ỳ hundred of herring ſhalbee accompted by vi.ſcore, and the laſt by r. thouſand. And that the marchauntes of Permouth, of London, or elſe where, ſell the thouſand of herring to ỳ people after the rate of the pryce of the laſt. And that the people of Permouth ſell the laſt of read herryng bought for rl. s. freſh wythin rl. dayes, for halfe a marke of gayne, and not aboue. And that the people of Lond̄, at ſuch faire ſhal bring the laſt from Permouth to London for i. marke of gaine and not aboue. And alſo ii. laſtes of ſhot̄e herring freſh ſhal be ſold for the prycs of ỳ rate of the bieng of a laſt of ful herring. And ſo of more and leſſe after ỳ ſame rate, and of ſhoten herring read the two laſts ſhalbee ſold dearer of a marke then the laſt of herrynge full read. And that bycauſe the cariage of a laſt of ſhoten hearyng drawety to as much as the laſt of full herring, and ſo of more and leſſe according to the ſame rate. And ỳ the ſhips called the pikers, ſhall freely buy freſh herryng and al other marchaundiſes of fiſhes in Kirkley, and els where vpon ỳ coſts of the Sea, without impeachment or diſturbaunce of the hoſtlers of Permouth or of any other. So alwayes that no more herring bee diſcharged in the rode of Kirkeley of the fiſhers ſhippes, but as much as may reaſonably ſuffyce to the charge of the pykers that thyther commeth for the ſame cauſe. And ỳ the fiſhers bee compelled to bring al ỳ remnant of their herring to the ſayd faire to ſell there: So that none ſel herring in no place about the haven of Permouth by vii. miles, except in iii. townes of Permouth, that is to ſay, Eſton, weſton, and Southon vnleſſe it bee herring of their owne fyſhing. And our ſoueraigne lord the king will, that ỳ barons of ỳ v. portes ſhal do to be kept & gouerned the ſayd faire according to the compoſition late made betweene them and the people of ỳ Towne of Permouth, confirmed by the kinges graundfather. And that the ſame barons and bayliffes of great Permouth do to bee kept this preſent ordinaunce in all pointes, and to bee cryed in euery ſonday betweene S. Michael and ſaint Martin, vpō payne to loſe their fraunchiſe, and to be puniſhed at the kinges wyll. And that ỳ people of Permouth ſuffer the ſayed barons of the fiue portes to gouerne & rule the ſayd faire after the purport of the ſayed compoſition, and due execution to bee made of this ordinaunce, vpon ỳ paine laſt aforeſaid. And theſe ordynaunces in the right of buying & ſelling of herring ſhalbee holden in all the Townes of England, where herryng is taken and ſearched, vpon the paines aforeſaid. ſtat of Calice, Anno. 31. E. 3. ca. 2.

warrantie

Hundred

Laſt Merchāts

Red herringes London

Gayne Shotten herring

Pykers

Hoſtelers

Warens of v. ports

Faire

Proclaimed

Loſſe of franchiſes

4 ¶ The chaunceler & Treaſorer takyng to them Juſtyces and other of the kinges Councel ſuch as to them ſhal ſeeme, ſhal haue power to ordeine remedy of the bieng and ſellyng of ſtockfiſh of ſaint Botulfe, and Salmō of Barwycke, and of wynes & fyſh of Bꝛitſtruyt and elſe where, to the intent that the kyng & the people may the better bee ſerued, and haue better market then they haue had before this tyme, & that the ordinaunces by them made in this party bee fermely holde. ſtatut of Calice, Anno. 31. E. 3. capitulo. 3.

Chaunceloꝛ. Treaſoꝛer. Juſtices.

Stockfiſh. Salmon.

5 ¶ All the ſhippes called deggers and lodſhippes appertayning to the haven of Blackney & ỳ coaſts thereto adioyning (that is to ſay of Sutterley, Wilnton,

Ships Blackney.

Deliuer fish

Imprison Forf.

Ship

Loychfish

Lob Ling Cod

120. to the hundred

Merchats Faire of Blackney

Dogger-fish

Price

Winton, Clay, Salthowse, Shering ham & Crowmere, shal deliuer & dyscharge their fish with in the hauen of Blackney only, betweene Beuord & hodleete & in none other place, vpon paine of imprisonment at the kinges pleasure and forfaiture of the sãe fish, And that no fish be deliuered and carryed out of the sayd shippes into anie house or else where, beefore ỳ owner of ỳ ship in which the fish is, & ỳ marchaunt which bought the same fish bee agreed of the price, And thys shalbee done by day light.

6 ¶ No fisher nor Lord of any ship, nor none other, set hand vpon any fysher within the ship for to trie, chose, or empeire the fish, but only the buyar or his attourney, vpon the sayed paine. And that no fish called Loichfish, bee chosen or tried but onely in iii. partes, that is to say, Lob, Lyng, & Cod. And that euery of the same. iii. sorts of lob, Ling, & Cod, be good and couenable, as in old time hath bene vsed. And in case that no orgeis, that is to say, fish greater then Lob, be found in the ship called a landship in the hundred of Lob, Ling, and Cod, the masters and mariners shall haue of euery hundred of Lob, Ling, and Cod (the hundred accompted to vi. score) xx. orgeis, if there be so many, & if there bee lesse, ỳ maisters and mariners shal haue al the orgeys. And if there bee more, ỳ ouerplus aboue the scores to euery hundred shalbee put to the ship bote in admẽdement of the price of the same to the profit of the buyar. And also by the aduice of the marchauntes and buyars of the Lordes comming to the faire of Blakeney, and of the lords of ỳ ships, a pryce shalbee set at the begynnyng, and assessed vpon the fish of dogger-fish, beefore that any sale bee made, which price shalbe holden duryng the faire. And that the sayd fish bee sold at such a price openly and not by couyn pryuely. And that no Lord of shippes maryners, nor other, lodge nor doe bee lodged in their houses pryuely nor appertly fish in mud, nor fish searched, for to sell agayne an other time at retaile, but all such fish shalbee sold reasonably within the sayd bondes at the faire and price aforesayd, vpon the same paine. And that no man by nets, hookes, nor other instruments pertaining to fishing in the countie of Norfolke but lordes maysters and maryners of shippes, that vse the mistery of fishing, and which haue to doe of such thinges, vpon paine of imprisonmẽt and to be raunsomed at the kings wil, and to forfait the thinges so bought. And that no lord of ship mariner nor other make impechment, nor be rebell in any point against this present ordinance. Nor that no mariner nor fysher bycause of this ordinance, let not nor refuse to go in fishing, as beefore times they were wont to do, nor distourbe, couenant made betweene marchant and lord of shippe, vpon payne of imprisonment and to bee raunsomed at the kinges wil. And that vpon ỳ sãe a writt bee sent to the shirife of Norfolke, ỳ at euery mans complaint, that wyl sue for the kyng or for hymself agaynst those that in anie poynt commeth against this ordinance, bee shall do the same rebelles and trespassours to bee attached, and them deteine in prison til the king and his counsel haue ordeined of them that ryght requireth after the quantitie of their Trespas. Ordinaunce for fish. An. 31. E. 3.

7 ¶ It shalbe lawful to euery man of what condition ỳ he be marchaunt, or other, to buy herring openly and not pryuely at such price as may be agreed betwirt him & the sellar of the same herring. And that no man enter in bargaine, vpon the buying of the same fish hee that first commeth to bargayne shal haue an end of hys bargaine greable to the seller, & that none encrease vpon other during the first bargaine, vpon payne of forfaiture against vs ỳ double of his proffer, but euery man shall

Fish in mud

Retaile

Netts Hookes

Norfolke

Imprison Forf.

Imprison

Shirife

Attach

Herring

Buy openly

Forf.

Mart

ſhall haue the herring ſo bought accor-
dyng to the bargayne thereof made.
And that euery fyſher may delyuer &
ſel his herring and fiſh at euery mart
when hee commeth to the ſaid towne
of great Yermouth, without any diſ-
turbaunce or impechment: notwſtan-
ding any ordinaunce made to the con-
trary before this time. An. 35. E. 3.

Merchant ſtranger Denizen

8 ¶ No marchaunt ſtraunger nor
denizen, after the feaſt of Saint My-
chaell next comming ſhall ſel nor ſett
to ſale any ſalmō by hut, barrel or half
barrel, or any other veſſell before that
it be ſeene, except the ſame hut do hold
and contayne. lxxviii. gallons, the bar-
rell xlii. gallons, the halfe barrell xxi.
gallons wel and faithfully packed, vp-
pon paine of forfaiture for euery butte
barrel and halfe barrel ſo fayling their
ſayed meaſure. vi. s. viii. d. Alſo that no
ſuch marchaunt, being vnder ẏ kinges
obeiſaunce, after the ſaied feaſt of ſaint
Michaell ſhall ſell or put to ſale ante
manner of ſalmon by butte or other
veſſel, except it bee well and faithfully
packed, that is to ſay, the great ſalmō
by him ſelfe, wbout mingling wᵗ them
any grilles or broken bellyed ſalmon.

Salmon

Content of barrels

wel packed

Grilles

And that al ſmall fiſh called grilles,
ſhalbe packed by them ſelfe onely, wᵗ-
out any mingling, vppon paine of for-
faiture and loſſe of vi. s. viii. d for e-
uery butte, barrel & halfe barrel ming
led, packed and ſet to ſale contrary to
this act. Alſo that no marchaunts nor
other perſonne ſet any herring to ſale
by barrel, halfe barrel, or firken, except
the ſame barrell containe xxvii. gallōs,
the halfe barrell and firkin after ẏ ſāe
rate. And that the ſame herryng bee
well, faythfully and iuſtly couched
and packed. And that it bee of one
tymes takyng and ſaltyng. And that
the ſame herryng bee as good and al-
well packed in the middes and in eue-
ry part of the ſame barrel or other veſ-
ſel, as it ſhalbee in the endes of ẏ ſame
barrels and other veſſels, vppon paine
to forfait iii. ſhillinges iiii. d. for euery

Forf.

Herring

Barrel wel packed

Forf.

barrel, halfe barrel and firkin ſo failig
their ſaid meaſure, and alſo vpō paine
of forfaiture and loſſe of iii. ſhillings.
iiii. d. for euery barrell, halfe barrell.
and firkin of herring ſorted layed or
packed contrarie to thys act. Alſo that
no ſuch marchant nor palyngman ſel
or ſet to ſale any eeles by barrel, halfe
barrel or firkin except the ſame barrel
contayne xlii. gallons, the halfe bar-
rel and firkin after the ſame rate. Nor
that any ſuch marchaunt nor paling-
man doo myngle any gallebetten
ſtouued or pulled eeles wyth the good
eeles, but that the good eeles be wel &
iuſtly packed and ſold by them ſelfe.
Nor that they myngell wyth ẏ good
eeles or put to ſale any read eeles vpō
pain of forf. & loſſe of xx. s. for euery bar
rel, halfe barrel & firkin ſo failing their
meaſure. And alſo vpon paine of forf.
& loſſe of x. s. for euery barrel, halfe bar
rell and firkin ſo mirt packed & ſett to
ſale as afore is ſaied contrary to thys
act. Alſo that no ſuch marchant after
ẏ ſaid feaſt ſel or ſet to ſale any barrel-
led fiſh, except the ſame fiſh bee well &
faithfully packed that is to ſay, ẏ comm-
table fiſh commonly called taile fiſh, by
it ſelf, & ẏ ſmal fiſh called grilles by thē
ſelfe, without any mirting of the ſayd
fiſhes with the great fiſh, and without
mirting or packing of thoſes or fyſhe
with broken bellies with the ſaid tale-
fiſh or ſmall fyſhe. And that the ſayd
taleſyſhe nor ſmall fyſhe be not layd
double in the packing. And that eue-
ry tale fiſh contayne in length from
the bone in the ſnne to the thyrd
ioynt of the taile xxvi. yuches at the
leaſt, and that the napes of all ſuch
barrelled fiſh ſhalbee no longer then
the lyttle bone that ſitteth vppon the
great fynne. And that the bone of eue-
rie ſuch ſalt fyſh ſhalbee taken awaie
to the nauell of the ſame fyſhe.

Merchant Palingmā

Eles

wel packed

Forf.

Barrelled fiſh

Taile fiſh

Content in length

And that euery ſuch fiſh bee ſplatted
or opened downe to an handful of the
taile vppon payne of forfaityng and
loſyng of three ſhyllinges. iiii. d. for

Forf.

euery

euery barrell of fiſh, whych hereafter ſhalbe found packed, ſorted mixt, naped, layd double, or not boned, nor ſplatted open, according to this act. Alſo in eſchewing the common dammage and diſceipts aforeſaid: Our ſayd Soueraigne lord the kyng hath ordeined and enacted by the auctoritie aforeſayed, that all Maiors, Baylifes and gouernours of Cyties, Boroughes, Townes, marketts and al other places of this his Realme for ỳ time beig where they bee Maiors, Baylifes or gouernours, ſhal haue power and auctoritie to name and chooſe diſcrete & expert perſonne or perſonnes dayly to ſearch & gauge al ſuch veſſels as aboue bee reherſed, that they bee faythfully packt, and keepe their faythfull meaſure & aſſiſe according to the ordinances aforeſaid. The one halfe of all the ſayed fines forfaytures and paines & euery of them, to be to our ſoueraigne Lord the kyng. And the other halfe to hym or them of his ſubiectes that ſhal ſeyſe or purſue for the ſame by accyon of debt by writt at the common law, by bill or plaint after the cuſtome of ỳ Citie or towne where any ſuch fynes forfaitures and paynes ſhal hereafter happen to bee or fall. And that ỳ defendaunt in any ſuch accion be not admitted to wage nor doe hys lawe. Nor that any protection or eſſoine in ỳ kinges ſeruices for any ſuch defendants be allowed. Prouided alwaies ỳ this act be not preiudicial to any perſonne or perſonnes hauing the forfaiture of ỳ goodes of felons fugitiues & dampned perſones. Moreouer it is ordeined & enacted by the auctoritie aforeſaid, that euery ſuch perſonne and perſones, ſhal haue & enioy like forfaitures of and in euery of the premiſſes within their fraunchiſes, as the kyng now hath in other places wont. Ann. 22. E. 4. ca. 2.

Maiors Baliffes

Serch Gauge

Moitie

Gager Packer Sercher

Gagers fee

Packers fee

Offend

Proued Maiors Baliffes

Forf.

Imprſon

9 ¶ It may pleaſe the king &c. to confirme, ratifie and eſtabliſh the ſaid act (s. Anno 22. E. 4. cap. 2) and euery thing therein compriſed. And ouer ỳ by the ſame auctoritie to ordeine and eſtabliſhe ỳ euery ſuch gager, packer, or ſearcher, take no more, for gauging of a barel ſamon, barrel herring, barel fiſh, barell eeles, halfe barrel, & firken, for euery peece ſo gauged but a farthig and for his labour for ſerching, & packing if it bee made of a barrell ſalmon fro head to head. i. d. and for his labour for boning maping and packing of a barrel fiſh if it be made. i. d. and for his labouring ſearching and packyng of a barrel herring from head to head if it be madefull. ii. d. and for ſearching, & packing of euery barrel of eeles. ii. d. And for ſearching and packing of euery halfe barrell of herring fro head to head. i. d. for euery halfe barrell of eeles ſearching and packing. i. d. & for ſearching and packing of euery firkin of herring if it bee madefull. ob. And ouer that, that all and euery ſuch gauger, ſearcher, and packer that myſbeehaueth or offendeth in any thyng concerning the ſaid offices of gauger ſearcher and packer contrary to thys act, and ſo proued beefore any of the ſayed Maiors Baliffes gouernors of any citie, Towne Borough, market or any other place wythin thys Realme wher he or they ſo be gaugers packers, or ſearchers, gauger, packer or ſearcher ſhal loſe and forfait hys ſayed office, and the ſame from thenceforth no longer to enioy, any leaſe graūt or graūts thereof made notwithſtanding, and for farther punyſhment to haue and ſuffer imprſonment by ỳ ſpace of xl. daies, wout baile or mainprſe. Prouided alway that the ſaied ſearcher, and packer, or any of them ſhall nothing receiue of the ſaid ſes by colour of their offices but onely for ſuch buttes, barrels halfe barrels, and firkins as by them hereafter ſhalbe ſufficiently ſearched & packed, and bee not afore ſufficiently packed. This preſent act to begin and take effect at the feaſt of Eaſter next comyng, & not before. Ann. 1. H. 7. c. 23.

10 ¶ An.

Forstalling Regrating

10 ¶An.25.H.8.cap.4.an act was made agaynst forstalling & regrating of fish, & against buying and selling of fish, against marchaunts aduenturers into Island. But it is repealed by An. 35.H.8.ca.7.

Repealed

Killing of frie Spawne

11 ¶Anno.25.H.8.cap.7.an act was made to endure for 10.yeares against the killing and taking of yong frie and spawne of eeles, & salmons, & kipper salmon, vpon forfaitures there declared.

Ponds Stewes In the night

12 ¶Anno.31.H.8.ca.2.fyshyng of pondes stewes, or motes, wyth intent to steale fish betwene.6.a clocke in the euening to 6.a clock in ỳ morning against the wil of the possessors, & also vnlawfull breakyng of ỳ heades of seuerall pondes, stewes or motes by day or night whereby fish is taken or destroyed against ỳ wil of ỳ possessors is made felony. But those felonies be repealed by.1.E.6.c.12.& by 1.M.1. cessione. And in the said act of An. 31. H.8. cap. 2. it is further enacted that if any such euyl disposed persons, after the feast before lymitted, doe fish in ỳ day time at any other tyme then is before rehearsed, in any such seuerall pondes, stewes or motes, with any manner of nettes hokes or baites, as is aforesaid, what kind soeuer they be of, against the wyll pleasure & mynd of the owners or possessours of ỳ sae seuerall pondes, stewes, or motes, not hauing any manner of colour of title so to doo, and thereof bee lawfully cõuicted at the suit of our soueraigne lord the kyng of the party greeued: ỳ then the said parties so conuicted, shall suffer imprisonment by the space of three monethes, and after the sayed three moneths expired, shall find sufficient suerty for his or their good abearing, or else to remaine stil in prison wythout baile or mainprise, vnto such tyme as hee or they can find such suertie. Ann. 31.H.8.ca.2.

Felony Repealed

Seuerall waters

Connict

Imprison

Good abearing

Buying of fish Straungers

13 ¶Ann.33.H.8.ca.2.an act was made against buyng of fish of strãgers vppon the sea, or beyond the sea, to endure to the latter end of ỳ parliament. And after. Anno.37.H.8.cap.23.it was continued, after. An.5.E.6.cap. 17.it was continued. And after. Ann. 7.E.6.ca.11.it was continued. And after. Anno.1.M.1.parliamento, cap.13. it was continued to the end of ỳ next parliament & then it expired.

Expired

14 ¶For almuch as within these fewe yeares now last past there hath ben leuyed, perceyued, and taken, by certaine of the officers of ỳ admiralty of such marchauntes and fishermẽ as haue vsed and practised the aduentures & iourneis into Iseland, Newfound land, Ireland, and other places commodious for fishing, and the getting of fish, in and vppon the seas or otherwyse by way of marchauntes in those parties dyuers great exacyons, as summes of money, dole, or shares of fish, and such other like thinges, to the great discouragement, and hinderance of the same marchaunts, and fishermen, and to no litle dammage, to the whole comon weale. And wherof al great complaintes haue ben made, and information also yearely, to the kinges maiesties most honorable coũsail. For reformatiõ wherof & to thintẽt also ỳ the said marchants & fishermen may haue occasion the rather to practise and vse the same trade of marchandise, & fishing freely, without any such charges or exactions, as is before limitted, whereby it is to be thought ỳ more plenty of fish shal come into this realme, & therby to haue ỳ sae at more reasonable prices: Bee it et. ỳ neither the admirall nor any other officer or minister officers or ministers of ỳ admiraltie, for the time being shal in any wise hereafter exact receiue, or take by him self, his seruãt, deputy, seruãts or deputies, of any such merchant, or fishermen, any summe or summes of money, doles, or shares of fish, or any other reward, benefitt, or aduentage, whatsoeuer it be for any lycence to

Admirals officers Merchãts Ireland Newfoũdland

Exactions

Admiral Officer

Exact.

Money No reward Licence

to passe his Realme, to the said viages or any of them: Nor vpon any respect concerning the saied viages or any of them, vppon paine to forfayt for the first office treble the summe or treble the value of the reward, benefit or aduauntage that any such officer or mynister shal hereafter haue or take, of any such marchant or fisherman: For ẏ which forfaiture the party greeued, & euery other person or personnes, what soeuer hee or they bee, shall and maie sue for the same, by information, byll, plaint, or accyon of debt in any of the kings courts of record, ẏ king to haue ẏ one moitie, & the partie complaining ẏ other moitie, in which suit no essoign &c. & for the second offence the party so offending, not onely lose and forfayt hys or their office or offices in the admiralte, but also to make fine & raunsom, at the kings will & pleasure. An. 2. E. 6. ca. 6.

Forf.
First office
Moitie
& Offence
Forf. office
Fine

15 ¶ Ann. 4. H. 7. cap. 21. an act was made to endure to ẏ beginning of the next parliament for the keping and saueing of the frie of fish in the hauen of Orford in Suffolke.

Frie
Orford

16 ¶ That no persone or persons of what estate degree, or condition so euer he or they be, from & after the first day of June next comming with any maner of nette wele, buttaining, kepper, lime creele, raw, fagnet, trolnet, trimnet, trimbote, stalbote, weblister, seur, lamet, or with any deuise or inginnes, made of heare, wool, lyne, canuas, or shall vse any heling net or trimle bote or by any other deuise ingiune, ca wetelles, waies, or meanes whatsoeuer, heretofore made or deuised, or hereafter to be made or deuised, shall take & kill any yong brode, spawne or fry of eeles, salmon, pike, or pikerel, or of any other fish in any sludgate, pipe at the taile of any mil, wear or in any streits streames, brookes, ryuer, salt, or fresh within this realme of Englād, wales Berwicke, or the marches thereof, or shal from & after the first day of June nert comming by any of the waies or meanes aforesaid, or otherwise in any riuer or place aboue specified, take and kil any salmons or Trowtes, not being in season, being kepper Salmons or kepper Trowts, shedder Trowts. And be it further enacted by authoritie aforesaid, that no person or persōs, of what estate, degree, or condition, he or they shalbe from and after the sayd first day of June by any of the meanes aforesaid, in any of the riuers or places aboue named shal take and kil any pike or pickerel, not being in length tenne inches fish and more, nor anie Salmon not being in length sixteene ynches fish and more, nor any Trout not being in legth viii. inches or more, nor any Barbell, not being in length twelue inches or more. And to the intent ẏ said yong frye, brode or spaume may be preserued according to the true meaning hereof: Be it further enacted by ẏ authoritie aforesaid, that no manner of persone, or persones from and after the first day of June next comming shall fish or take fish wyth anie maner of Netts, tramel, keppe, wore, Heale, Crele, or by any other ingyn, deuise, waies, or meanes whatsoeuer in any Ryuer or other places aboue mencioned but onely with Nette, or tramell, whereof euerie meshe, or maske shalbee two inches and a halfe broade, angling excepted. Prouyded neuertheless, and be it enacted by the authoritie aforesaied, that in all such places where Smeltes, Loches, Minnies, Bullheads, Cudgeons, or Eeles hath bene vsed to bee taken and killed, ẏ in all such places, it shalbee lawefull only for the taking of smelts, Loches, Minneis, Cudgions, & Eeles, to vse such netts, lepes, and other ingins, deuises, waies & meanes as heretofore hath beene vsed for the takyng of the same, So that such person or persones vsing or occupying such netts, or other engins, as is last afore mencioned, doe not take, kill, or destroy any other fish

Frie Ozford
Ingines
Netts
Spawne
Fludgat Weare
Waies Berwicke
Salmons Trouts Kepper
Pike or pikrell
Length Barbel
Netts Ingin Mesh
Angling
Smelts Loches Eeles

wyth

with the ſaid nettes or ingins contrarie to the tenour and fourme aboue in this eſtatut contained. And be it further enacted, that if any perſon or perſons after the aforeſaid day limitted in this preſent act offend in anie of the pointes before rehearſed contrarie to the tenour, fourme, and purport of any part of the ſame, that then euery ſuch perſon and perſones ſo offending ſhall loſe and forfait for euery time of his or their offence the ſumme of xx.s. and the fiſh ſo taken contrarie to the tenour hereof, and alſo the vnlawfull nettes, ingins, deuiſes and inſtrumēts whatſoeuer they bee, wherewith, or whereby ſuch offences ſhall fortune to be made, committed, or done.

Forf.

And to the intent that a perfect execution may bee had of this preſent act: Be it further ordeined by authoritie aforeſaid, that the Lord Admirall of England, and the Maior of the Citie of London for the time being, and all and euery other perſon and perſones, bodies politike and corporat whych by graunt or other lawfull wayes or meanes, lawfully haue or ought to haue any conſeruation, or preſeruation of any riuers, ſtreames, or water, or puniſhments and correccion of offences, cōmitted in any of thē, ſhall haue full power and authoritie by vertue of this act, to enquire of al the offeces to bee commited and done contrary to the effect, and true meanig of this act, within his or their ſuch lawfull Rule, gouernment, iuriſdiccion, and conſeruation by the othes of twelue men or more. And to heare and determine al and euery the ſame offences, committed within his or their ſuch iuriſdiccō, conſeruation, rule, & gouernement. And that all ſuch paynes and forfaytures, as ſhal riſe or growe by ỳ reaſon of any ſuch conuiccion, for any the offences aforeſaid ſhallbee to the vſe of euery of the ſayd perſon or perſons, beeing no body politike or corporat nor head of any body politike or corporat before whom ſuch conuiccyon as is aforeſaid, ſhalbe had, and to the vſe of euery ſuch body politique & corporat as heretofore haue lawfully had any fines, forfaitures and amercyamentes, for any offence, vnlawfully committed or done in any ſuch their iuriſdiccion, or conſernacies, vpon cōuiccyon had before the head of anie ſuch body politike or corporat. And ỳ alſo the lord of euery leete within this Realme of England, and Wales or the dominions of the ſame ſhall haue ful power & authoritie to enquire of al the offences contrary to ỳ purport tenour and fourme of this ſtatut within the precint of their ſaied leete, ſuch inquirie to be had in maner and fourme, & after ſuch ſort as cōmō amercemēts or other thinges, inquirable in their court leet haue ben lawfully vſed and accuſtomed to bee had and made. And that vpon euery ſuch preſentment had in any court or leete, by the othe of xii. men, or more as is aforeſaied, of anie offence or offences made contrary to ỳ tenor of this eſtat. that then all ſuch forfaiture aboue in this ſtatut ly mitted and appointed for ſuch offi ce, ſhalbe vnto the lord of the ſaied leete for ỳ time being to his owne vſe for euer, & ſhalbee leuied in ſuch maner & fourme as amerciaments for affaires, cōmitted wiin the precinct of ſuch leete haue ben vſed and accuſtomed to be leuyed. And if any leete after the ſaid firſt day of June be kept wiin this Realme of England, or Wales, or ỳ dominions therof, and the Steward of the ſayed Leete, for the time being, or other for him doe not charge the Iury, ſworne in ſuch leete, to enquire of al ỳ offences done within the precinct of the ſayed leete, contrary to the tenour & fourme of this ſtatut: That then the ſteward of the ſaid leete to loſe and forfait forty ſhillinges, the one moitie of whych forfaiture ſhalbe to ỳ Quēnes maieſtie, her heires and ſucceſſours, and the other moity to him ỳ wyll ſue for the

L. Admiral Maior of London

Enquire

Othes of xij. Oier & ter.

Forf.

Vſe

L. of leets

Enquire

preſentmēt

vſe

Leets

Steward

Forf.

Moitie

Jury

the ſame. And if any Jurie ſwo?ne in any lẽte, and being charged to enquire of the offences committed within the p?ecinct of that leete, doe wilfully and willingly conceale and make default in p?eſentment, o? doe not p?eſent the offence and offendours: What then it ſhalbe lawfull to the ſteward, o? bayly of the lẽte, o? his o? their deputy fo? the time being, to empanell one other Jury within the ſaid leete, and to enquire of ſuch concealement, default, & non p?eſentment, and that vpon ſuch concealement, default, o? non p?eſentment found and p?eſented, euery of the ſaid Jurours which ſo dyd conceale, make default, o? not p?eſent, ſhal loſe and forfait fo? euery ſuch offence xx.s. to the Lo?d of the ſayd leete, the ſame to be leuied in manner & fourme as is afo?eſaid, fo? ẏ other offences limitted and exp?eſſed. And it is further enacted by auctho?itie afo?eſaid, that if the offences aboue mencioned, touching the taking, killyng, o? deſtroying, of fiſh, o? fry and ſpaume, bee not p?eſented at the lẽte where they ſhalbee committed, wythin one yere next after the offence committed, that the Juſtices of peace in their ſeſſions, Juſtices of Dyer and determiner, and Juſtices of Aſſiſe in their ſeueral circuites, ſhall haue full po?wer and auctho?itie to enquire thereof, and to heare and determine al the offences committed, contrarie to the tenour of this eſtatute.

Conceale

An other iury

Fo?f.

Deſtroying of fiſh

Juſt. of p.
Juſt of oier
Juſt. of aſſ.

Enquire Oier & ter.

Sauing alwaies to all & euery perſon and perſonnes, bodies politique and co?po?at, and euery of them, all ſuch right, title, intereſt, claime, p?iuiledge, and conſeruatyon, and inquiry and puniſhment of and fo? any the offences afo?eſayd, as they o? any of them lawfully haue and enioy, o? of ryght ought to haue and enioy by any manner of meanes, any thing in this act to the contrarie notwythſtandynge. This act to endure to the end of the nert parliament.

Bodies politique

P?ouided alwaies that this act o? any thyng therein contained, ſhal not extend vnto the fiſhyng of the ryuer o? water of Twede, no? to any ryuer o? water whereof the Queenes maieſtie is aunſwered of any yearely rent o? p?ofitt, no? to ẏ owners, fermo?s, and occupiers of the ryuers of Vſke o? Vſſe, in the county of Monmouth fo? any fiſh hereafter to be taken in any the riuers o? waters bee fo?e mencioned and exp?eſſed, but ẏ it may be lawfull at al ſeaſonable tyme and tymes hereafter fo? ſuch as haue o? ſhall haue any manner of intereſt therein, to take and fiſh the ſayed ryuers and waters, in ſuch maner and fourme as heretofo?e hath beene vſed and accuſtomed, not vſing any net o? ingine, to the intent willingly to take, kil, and deſtroy ẏ ſpa?wne, breede, o? fry, bredyng of any kind of fiſh to be in the ſayed ſeuerall riuers o? waters, thys act o? any thing therein mencioned o? contayned to the contrary notwithſtanding, Anno. 1. El. cap. 18. This act was diſcontinued. 8. El. and reuiued. 13. El. ca. 25. & continued vntil the end of the nert parliamẽt. And 14. Elizabeth capitulo. 11. lyke wyſe continued.

Twede

Vſke Wye

Ingine Spawne

Diſcõtinued Continued

17 ¶ Wee it therefo?e enacted &c. ẏ if any perſone o? perſones after the feaſt of Pentecoſt nert comming, ſhall at any time by day o? by night, vnlawfully without auctho?itie, breake, cut downe, cut out, o? diſtroy any head o? heds, dam o? dammes of anie pondes, poles, motes, ſtanges, ſtewes, o? ſeuerall pittes wherein fyſhe are o? ſhall happen to bee put in o? ſto?ed withall by the owners o? poſſeſſioners therof, o? do, o? ſhall wrongfully fiſh in anie the ſaied ſeueral ponds, poles, motes, ſtanges, ſtewes, o? pits, to ẏ intent to deſtroy, kil, take, o? ſteale away any of the ſame fiſh, againſt ẏ will, mynd o? pleaſure of the owners o? poſſeſſyoners of the ſame not hauing any lawful title o? auctho?ity ſo to do, & thereof be lawfully conuicted, at ẏ ſuit of our

Heds of ponds

Wrongfully

Conuict

ſoueraigne

ſoueraigne Lady ỳ Quéne, her heires or ſucceſſors, or the party greeued, ſhal ſuffer impriſonment of his or their bodies by the ſpace of thꝛée monethes, & ſhall yeld, and paie to the partie greeued his treble dammages, & after the ſaid thꝛée monethes expired, ſhall find ſufficient ſuerties for his or their good abearing againſt the Quéene our Soueraigne Lady, her heires & ſucceſſors, and all her liege people, for the ſpace of ſeuen yeares after, or els ſhal remaine and continue ſtill in priſon, wꝑout baile or mainpꝛiſe, vntill ſuch time as hee or they ſo offendyng can and ſhall fynd ſuch ſufficient ſuerties duryng the ſayd tyme and ſpace of ſeuen yeares, as is afoꝛeſayd.

Impriſon

Good abearing

without baile or mainpꝛiſe

And be it further enacted by ỳ auctoꝛitie of this pꝛeſent parliamẽt, that if anie perſonne or perſonnes after the ſayd feaſt of Pẽtecoſt next comming, at anie time by night or by day in maner afoꝛeſayd, wꝛongfully or vnlawfully bꝛeak or enter into anie park empaled, or anie other ſeuꝛal ground cloſed with wall, pale, or hedge, and vſed for the keepyng, bꝛeedyng, and cheryſhing of Deare, and ſo wꝛongfullie hunt, dꝛiue or chaſe out, or take, kylle, or ſlea anie Deare wythin anie ſuch empaled parke or cloſed ground wyth wall, pale or other encloſure, and vſed for Deare as is afoꝛeſaid, or do or ſhal take away anie Hawke or Hawkes, or the egges of anie of them, by anie wayes or meanes vnlawfully, out of anie the wowdes or ground of anie perſonne or perſonnes (not hauyng lawfull auctoꝛitie or licence ſo to do) and thereof bee lawfully conuicted at the ſuit of our Soueraygne Ladie the Quéene, or the party gréeued as is afoꝛeſayd, ſhall lykewiſe ſuffer impriſonment of his or their bodyes by the ſpace of thꝛée moneths, and ſhall yeld and pay to the party greeued his treble dammages. And after the ſayd thꝛée moneths expired, ſhal fynd ſufficient ſuerties for his or their good abearyng for the ſpace of ſeuen yeares after, againſt ỳ Quénes maieſtie, her heires and ſucceſſours, and all her liege people, as is afoꝛeſaid, or els ſhal remaine and continue ſtill in pꝛiſon, wythout bayle or mainpꝛyſe, vntyll ſuch time as hee or they ſo offending can & ſhal fynd ſuch ſufficyent ſuerties during the ſayd terme of ſeuen yeares, as is afoꝛe rehearſed.

Night or day

Parke

Deere Hunt

Kil any deere

Hawkes Hawkes egges

Conuict

Impriſon

3. damages

Good abearing

Pꝛouyded alwayes, that this act or any thyng therein conteined, extẽd not to anie parke or incloſed ground hereafter to bee made and vſed for Deare wout the graunt or licence of our ſoueraigne Lady the Quéene, her heires ſucceſſors or pꝛogenitours. Pꝛouyded alwayes, and be it enacted by auctoꝛitie afoꝛeſayd, that it ſhalbee lawfull for the partie greued to ſue, & take hys further remedy againſt all and euerie ſuch offendour and offendours for hys loſſe and dammage, and to recouer the treble value of the ſame in this behalf, aſwel beſoꝛe iuſtices of Oyer and determiner, iuſtices of Aſſiſe in theyr circuits and Iuſtices of peace, as els where, in any other the Queenes courtes of recoꝛde, and that vppon the true ſatiſfaction of the ſaide treble dammages to the partie greeued, or vpon the confeſſion & knowlege therof by the ſame partie beſoꝛe the ſaid Iuſtices in open ſeſſions to bee holden within the countie where the offence was committed, it ſhalbe at the libertie of ỳ ſãe party greeued, to whom the ſaide offence was committed to releaſe at his pleaſure the ſaide ſuertiſhippe of good abearing, at any time within the ſayd ſeuen yeares, or beſoꝛe. Any thing in this acte beſoꝛe ſpecified or exꝑeſſed to the contrarie notwithſtanding.

Parke

Q. graunt

Recouer 3. value

Iuſt. of oier

Iuſt. of all.

Iuſt of p.

3. dameges

Confeſſion

Open ſeſſiõs

Releale

Good abearing

And bee it further enacted by the auctoꝛitie afoꝛeſaid, that the Iuſtices of Oyer, and determiner, Iuſtices of aſſiſe in their circuits, and Iuſtices of ỳ peace and gaole deliuerie, in their ſeſſiõs, ſhal by vertue hereof, haue poꝛer

Iuſt. of oier

Iuſt of all.

Iuſt. of p.

Enquire Oier & ter.

Proces Indictmts

and auctoritie to enquire, heare and determine all and singuler the offences aforesayd, and to make & award proces thereuppon, as well vppon indictments taken before them as by bill of complaynt, information, or any other action, in which suit or accion, no essoin wager of law, nor protection shalbee allowed.

Being bound to good abering, do confesse his fault

And bee it further enacted by ẏ auctoritie aforesaid, ẏ if any person or personnes, at any time hereafter shal fortune to be bound before any of the Justices beefore mencioned, to ẏ Quenes her heirs or successours, for his or their good abearing for seuen yeares, according to the tenour of this act, and the same partie or parties so bound, shall afterwardes within the seuen yeares come before the Justices of peace of ẏ sayd Countie where the sayd offence was committed, or some of them in open sessions, and there in the said open sessions confesse and acknowledge his or their said offence or offences, and be sory therefore, and satisfy the party or parties greeued, according to ẏ tenure of thys act: that then the same Justices before whom the said confession shall be so made, shall and may haue power & auctority by vertue of this act, in ẏ same open session, or in any other open sessions afterwardes to be holden beefore the sayd Justices in the said countie within the said terme of seuẽ yeres if it shall seeme good to their discretyons, to dyscharge the sayd Recognisaunce and bonde so taken, and also the sayd partie and parties so bound: This act or any thing therein conteyned to the contrary therof, notwithstanding. Ann. 5. El act. 5.

Open session

Dyscharge

## ¶ *Flax & hemp.*

An. 24. H. 8. capitul. 4. an act was made for sowing of flax and hemp to continue to the last day of the next parliament. And after it was continued. An. 28. Hen. 8. capit. 9. An. 31. H. 8. cap. 7. An. 33. H. 8. cap. 17. and An. 38. H. 8. cap. 23. to endure to the last day of the next parliament, & then it expired.

Expired

2 ¶ It shal not be lawfull to any person or persons at anie tyme hereafter to water any maner of hemp or flaxe in any riuer running water, streame, brooke or other common pond where beasts be vsed to be watred, but onelie on the ground or pits for the same ordeyned, and to be ordeined, made, and prouided, or els in other their owne seuerall ponds, vpon paine euerie person and persones offending or doing contrary to ẏ tenour, meanyng & purport of this estatute, to lose & forfayt for euerie time so doing. xx. s. the one halfe thereof to be to our soueraigne lord the king, and the other halfe thereof to bee to the party greeued, or to any other ẏ kings subiects that will sue for ẏ same forfaiture in any court of record, leete or lawday by accion of debt, bil, plaint, information or otherwise, in whych suit no protection, wager of lawe, essoins or other delatory plee, shalbee admitted or allowed. An. 33. H. 8. ca. 18.

Watring of hempe or flax

Forf. Mottis

Court of record Leete Lawday

## ¶ *Fooles, lunatike & mad men.*

The king shal haue ward of the lands of naturall fooles, taking the profites of them without waste or distruction, and find to them their necessaries of whose soeuer ẏ the lands bee holden. And after the death of such ideots hee shall render it to the right heires, so that such ideots shall not alien nor their heirs shalbe disherited. Prerogatiua regis. An. 17. E. 2. cap. 9.

King ward No waste

Heires

2 ¶ Also the king shal prounde, whẽ any (that before time hath had his witt and memorie) happen to fayle of hys witt, as there are many per lucida intervalla, that by euident spaces that their landes & tenements shalbee safely kept without waste or destruction, and that they and their houshold shall liue & be conueniẽtly maintained wᵗ the profits of the

King

Lands kept thout waste

Ouerplus

of the same, & the residue besides their sustentation shalbe kept to their vse to be deliuered vnto them when they cõe to right mind. So that such lands and tenements shal in no wise be aliened. And the king shal take nothing to his owne vse, and if the partie die in such estate, then ẏ residue, shalbee distributed for his soule by ẏ aduise of ẏ ordinary. Prerogatiua regis. An. 17. E. 2. c. 10.

Distributiõ

## ¶ *Forcible entrie.*

Enter & forces

THe king defendeth, that none from henceforth make anie entrie into any landes and tenementes, but in case where entrie is geuen by the lawe, & in such case not wt strong hãd, nor wt multitude of people, but only in peaceable & easy maner. And if any mã from henceforth do to the contrary, & thereof be duely conuict, he shalbe punished by imprisonment of his body, & thereof raunsomed at the kings will. An. 5. R. 2. cap. 7.

Conuict Imprison Fine

2 ¶ The ordinances & statuts made and not repealed of thẽ that make entries with strong hand into lands and tenementes or other possessions, & thẽ hold with force. And also of all those ẏ make insurrections or great rydings, ryots, routes, or assemblies in disturbance of the peace of the commõ lawe, or in affray of the people, shalbee holden and kept and fully executed: ioyned to the same, that at al times, that such forcible entries be made, and cõplaint thereof commeth to the iustices of peace, or to any of them, ẏ the same Justices or iustice take sufficient power of the countie, and go to the place where such forcible entrie, with force is made: and if they find any that holdeth such place forcibly after such entrie made, they shalbee taken and put in the next iayle, there to abide cõuict by the record of the same Justyces or iustice, till they haue made fine & raũsome to the king. And ẏ al they of the county, as well the sheryffe as other, shall attend to the Justices to goe and assist them to arrest such offenders, vppon paine of imprysonment, and to make a fine to the kyng. And in the same maner it shalbe done of them ẏ make such forcible entries in benefices or offices of holy church. Anno. 15. R. 2. capitulo. 2.

Holde & force Insurrections Riots routz

Complaint Just. of p. Power of ẏ countie

Find with force The next gaole Conuict of record Fine

Shirife

Assist Imprison Fine

Benefices

3 ¶ For as much as ẏ said statut (s. of An. 15. R. 2. before 2) doth not extẽd to entries into tenements in peaceable maner and after holdẽ with force, nor if the persons which enter wyth force into any lands or tenements, be wholly remoued and voided before the comming of the said Justices or Justice, as before, nor no paine ordeyned if the shirife doe not obey the commaundemẽts & precepts of the said Justices, for to execute the said ordinance, whereby many wrongfull & forcible entries be daily made in lands and tenemẽts by such as haue no right, & also diuers giftes, feffements and discontinuãces sometimes made to Lords, and other puisant persons & extorcioners within the said Counties, where they be conuersant, to haue maintenance, & sometime to such persons as be vnknowen to them so put out, to the intent to delay and defraud such rightful possessors of their right and recouery for euer, to ẏ final disherison of diuers of ẏ kings faithful liege people, & likely daylie to encrease, if due remedy be not prouided in this behalfe: Our soueraigne Lord the king, considering the Premisses, hath ordeyned, that the sayd statute, and all other Statutes of suche entries or alienations made in times past, shall be holden and duely executed: Joyned to the same, that from henceforth where anye doth make suche forcible entrie in landes, Tenementes, or other possessions or them holde forcibly, after complaint thereof made within the same county where such entrie is made, to ẏ Justices of peace, or to one of them by

Shirife Refuse to obey

Delay Defraud

Hold forcibly Complaint

Just. of p.

the partie greeued. that the Justices or Justices so warned within a conuenable time do the said statute duely to bee executed: and that at the costes of the party so greued. And moreouer though that such personnes makyng such entries be present, or els voided before ẏ comming of the sayd Justices or Justice, immediatly the same Justices or Justice in some good towne nert to the tenements so entred, or in some other conuenient place after their discretion, shal haue auctho*r*itie and power to enquire by the people of the same coũty, aswell of them that make such forcible entries in landes and tenementes, as of them which ẏ same hold with force. And if it be found before any of them, that any doth contrarie to this statute, then the sayd Justices or Justice shall do the landes or tenementes so entred or holden as afore to bee reseised, and put the partis so put out in full possession of the same landes or tenementes so entred or holden as before. And if anie personne after such entrie in landes or tenementes holden with force, make a feoffement or other dyscontynuance to anie Lord or other person, to haue mayntenaunce, or to toll and defraud the possessour of his recouerie in any wise, if after in assise or other action therof to be taken or pursued before Justices of Assyses or other the kings Justices whatsoeuer they be, by due enquirie thereof too bee taken, the same feffementes and discontinuances may bee duely proued to bee made for mayntenaunce, as afore is sayde, that then suche feffementes or other discontinuances, so as before, made, bee voyd and holden for none. And also when the said Justices or Justice make such ẽquiries as before, they shall do their warrants and preceptes to bee directed to the sheriffe of ẏ same countie, commaunding him of ẏ kings behalfe, to cause to come before them and euerie of them sufficient and indifferent personnes, dwelling nert about the landes so entred, as before, to enquire of such entries, whereof euerie man which shalbee empanelled to enquire in this behalfe, haue land or tenement of the yearely value of fortie shillings, by yere at the least aboue reprises, and that the sheriffes returne ilues vppon euerie of them at the daie of ẏ first precept retournable. xx. s. and at the second day. xl. s. and at the third time C. s. & at euery day after the double. And if any sheriffe or bayllife within a fraunchyse hauyng returne of the kinges writ, bee slacke and make not execution duely of the sayd preceptes to hym directed, to make such enquiries, that hee shall forfayt to the king. xx. li. for euerie default, and moreouer shall make fine and ransome to the kyng. And that aswell the Justyces or Justice aforesaid, as the iustices of Assyses and euerie of them at their commyng into the countrey to take assises, haue power to heare and determyne such defaultes and negligences of the sayd Sheriffes and bayllifes, and euerie of them, as well by bill at the suit of the partie greeued for himselfe, as for the kyng to sue by endictment onely to be taken for the kyng. And if the sheryfe or bayllyfe bee duelie attaynted in this behalfe by endyctment or by bylle, that he which sueth for him and for the kyng, haue the one moitie of the forfaiture of twenty pound together with his costes and expences, & that ẏ same proces be made agaynst such personnes endicted or sued by bill in this behalfe, as should be against personnes endicted or sued by writ of trespas with force & armes against the peace of our Soueraigne lord the king. And moreouer if anie personne be put out or disseised of anie landes or tenementes in forcible maner, or put out peaceably, and after holden out with strong hand & armes, agaynst the Justice of peace, or after such entrie, any feffement or discontinuãce in any wise therof be made to defraud & take away ẏ right of ẏ possessor

Execut
Ir the parties costs

Enquire

Reseise

Put in possession

Feoffemẽt
Discontinuance

Assise

Maintenãs

Voyd

Preceptes to ẏ shirife

Enquirie of entries

xl. s. land

Issues

Shirife
Bailife

Forf.

Fine
Just of p.
Just. of all.

Oier & ter.

King
Indictmẽt
Shirife
Bailife
Attaint

Moitie

Costes
Proces

Disseised
Forcible
Put out
peaceably
holden vi.
force
Just. of p.
Feoffemẽt

that

Assise of nouel diss. Writ of trespas Recouer Verdict

that the partie greeued in this behalfe haue assise of nouel disseisin, or a writ of trespas against such disseisour, and if ỹ party greued recouer by assise or by action of trespas, and it be found by verdict or in anie other manner by due forme in the lawe, that the partie defendant entred with force into the landes and tenements, or them after hys entry did hold with force: that ỹ playntife shall recouer his treble damnages against the defendant. And moreouer that he make fine and raunsome to the king. And the Maiors, Justices or Justice of peace, shyriues and bayliffes of Cities and boroughs, hauing iurisdiction in the said cities, townes and boroughes, like power to auoyd such entries, and in other articles aforesayd, vsing within the same, as the Iustyces of peace and sheriffes in countyes and countries aforesayd haue. Prouyded alwaies that they which kepe their possessions with force in any landes & tenements, whereof they or their auncestors, or they whose estate they haue in such lands or tenements, haue continued their possessions in the same by iij. yeres or more, be not endamaged by force of this statut. An. 8. H. 6. cap. 9.

Enter with force Hold with force 3. damages Fine Maiors Iust. of p. Shirifes Bailifes

Hold with force

3. yeres possession

¶ *Forrests, Chases, Parkes and warrens.*

Wiew Demeine Dissafforested Woodes

ALL Forests, which king Henry our graundfather afforested and made shalbe disiewed by good and lawfull men: and if he haue made forest of any other wood more then of his owne demeine, whereby ỹ owner of ỹ wood hath hurt, we will ỹ forthwith it be disafforested. And if he haue made forest of no mas wood but of his owne, then wee will ỹ it remaine forest still. Sauing the common of herbage and of other things in the same forest to them, which before were accustomed to haue the same. Charta de foresta. cap. 1.

Common of herbage.

2 ¶ Men that dwell out of ỹ forest from henceforth shall not come before the Iusticers of our forest by no cõmon

Common

summons, vnles they be impleded there, or be suerties for some other that were attached for the forest. Charta de foresta. capitulo. 2.

summons Suerties

3 ¶ All woodes which haue beene made forest by king Richard our vncle, or by king John our father, vnto our first coronation, shalbee forthwyth disafforested, vnlesse it be our demeane wood. Carta de foresta. cap. 3.

Woodes Disafforest Demeine wood

4 ¶ All Archbishops, Bishops, Abbots, priors, earles, barons, knights, & other our freeholders, which haue their woods in forests, shal haue their woods as they had them at the time of ỹ first coronation of king Henry our graūdfather, so ỹ they shalbe quite for euermore of all purpresture, walkes, and assertes made in those woodes after that tyme vntyll the beginning of the second yeare of our Coronation: and those that from henceforth do make purpresture without our special licēce, or walk, or assert in ỹ same, shall answere vnto vs for the same walks, purprestures, & assertes. Carta de foresta cap. 4.

Archbishops Bishops Freeholders Woods Purprestures Walkes Walk Licence

5 ¶ Our rangers shall goe through the forest to make range, as it hath be accustomed at the time of the first coronation of king Henry our graundfather, and none other wise. Carta de foresta cap. 5.

Rangers

6 ¶ The inquirie or view for lawing of dogges within our Forest shall bee made from henceforth, when the range is made, that is to say, euery iij. yere, & then it shalbe done by the view and testimony of honest men and not otherwise. And he whose dogge is not lawed and so found, shallbee amerced, and shall pay for the same three shyllings. And frō henceforth no Oxe shal be taken for lawing of dogs. And such lawing shalbe done by the assise comōly vsed, that is to say, ỹ three clawes of ỹ forefote shalbe cut of by ỹ sinne. But frō henceforth such lawing of dogs shal not be done, but in places where it hath ben accustomed frō ỹ time of the

Lawing of dogges View Amerce Oxe Assise 3. Clawes cut of.

first coronation of ỳ forsaid K. Henry our grandfather, carta de foresta ca. 6.

Foster

7 ¶ No foster or bedill from hence forth shal make scotal, or gather garbe of otts, or any corne, lambe, or pygge, nor shal make no gathering, but by the sight and vppon the othe of the twelue raungers, when they shal make their raunge. So many forresters shalbee assigned to the keping of the forestes, as reasonably shall seme sufficient for the képing of ỳ same. Carta de foresta. 7.

Swanimote

8 ¶ No swanimote from hence forth shalbe kept wtin this our realme but thrise in the yeare, first the fiftenth day afore Michelmas, when that our gest takers and walkers of our woods come together to take agystement in our demeane woodes, and about the feast of saint Martine in winter, whé that our gestakers shall receiue oure paunage. And to these two swanimotz shall come our fosters, berders, gest takers, and none other by distres. The third swanimote shalbe kept in the be ginning fifténe dayes before ỳ feaste of saint John Baptist, when that our gest takers, or walkers doe meete to hunt our deere. And at this swanimote shall meete our fosters, berders and none other by distres. Moreouer euery fortie dayes thorough the yeare our fosters and berders shall mete to see the attachements of the forest, as wel for grenehugh as for hunting, by the prsentment of our forresters. And afore them shalbee attached. And the said swanimotes shall not bee kept but within the Counties, in which they haue vsed to be kept. carta de foresta. 8.

Agistment
Paunage
Fosters
View
Attachmẽtz
Grenehugh
Hunting

Freemen
Agistment
Paunage
Dyne
Swine

9 ¶ Euery free man may take agestmẽt in his owne wood wtin our forest, at his pleasure, and shall take his paunage. Also wee doe graunt, that euery freeman may dyne his swyne freely & without impediment thorough our demeane woods, for to agest them in their owne woodes, or els where they wil. And if their swine tary one night & lie within our forest, there shalbe no occasion taken therof, whereby he may lese any of his owne. carta de foresta. 9.

Killing of deere

10 ¶ No man frō hencefor th shall lose neither life nor mẽber for killyng of our deere, but if any man bee taken therewith, & conuict for taking of our venison, he shall make a greeuous fine if he haue any thing wherof: and if he haue nothing to lese, he shalbe imprysoned a yere and a daie. And after the yeare & day expired (if he can find sufficient suerties) he shalbe deliuered. And if not, he shall abiure the realme. Carta de foresta. 10.

Conuict
Fine
Imprison
Suerties
Abiure

11 ¶ Whatsoeuer archbishop, bishop, earle, or baron, comming to vs at our cōmaundement, & passing by our forest, it shalbe lawfull for him to take & kill one or two of our deere with our foster, if he be present, or els he shall cause one to blowe an horne for him, that hee seeme not to steale our deere. And likewise they shal do returnig hōe from vs. Carta de foresta. 11.

Archbishop
Bishop
Earle
Baron
Kill one or two deere
Blow an horne

12 ¶ Euery freeman from hence forth without daunger shall make in his owne wood, or in his land, or in his water, which he hath within his forest milles, springs, poles, marshes, dikes, or errable ground, without inclosing ỳ errable ground, so that it be not to ỳ annoyance of his neighbours. Carta de foresta. capitulo. 12.

Freemen
Wood
Milles
Erable

13 ¶ Euerie freeman shal haue wtin his owne woods, ayries of haukes, sparowhawkes, faiwcons, eglis, and herons, and shal haue also the honie that is found within his woods. Carta de foresta. capitulo. 13.

Freemen
Ayries of haukes
Honey

14 ¶ No foster from hencefor th, which is not foster in fee, paying to vs ferme for his bailliwike, shall take anie chiminage or tolle within his bayliwike. But a foster in fee paying vs ferme for his bailliwike, shal take chiminage, that is to say, for carriage by cart, the halfe yere two pence, and for an other halfe yeare two pence, for euery horse ỳ beareth loades, euery half yeare an halfpeny. And but of those onely ỳ come

Foster
Chiminage
Fee

Marchants

come as marchants thorough his bailewike by licence to buy bullshes, timber, barke, cole, & to sell it agayne at their pleasure. But for none other carriage by cart, chiminage or tolle shalbe take.

Demesne woods

For chiminage shal not be taken but in such places onely where it hath ben vsed to be. Those which bear vpō their backs bushment, barke or cole to sell, though it be their liuing, shall pay noe chiminage to our forters, except they take it within our demeane woodes. Carta de foresta. 14.

Outlawed of Trespas

15 ¶ All that bee outlawed of trespas vnto our forest, since the tyme of king Henry our graundfather, vnto the first yere of our coronation, shall come to our peace vout let, & shal find to vs suerties, ỳ from henceforth they shall not trespas, vnto vs within our forest. Carta de foresta. cap. 15.

Constable Bailife Hunting

16 ¶ No constable, castellaine, or baylife, shal hold plea of forest, neither for greene hugh nor huting, but euerie forter in fee shall make attachements for ple of forest, as wel for grene hugh as hunting, & shal present thē to ỳ verders of the prouinces. And when they be inrolled and inclosed vnder ỳ seales of the verders, they shalbe presented to our chief Justicers of our forest, when they shall come thither to hold plea of forest, and before them they shalbe determined. Carta de foresta. cap. 16.

Plea of forest

Presentt Justicers

Determine

Trespassers Ponds

17 ¶ Concerning trespassers in parkes & ponds, it is not yet discussed: for the lords demaūded the proper inprysonment of such as they should take in their parks and ponds, which the king denied. Wherefore it was deferred. Merton. cap. 11. An. 20. H. 3.

Trespassors Ponds. Attaint

18 ¶ It is prouided also for trespassers in parkes & ponds, that if any bee thereof attainted at the suit of the partie, great and large amendes shalbe awarded according to the trespas, and three yeares inprisonment, and after shal make fine at the kings pleasure (if he haue whereof) & then shal find good suerty ỳ after he shal not commit ỳe

Imprisonment Fine

Suerties

trespas. And if haue not whereof to make fine, after three yeres imprisonmēt, he shal find like suerties: & if he can not find like suerte, he shal abiure the realme. And if any being guilty therof, be fugitiue, & haue no lād nor tenemēt sufficiēt (whereby he may be iustified) so soone as the king shall find it by enquest, he shal be proclaimed from coūtie to countie, and if hee come not, hee shalbe outlawed. It is prouided also & agreed, that if none doo sue with in a yere & a day for ỳ trespas done, ỳ kyng shall haue the suit. And such as be foūd guiltie therof by lawfull enquest, shal be punished in like maner in all points as aboue is saied, and if any such trespassour bee attainted, ỳ hee hath taken tame beasts or other thig in his parks by maner of robbery, in cōming, tarying, or retourning, let ỳ cōmon lawe be executed vpō him, as vpon him ỳ is attainted of opē theft & robbery, as wel at the suit of the kyng as of the partie. W. 1. cap. 20. An. 1. E. 3.

Abiure

Fugitius

Proclamation

Outlawed

yere & day

Attaint

Cōmon law

Robbery

Forester warrenor Trespassor

Huy & cric

Flee

Force

Kill thoffendor

No araignment

Neither losse of life or limme

19 ¶ If any forester, parker, or warrenour, do find any trespassour wādering vpō his libertie intending to doe damage therein, & ỳ after hue and crie made to him to stād vnto ỳ peace, will not yeld him self, but doth cōtinue & executeth his malice, & disobeying ỳ kinges peace, doth flee, or defendeth hym self vō force & armes, although such forresters, parkers, & warrenners, or any other cōming in their cōpany, & aiding such forresters, parkers, & warrenners, in ỳ kings peace, do kill any offendour or offendours being so found either in arresting or taking thē, or any of thē, they shal not bearrained vpon ỳ same before the king and his Justices, or before ante other the king his bailiffes, or any other within any fraunchise or without, nor shal not lese for so doyng eyther life or lymme, or suffer anie other punishment, but shall enioy the kyngs peace as they did before. Prouided neuertheles, that all such forresters, parkers, warrenners, and all other

Malice

beware that by reason of any malice, discord, debate, or other euill will had before time they do not lie, nor maliciously pretend against any persone passing through their liberties, ỳ they came thither for to trespas or misdoe, wher of truth they did nothing, nor were not founden as trespassours, & so hil thē, for if they do & be connict therupon ỳ death of such persons shalbe inquired & execution shalbee done in like maner, as is done for other of ỳ kings subiectes standing in his peace, & like as it ought to be done of right & according to ỳ law & custome of ỳ realme. Sta. of trespassers in pleas an. 21. E. 1.

Enquire

Purlieus

20 ¶ Where as certaine people ỳ bee put out of the forrest for the purlieu, & by the great men haue made request to our soueraigne lord the king at thys parliamēt, ỳ they might bee acquited of their charge & of things ỳ ỳ forresters demaund of them, as they were wont to be: Our soueraigne lord ỳ king answered, first that where he had graunted purlieu that he was pleased, ỳ it should stand in like maner, as it was graunted, albeit that the thing were lied and demaunded in an euil point: Nevertheleſſe he willeth & indenteth that al his demeane landes wheresoeuer they bee that haue beene of the crowne, being retourned by way of escheate or other wyse, shal haue estate of frée chase and frée warren, & in such manner shalbee saued and kept to hys vse for all maner of escheates and for all manner of thynges that pleaseth him. And in right of them that haue lands and tenements disforrested for the sayd purlieu, and such as demaund to haue common within the boundes of forestes, The entent and will of our soueraigne lord the kyng is that from henceforth (where purlieu is) they may claime to bee quyte of charge of the forestes. And where as the kynges bealles cannot haue their haunt and repaire vpon the forrest grounds as they had so long as

Demeſne lands
Lands of the crowne
Free chase
Fre warrē

Common

they were within the forests, that such foulie shall not haue common nor other easement within the boundes of the woodes nor of the landes, ỳ wheych remaine in forrest, but if any of them that bee disforrested by the purlieu, would rather be within the forest as they were before, thē to be out of ỳ forest as they be now: It pleaseth ỳ king very well, that they shalbe receiued thereunto, so that they shall remaine in their auncient estate, and shall haue common and other easement, as well as they had beefore. Whereupon our soueraigne Lord the kyng willeth and commaundeth, that hys Iusticees of the forestes on this syde Trent and beyond Trent, in lyke manner shal kepe & hold, & cause to bee kept & holden straytly the forsayd poynts within their liberties in the fourme above mentioned. An. 33. E. 1. sta. 5

No comon

woodes

Common

Iust. of forest Trent

21 ¶ If any forester shal find any man, attachiable for grene hugh in his forrest, first hee shall attach hym by two pledges if they bee to be found, if not, hee shalbee brought to the nert Towne where they may bee found. And if they bee afterward found, he shall attach him by lower pledges, & if the third tyme, hee shalbe presented beefore the verdours, and bée put by 8. pledges, afterward, after ỳ third attachment, hys body shallbee attached and retained. for a remembrance that hee is a verdour. Knowe that all trees not bearing fruit, & these wheych beare fruit at anie tyme in ỳ whole yeare, and an Athe if hee be old, shall remaine in the forrest, and arable, because our Lord the kyng is in possession. If any man shalbee found felling an Oke, wythout the demeſne wood & within the precinct, without ỳ view & delinery of the forrester, or verdor, he shalbe attached by iiii. pleges, & by ỳ view of the verdour the Oke shalbee prayſed, and the names of the pleges shalbee written in the roll of the forters and verdours. If any man

Nert
Attach
Pledge

Arrest

Trees

Cut trees

Attach
Verdour
Prize

shalbe

Assert. Purpreſt Arreſt

Pledges Arreſt

Diſtreſſe

Arreſt

Enrol Houſebote Haybote

Sell

Deere Dead

Enquest

Pledges Spittle houſe

Poore folk

Arrowe

Enrol Greyhound

Maſtiue

Pledges

Deere

ſhalbe found in the kinges demeſnes, aſſerting or doing purpreſture, his bodie ſhalbe forthwith retained, but if without the demeſnes within the precinct, he ſhalbe put by vi. pledges, and if hee be afterward found, he ſhal double his pledges, if ỳ third time, he ſhal retaine his bodie. If any man attachiable doe refuſe to put in ſuerties and pledges, he ſhaube diſtrained by his cattals foũd within the bounds of the forest, but if he haue none, his body ſhalbe detained vntil he haue don that which he ought, and if his abode be without the boũds of the forest, his name, and the place whence he is, ſhalbe enrolled, but deliuerie of houſebote and haybote ſhalbe made as the woodſere may ſuffer ỳ ſame to remain in that ſtate in which it is, and not at the requeſt of the demaundant, neyther may he geeue nor ſell any thing of the wood without the kinges warrãt. If any Dæere be foũd dead, or wounded, there ſhalbe an Inquiſitiõ made by power of the next villages to the forest, which ſhalbe written in the rolle, the finder ſhalbee put by fiue pledges, and the fleſh ſhalbe ſẽt to a ſpittle houſe, if by teſtimony of the verdours, and the countrey there be anie nigh, but if there bee no ſuch houſe neere, ỳ fleſh ſhalbe geuen to the poore & lame, the head and ſkinne ſhalbe geuẽ to the poore of the next towne, and the Arrowe (if there be any found) ſhalbe preſented to the verdour, and inrolled in his rolle: If there be any greyhoũds found running to do any hurt, the forester ſhal retaine them and preſẽt them in the preſence of the verdour, and ſẽd them to the king or chief Juſtice, of the forest: If any maſtiue be found vpon any Dæere, & ſhalbe mulled, hee whoſe maſtiue he is, ſhalbe quite of that deed, but if hee bee not mulled, the honour of ſuch maſtiue ſhalbe guiltie, as if he had geuen it him with his hand, & hee ſhalbee put by fiue pledges, whoſe names ſhalbe written, and alſo what dogge it was. If anie man take Deere in the forest without warrant, his body ſhalbee arreſted whereſoeuer he bee found within the bounds of the forest, and when he is taken, he ſhal not be deliuered without ſpecial commaundement of the king, or of ỳ chiefe Juſtice of the forest. If any ſee miſdoers within the bounds of the forest to take or carry away any deere, he ſhal do what he may to take them, and if he can not, he ſhall leup huy and crie, and if he do not ſo, he ſhall remaine in the kings mercie. If any woodward ſhall ſee miſdoers within his wardſhip, or ſhall ſee a dead wild beaſt, he ſhall ſhew him to ỳ chief forester or verdour, and if he do not, and the forester of our lord the king fynd ſuch a fault in his wood within the precinct, that wood ſhalbee taken into the kinges handes, by the kynges commaundement or of his chief Juſtice, & the woodward is to be attached by .iiii. pledges. If any man ſhall haue a wood againſt ỳ demeſne wood of our lord ỳ king, it is lawful for him after ỳ ỳ demeſne hedges are agiſted, to haue in ỳ time of paunage, ſo many ſwine as ỳ wood may ſuffer by the view of ỳ forester, verdour, regardor, agiſter, & other lawfull men, and this ſhalbe done of ỳ profit of the ſwine. Knowe that in the time of paunage, when the agiſtmẽt ought to be made, the forsters, verdors and agiſtors ought to craue the aſſent of the Juſtices of our lord the kynges forest, and ſeeke their good will, and the agiſtmẽt ſhalbee made aſwel wỳn the demeſne hedges & woods, as without, and the agiſtment ſhalbee made accordyng to their commaundment, and tenor of their letters, which letters hee ſhall haue before the Juſtice of the forest in ỳ next circuit. And it is cõmaũded that hereafter bee taken for euerie hogge as much as may bee, to the vſe of our lord the king for paunage, that is to ſay, one peny or ỉi.d. but of lyttle pigges, there ſhalbe no more payd thẽ was before. If any man of another Countie put or wyllyngly ſuffer his cattaile

Arreſt

Iudoers

Arreſt

Huy

Amercemẽt

Woodward

Dead beaſt

Wood

Woodward

Pledges

Wood

Hogges

Agiſtment

Paunage

Hogges

Pigges

Beasts

cattaile to goe wᵗin the bounds of the forrest, the forster may retaine the cattaile by twerties & safe pledges, which if he can not do, by the testimony of

Shirife

ẏ verdours, he shal shew to the shirife of that county therof, that he may make distresse vntil hee find pledges. If the shirife do it not, the forster shal shew ẏ sãe to ẏ Justices. No mower shall

Mastiue

bring wᵗ him a great mastiue, to driue away the deere of our lord ẏ king, but little dogges to loke to such things as lye open. Of these which claime to

Dogges

haue priuileges, as dogges wythout clawes and greyhoundes, within the boundes of the forrest, they shal haue nothing to doe without our Lord the

Wood

kings warrãt or his Justices. A wood remaining in the hands of our lord the

Yere & day

king by one yeare and one day, it is in the kinges pleasure, except it be recouered by the iudgement of the Justices,

Bouds

All bounds of the whole forrest are ẏ kinges. It is lawful to the Abbot of ẏ

Peterborough

borough of S. Peter to hunt, and to take hares & fores within ẏ bouds of ẏ forrest, & to haue vnlawed dogges, because he hath sufficiẽt warrãt there

Verderers Inquisitiõ

vnto. When verdours haue taken an Enquest, one shal set to his seale, and the other shall keepe the rolle, and so from time to tyme vntil the comyng of the Justice, then the first day, he, &

Amercemẽt

all the ministers shal present ẏ rolle, or else they shalbe amerced, and mainpernours that day shalbee prefered for the forrest. A man attached for cut-

Cut Swanimot

ting of bowes, that pertayneth to the Swanimote before ẏ steward, and a man attached for felling of an

Amercemẽt

Oke in the demeanes of the king, or of any other tree, it belongeth to bee tried before the Justice, and if he do it to any man in the night time he shall

Imprison Vert Swanimot

be imprisoned. A man arrested to the Swanimot for greene hugh and not presented at ẏ nert, at an other tyme the presentation shal not hurt him, but

Foster

shalbe take as a fault in ẏ forster for ẏ concelimẽt, & he ẏ is attached shal go quite by assise: If a forster dogree vnto an offence in ẏ demeane woods of the

King

king, ẏ king shal take frõ him his office.

22 ¶ First wee haue decreed for our selues & our heirs, ẏ of trespasses here-

Trespas

after to be done in our forests of greene

Fosters

hugh & of hũting, ẏ fosters wᵗin whose bailiwickes such trespasses shal happẽ to bee committed, shal present ẏ same

Present

at the next Swanimote before the

Swanimot

fosters, verdours, Regardours, Agistors & other ministers of the same forrest, and vpon such presentations there before the fosters, verdours, and al other ministers aforesayed, by the oth

Oth

of aswel knightes as of other honest & lawfull menne of the nearest partes,

Endictmẽt

where the trespasses (so presented) shal be done, not suspected, by whom the truth of ẏ matter may be fully inquired of, and ẏ truth so inquired of, these presentations shalbee solempnely affirmed and sealed with their seales by the common agreement and assent of al the ministers aforesayd, & if ẏ iudgment be geuen otherwyse, it shalbee

Lord

vtterly void, And if it happen any of the forsaid fosters, Regardours, or other ministers of the same forrests to

Ministers

dye, either by sickines or by any other

Dye

meanes, by reason whereof hee cannot be present to such Swanimotes,

Absent Swanimot

ymmediatly the Justice of the forrest or his liuetenant shall putt another in his place, so that the indictment may be made by all in fourme aforesayd, and that the officers, which are to be put out, bee put out, as hitherto it hath ben accustomed to be done, sauing the

Verderer Election

verdors which shalbe appointed by election, and by our writte. And wee

Juroz

will ẏ none of the forsaid ministers hereafter be putt in any assises, Juries or enquestes to bee taken wythout ẏ

Surcharge

forest. And if any surcharge be found of ẏ fosters or other, which haue to do as ministers of the forrest, such surcharges shalbee amoued, and shalbee imprisoned according to the discretion of the Justices of ẏ forest or his liuetenãt.

And

Punishmēt Swanimot Surcharge

And they also, who surcharged shalbe punished like wise at our pleasure. And at euery swanimote it shalbe inquired of the surcharge of the fosters & other ministers of ẏ forest and of their oppressions brought vppon our people, & they shal make therof amēds, & be punished as is aboue expressed. The wood which is cut & felled shalbe removed, & ẏ wood stāding shal remain in ẏ forest & if by chaunce any such wood yet stāding bee sold, it shal remaine in ẏ forrest, & the seller shall satisfie the buyer according to the quantitie of the portion of ẏ wood standing in the forrest, & so of wood sold in the meane time, & euen as hee hath taken of the same buyer. wee will also that the Justyce of our forest or his liuetenant in ẏ presence of our Treasorer & by his assent haue power to take fines & redēptions of the which are indicted of trespasses cōmitted in ẏ forrest before this time not enquired of in ẏ iustices circuit. wo will moreouer that they which haue had cōmō of pasture in ẏ forest before perābulation made, & they whych afterwardes were denied in ẏ forrest, & they which haue ben letten of the said cōmen by ẏ perābulatiō aforesaid, shal haue their cōmen of pasture frō hēceforth in the forrest as largely, & freely, as they were wōt to haue beefore the perābulation aforesaid, sauing our rēts in forme aforesaid &c. M. &c. Westr. xviii. day of May An. 34. E. 1.

wood

Just. of forest

Fines Endictmēts

Common

Perambulation

23 ¶That the great charter of the liberties and ẏ charter of the forrest be obserued and kept in euerie article. And that the old perābulations of the forrest in time of king Edward grand father to the king that now is, be from hēceforth holde in like form, as it was then rēuid and bounded. And thereup pō a charter to be made to euery shire where it was ridden and bōūded. And in such places wher it was not bōūded, the king will that it shalbe bounded by good men, & lawfull, & ẏ a charter bee therupon made as afore is sayd. An. E. 3. ca. 1. stat. 2.

Charter

Bounded

24 ¶Where as diuers people bee disherited, ransomed an vndone by the chiefe keepers of ẏ forests on this side Trent & beyōd, & by other ministers, against the fourme of the statut of the great charter of the forrest, and against the declaration made by king Edward sone of king Henry in forme following, that is to say: wee will and graunt for vs and our heires, that for any trespas done in the forrest of vert and venison: That the forresters in whose bailiwicke such trespas shalbee committed, shall present the same trespasses, at the next swanimote before the forresters, verders, regarders, agisters, and other ministers of ẏ sāe forrest. And that such presentment be made beefore the sayd forresters, verders, regarders, agisters, and other ministers aforesaid, as well by the othes of knights, as by other discreete and lawfull men and not suspitious, of the parties toining nere, where such offences shalbe presented and where ẏ truth may best and most clerely bee knowen: And ẏ trouth perfectly knowen, then such presentments by the common assent & consent of al the said ministers shalbe solēpnly writte & vō their seales ẏ sealed. And if any indictment be in any other maner made: ẏ same shalbee void. And therefore because the chiefe Wardens of the forresters hath not obserued the same hetherto: It is agreed & ordeined, ẏ frō henceforth no man shalbee taken nor imprisoned for verte nor venison, vnlesse he bee taken with the manour, or elle endicted after the fourme beefore specified. And then ẏ chief warden of the forest shal let him to mainprise, til the eire of the forest, touut any thig taking for his deliuerāce. And if ẏ said warde will not so do, he shal haue a writt out of ẏ chācery which hath bē in old time ordeined for such persōs endicted to be at mainprise, til ẏ eire. And if such warde after hee hath receyued the writt, doe not

Disherit

Trent

Trespas Venison

Presentmt Swanimot

Othes of knights

Sealed Indictmēt

Void

Taken w the maner

Chiefe warden

Mainprise

not incontinently deliuer such persons on diched, to mainprise without taking any thing: ¶ he the plaintife shal haue a writt out of the Chaunceric to the shirife to attach the said wardeine, to be before ỹ king, at a certaine day to answere, wherefore he hath not replaced him that is so taken. And the shirife, the verdours being called to him, shall deliuer him that is so taken by good mainprise, in the presence of ỹ verdours, and shal deliuer the names of the mainpernours of the same verdours, to answere the eire of the Justices. And if the chiefe wardeine bee thereof attainted, the plaintife shal recouer his treble damnages, and the said wardeine to be committed to prison and raunsomed at the kings wyll. And from henceforth it shalbee writte to them as the chiefe wardeins of the forrest because they may not be Justices, nor to haue any record. Ann. 1. E. 3. ca. 8. stat. 1.

Writ to the shirife
Attach
Attaint 3. damages
Imprison
Forester Keeper

25 ¶ No forester nor keper of forest or chase nor none other minister, shall make or gather sustenaunce nor none other gathering of bitailles nor other thing, by colour of their office, against any mans wyll within their Bayliwich nor without, but that ỹ is ne of old right. Anno. 25. E. 3. capitulo. 7. Stat. 5.

Jury

26 ¶ No manner of iurie shallbee from hereforth compelled by any minister of the forrest to trauayle from place to place out of the places where their charge is geuen to them against them gre, nor by malice, nor by manace, or other diuelle, constrained to say their verdict of a trespas done in ỹ forest, other wise then their conscience will clerely enforme the, but they shal say their verdicts vpon their charge in ỹ places where ỹ charge is geuen the as aboue is said. Anno. 7. R. 2. cap. 3.

Diuelle
Verdict

27 ¶ That no man bee taken nor imprisoned by any minister of ỹ forest without due enditement or by presentment or trespassing in the forrest, nor also shall not be constrayned to make any obligation or raunsome to any minister of the forrest by any manner against their gre and the assise of the forrest. And if any doo agaynst thys ordinaunce in any point, and thereof bee attainted, hee shall pay to the partie dampnified their double damages and fine and raunsome to the king for his offence. An. 7. R. 2. ra. 4.

Imprisonment
Trespas
Obligation
Attaint 2. damages Fine

From henceforth all and every the Justice and Justices of the kinges forrests, parkes, and chaces, within this Realme which now bee or hereafter shalbe by the writting sealed to the seal of their office, shall make, assigne, depute and appoint as many deputie or deputies for the exercising of the same office of the Justice or Justices of the forrests, as to such Justices from time to time shall bee thought conuenient, which deputie & deputies so appointed, shal haue like power and authority to doe & execute all things concerning the kinges forrests, parkes, and chases, & all other thinges concerning the office & offices of the Justice of the forrests to al intents & purposes and in as large and ample maner and fourme, as the same Justice or Justices might or may lawfully doe or execute by the lawes of this Realme, and as though ỹ same Justice or Justices were there personally present in his or their owne persō or persons. An. 32. H. 8. cap. 35.

Justices
Deputie

¶ *Forfeiture.*

WE shall not hold the lands of them that bee conuict of felony, but one yeare and one day, & then these lands shalbe deliuered to the lords of the fee, Magna Char. ca. 32.

Lands Conuict of felony
L. of the fee

2 ¶ See assise. 6. of the statute of ỹ statuit of a particular tenaunt by alienation.

3 ¶ See contra fourmam collationis ... haue Abbottes and religious houses should forfait their landes by alienation.

4 ¶ The

Eschets Archbishops Bishops Vacation Felons

4 ¶The king shal haue escheates of lands of the freeholdes of archbishops and Bishoppes, when such tenauntes bee attainted for felony in tyme of vacation, whiles their temporalties were in the kynges handes, to geeue at his pleasure, sauing to such prelates the seruice that thereto is due and accustomed. 17. E. 2. ca, 14.

Seruice

Felons goods Fitz Freehold

5 ¶The king shal haue al the goods of al felons attainted or that runne away wheresoeuer they be found. And if they haue freehold thē it shalbe seyzed with taken into the kinges handes. And the king shall haue al profittes of the same by one yeare and one day, & the land shalbee walked and destroied in the houses, woodes, gardeines, and in all maner of thinges belonging to the same land, excepting men of certaine places priuileged by the kyng.

Yere & day Wast

And after the king hath had ỳ yeare, day, and wast, then the land shalbee restored to the chiefe lord of the same fee, vnlesse that he fine beefore with the kyng for the yeare the day, & ỳ wast.

L. of the fee

Neuertheless it is vsed in the countie of Glocester by custome that after one yeare and one day, the landes and tenements of felons shall reuert and be restored to the next heire to whom it ought to haue discended if the felony had not ben done. And in Kent in Ganelkind. The father to the bough the sonne to the plough. There all heires males shal deuide there inheritaunce, but women shall not make partition with men. And a womā after ỳ death of her husband shalbee indowed of the moitie. And if shee commit fornicatiō in her widowhead, or take an husband afterward, she shal lese her dower. An. 17. E. 2. c. 16.

Customs Next heire Ganelkind Heires males Women Dower Fornicatiō Lose of dower

6 ¶In the second volume of ỳ old statuts is an ordinance intituled Exilium Hugonis le dispenser patris & filii, whereby they two were disherited & banished, where is recited their il doing. And then followed and act of pardon, of felonies & trespasses done in ỳ persecuting of them, which is intituled Ne quis occasionetur pro felonijs seu transgressionibus factis in persecutione H. le D. patris & filii. And thē followeth the forme of the pardon, intituled. Forma cartarum perseguentium Hugbie le Dispenser patrem et filium concessarum.

Pardon

7 ¶The king to the Shirife, & all other hys faithfull subiectes greeting, know you, that it is prouided in our court before our Iustices, that hereafter no man, taken for the death of a man, or for other felony, for which hee shalbe imprisoned, shalbee disseised of his landes and tenementes, or his cattales vntil such time as hee shalbee conuicted of felony, whereof hee shall bee arraigned, but as same as hee shal bee taken, his tenementes & cattales aforesaid shalbe seene by the view of ỳ keeper of the pleas of our Court, & by the view of the shirife, or other our officers & lawfull men, & shalbe written, and shalbee safely kept by the bailifes of him that is taken, who shall find vs good suerty to answere our Iustices of the cattales or the price if they bee demaunded of them, sauing (notwithstanding) thereof to hym ỳ is taken, and his houshold, his necessaries as long as hee shalbe in prison, & his reasonable ellouer, that when hee that is taken shalbee conuicted beefore our Iustices of the felony, then the residue of his cattales besides his ellouer, remaine to vs according to the custome of our Realme, with the terme of one yere and one day of his landes and tenements, And if he cannot defend himselfe before our Iustices of the felonie laid against him, then his cattails shal remaine to him quietly, and therfore we cōmand you ỳ hereafter you cause it so to be done in your bayliwickes, & we straightly forbid you, ỳ for ỳ cattels aforesaid, you doe not otherwise lape your hands on ỳ lands tenementes or cattels of any mā take in forme aforesaid, witnes &c. de catallis felonum.

Arrest Felony Lands Kept Suertie Yere & day

8 ¶If

Eschequer Estretes Justices

8 ¶If any man or towne be charged at the eschequer by estretes of ỹ Justices, of the cattailes of the fugitiues and of felons, and wil alledge in dyscharge of him an other which is chargeable, he shalbe heard, and right done to the other. An. 33. E. 3. ca. 2. Stat. 1.

Eschetors

9 ¶Where as the commens haue cõpleined them of eschetours, whych by colour of their office haue seysed much lands and tenementes as forfait to ỹ kyng for treason surmised in dead persons, which were neuer attainted in their lyues, the kyng thereof hath good regard, but because hee and his progenitours haue beene seysed of the forfaitures of wares of all tymes, the kyng wyl not extend him selfe of such ryght whereof hée found his crowne seysed, and his right wyll continue of such forfaitures fallen in hys time and in the tyme of hys father, in the maner as hath béene vsed, nevertheless of his speciall grace, hée will and graũteth, that of such forfaitures fallen in the time of his graundfather & all hys progenitours beefore as soone as an enquest shalbe thereof returned in the chauncery by eschetour or other which hath power to enquire, that the tenaunt shall not be out of his possession but shalbee warned by Scire facias to be at a certain day to aũswere to his Scire facias if hée wil. And if any such forfaiture bée nowe or shalbée seysed of the same tyme, that the kinges hand shalbee out thereof, so alwaies that in al other cases of forfayture of treason of dead persons not attaynted or iudged in their lyues, their heires nor their land tenauntes shall not be impeched nor chalẽged, nor of none other forfaiture, except the forfaitures in olde times iudged after the death of the persones by presentment in eier or in the kings bench, as of felons of him selfe & other. An. 34. E. 3. c. 12.

Lands Goods Attaint

10 ¶An. 11. R. 2. ca. 5. 6. al the lands and goods of certain attaynted in the parliament were giuen to the kyng,



except ỹ lands wherof they were seysed to others vses, & except tailed lãds or iointures.

Tailed lãds Iointures

11 ¶An. 11. R. 2. ca. 7. It was enacted that al lands & profits that came to the kyng by forfaiture, should remaine in his hands during ỹ warres, and that none should aske any of thẽ, sauing that they that had right might sue &c. and that the king might sel part thereof.

12 ¶An. 21. R. 2. c. 10. & 11. certaine lands of certaine persones attainted, were giuen to the king, by this parliament was repealed by. 1. H. 4. ca. 3.

Repealed

13 ¶An. 2. H. 4. c. 22. it was enacted ỹ none should be greeued for suing cõtrarie to the statut of An. 11. R. 2. ca. See the sta.

14 ¶Anno. 5. H. 4. cap. 1. & An. 7. H. 4. ca. 12. It was enacted ỹ lands, whereof certaine there named attainted were seised to others vses should not bee forfaited by their attainders & graunts thereof made to bee voyd, but their owne landes or wherof other were seyled to their vses should bee forfayt.

Shirife Tschetor Bailife

15 ¶No shirife vnder shirife nor eschetour, bailife of franchise, nor any other persone, take or seise the goods of any person arrested or imprisoned, before ỹ the same person or persons so arrested & imprisoned, bee conuict or attainted of such felony according to the law of England, or els the same goods otherwise lawfully forfait, vpon paine to forfait the double value of the goods so taken to him or them that is or bée thereby endamaged, by accion of debt in this behalfe to bee pursued by lyke proces iudgment and execution as is accustomably vsed in other actions of debt pursued at the comon lawe. And also that no essoine nor protection bée allowed in any such accion. Nor that ỹ defendant in any such accion be in any wise admitted to wage or do his law. An. 1. R. 3. ca. 3.

Conuict of felony

Forf.

Essoins

wage law

16 ¶No maner of person ne persons whatsoeuer

whatsoeuer he or they bee that attend vppon the king and soueraigne lord of this land for the tyme being in hys person, and do him true and faithfull seruice of allegeance in the same, or be in other places by his commandemẽt in his warres, within thys land or without, that for the same deede and true seruice of allegeance, hee or they be in no wise cõuict or attaint of high treason, ne of other offences, for that cause by act of parliamẽt or otherwise by any proces of law whereby hee or any of them shall nowe forfayt lyfe, landes, tenementes, rentes, possessyons, hereditaments, goodes cattales, or any other things, but to bee for the deede & seruice vtterly discharged of any veration, trouble or losse. And if any act or actes, or other proces of the law hereafter thereuppon for ỹ same happen to bee made contrary to thys ordinance: that then the act or actes or other procesle of ỹ lawe, whatsoeuer they shalbe, stand and be vterly void. Prouided alway that no person ne persons shall take any benefit or aduantage by this act which shall hereafter decline from his or their saied allegeance. An. 11. H. 7. ca. 1.

17 ¶ Forasmuch as it hath been in question & ambiguitie, that if any euil disposed person or persones doo attempt feloniously to robbe or murder any person or persons in or nigh any common highway, cartwaie, horseway, or foteway, or in their mansion meinages, or dwelling places, or that feloniously do attempt to breake anie dwellyng house in the nyght tyme, should happen in hys or their (beeing in their such felonious intent) to bee slaine by him or them, whom the said euil doers shold so attempt to robbe or murder, or by any person or persons being in their dwelling house, whych the same euill doers should attempt burglary to breake by night: if the said persone so happening in such cases to slea, any such persone, so attempting to commit such murder or burglarie, should for the death of the said euil disposed person, forfait or lose his goodes and catteles for the same, as any other person should do that by chance medley should happen to kil or slea any other person in his or their defence. For the declaration of the which ambiguitie & doubt, be it &c. and by authoritie that if any person or persons at any time hereafter, be indicted or appealed of, or, for the death of any such euill disposed person or personnes, attempting to murder, rob, or burglary to breake mansion houses, as is aforesayd, that the person or persons so indicted or appealed thereof, and of the same by verdict so found and tried, shal not forfait or lose any lands, tenementes goods or cattales for the death of any such euil disposed personne in such manner slaine, but shalbee thereof and for the same, fully acquitted and discharged in like maner as the same person or persons should be, if he or they were lawfully acquited of the death of the sayd euil disposed person or persons. An. 24. H. 8. cap. 5.

18 ¶ No Treason 15. of forfaitures of traitors lands & goods to be in realle possession of the king, without Office found therof, where they be attainted by course of the common lawe.

19 ¶ See warre 8. of forfaitures of fees, offices, & lands geuen or graunted by the king, and not being attendant on him in his warres.

## ¶ Forger of false deedes.

WHere as many of the kinges liege people, which haue manors, lãds, & tenements by purchase, or by discent of inheritance, or in any other maner, entending to be in peace, & rest in their said tenures, as they were wont to be, diuers euil disposed persones, some of their owne head, and some by false conspiracie and couin subtile imagins and forge of new diuers false deedes, and

Burglary

Indicted Appealed

Verdict Shal not forf.

Acquited

Traytors lands Goods

Conspiracie

and mynimentes, and them doe openly to be pronounced published, and read, to trouble and chaunge the landes of good people of the countrey, and to undoe and trouble the possessions and tities of the sayd kinges liege people by the which imagination and falsity many of the forsaid liege people bee troubled and vexed, and at all tymes abiding in doubt of their possessyons & estate: Our soueraigne lord the kyng willing to provide a remedy in this case, by the advise and assent aforesaid, and at the request of the said cõmons, hath ordeined and stablished that the partie so greued shal have his suit in that case, and recouer his damages, and the party convict shal make fine and ransome at the kinges pleasure. Anno. 1. H. 5. capitulo. 3. This statute is repealed by 5. Eliz. capitulo. 14. after. 2.

Action of the case
Damages
Fine
Repealed

¶ Was it enacted &c. that if any person or persons whatsoeuer after the first day of June, now next comming vpon his or their owne head & imagination, or by false conspiracy & fraud with others, shall wittingly, subtilly and falsely forge or make, or subtilly cause, or wittingly assent to be forged or made any false deede, charter or writyng sealed, court roll or the will of any personne or persons in writting, to the intent that the estate of freehold or inheritance of any person or persons, of, in, or to any landes, tenementes, or hereditamentes, freehold, or copiehold, or the ryght, tytle, or interest of any person or persons of, in, or to the same, or any of them, shall or may be molested, troubled, defeated, recouered, or charged, or after the said first day of June shall pronounce, publishe or shewe forth in euidence, any such false and forged deede, charter, writting, roll or will, as true, knowing the same to be false and forged, as is aforesaid, to the intent aforesaid remembred, & shalbe thereof convicted, either vpon any action, or accõ-

Cõspiracie
Forge
Charter
Court roll
Testament
Inheritãce
Copyhold
Shewe in euidence
Knowing ye forgerie
Committ

of forger of false deedes to bee founden vppon this statut, at the suit of ye partie greeued or otherwise, according to the order and due course of ye lawes of this Realme, or vppon byll or information to bee exhibited into the court of the Starre chamber, according to the order and vse of the court, shal pay vnto the partie greeued, hys double costes and dammages, to bee found or assessed in the court where such cõuiction shalbee, and also shalbee sett vppon the pillorie in some open market Towne, or other open place, and there to have both hys eares cutt of, and also his nosethrilles to be slit and cutt, and seared with an hot yron, so as they may remaine for a perpetuall note or marke of his falshod, and shal forfeit to ye Queene our soueraigne lady, her heires and successours, the whole issues & profitts of his lands & tenementes, during hys life, and also shal suffer & have perpetuall imprisonment during his life. The said damages and costes to bee recouered at the suit of the partie greeued, as is aforesaid, to be first paied and leuied of the goodes & catalles of the offendours, & of the issues and profittes of the sayed landes, tenements, & hereditaments of such partie conuicted, or of one or both of them, the sayd tytle of the sayd soueraigne Lady ye Queene, her heires or successours to the same notwythstanding.

Starre chamber
dm. damages
Pillorie
Eares cut of
Nostrils slit
Seared
Forfeit of lands
Perpetual imprison

And bee it further enacted by the authoritie aforesayd that if any person or personnes or personnes after the said first day of June vppon his or their owne head or imagination, or by false conspiration or fraud had with any other, shall wittingly subtely & falsely forge, or make, or wittingly, subtely, and falsely cause or assent to be made & forged any false charter, deed or writting, to intent ye any person or personnes shal or may have or claime any estate or interest for terme of yeares, of, in, or to any manors, landes, tenementes,

Conspiracie
Forge
Assent

&

or hereditamentes, not being copye hold or any annuitie in fee simple, fee taile, for terme of life, liues or peres, or after the said day, shall vse or publish forge, make, or cause, or assent to be made or forged any obligation or bylll obligatorie, or any acquitance, release, or other discharge, of any debt, accōpt, action, suit demaund or other thyng personall, or if any person or persones, after the said first day of June, shal geue notice, publish or geue in euidence any such false or forged charter, deede writting, obligation, bill obligatorie, acquitance, release or discharge, as true, knowing the same to be false and forged, and shal be therof conuicted, by anie the waies or meanes aforesayd: that then he shal pay vnto the party greeued his double or ters and damnages, to be tryed and assessed in such court where the said conuiction shall be had, and shalbe also set vppon the pillorie in some open market towne, or other open place, where he vseth one of his exercises or occupyings by the space of one whole houre without bayle or mainprise. And be it further enacted by the auctoritie aforesaid, that the partie & parties greeued by reason of any of the offences aforesaid, shall and may at his and their pleasure, haue and sue his action, of forger of false deedes, vpon this statut, against any the offendours in the same, by original writ out of ỹ queenes highnesse court of chauncerie, and shall and may haue like processe vppon the same, as in cases of trespas or the common law, or maye at his pleasure take his suit, against any such offenders in any the premisses by bill, before the Queenes highnes her heyres and successors, in her court commonly called the kings bench, or in the court of the Eschequer, in which suits, no essoine, iniunction or protection shalbe allowed for the party defendant. And be it further enacted, by the auctoritie aforesaid, that if the partie defendant shalbe conuicted for any the offences aforesayd, according to the order and forme aboue limitted, and shal haue receiued therupon punishment corporal, according to this act: that then he shall not ells any has empeached for the same offence, saue onely further by acte by the auctoritie aforesayd, that although the partie or parties plaintife in any such accion or bylll to be sued, as is aforesaid, shall after iudgement passed against the defendant or defendants happen to release or discharge ỹ iudgement or execution vppon the same, or otherwise suffer the same to be vnexecuted or discontinued: that yet nowithstāding the same release, discharge or discontinuance shall extend onely to discharge such costes and damages as the same plaintife should haue had against the defendant, and that the iudges before whom the said action or suit shalbe tryed, shall and may proceede to iudgement, of, and vppon the release of the said penalties and forfaitures, and to commaund execution vppon the same, the said release, discontinuance or other discharge, had, made, done or suffered by the parties plaintife in any wise notwithstanding. This act or any thyng therein contained to the contrary in anie wise notwithstanding. And be it further enacted by ỹ auctoritie aforesayd, that if any persone or persones, being hereafter conuicted or conuempt of any the offences aforesaid, by anie the waies or meanes aboue limitted, shal after anie such his or their conuiccion or condemnation for offences commytted or perpetrate anie of the said offences in fourme aforesayd, that the euery such second offence or offences, shalbee adiudged felony, and the parties being conuicted or attaynted according to the lawes of this Realme, shall suffer such paines of death, losse and forfaiture of their goodes, cattels, lands & tenements, as in cases of felonie by the common lawes of this realme, ought to bee, lost or forfayted,

without

Conuict

Release

Discontinuance
Discharge of damages

Proceede to iudgement

ij. offence
Felony
Attaint

Forf.

No clergie

without hauing any aduantage of the
benefit of Clergy or Sanctuarie. Saueing
to euery person & persones, bodies po-
litique and corporate, their heires and
successours, other then the sayd offen-
ders, & such as claime to their vse;
all such rights, rytes, interests, pos-
sessions, liberties & priuileges, leases,
estates, remedies, offices and other
profyttes and aduantages, which
they or any of them shall haue at the
tyme of such conuiction or attainder,
of in, or to any the landes, tenements,
or hereditamentes, of any such person
so attainted or conuicted of or attain-
ted of at any time before the ample
ample matter to all intentes and pur-
poses, as if this act had neuer been
had nor made.

Conuiccion

Dower

Corruption of bloud Heires

Ordinarie Chancellariez

And be it enacted by the authoritie
aforesayd, that this act or any thing
therein conteined, shall not extend to
any ordinary or anie their chancellar-
ries, officials, registers, or anie other
their officers or ministers, touch anie
the offences aforesayd, for puttyng
their seale of office to any bill, to bee
exhibited vnto them not knowing the
same to be false or forged, or for tuy-
tyng of the sayed bill or probate of
the same. Edw. 6. Or any thing there-
in conteined to the contrarie notwith-
standing.

And be it further enacted by the au-
thoritie aforesayd, that all and euerie
Justices of Oyer and determiner, and
Justices of assise in their circuites, and
euerie of them, shall haue full power
and authoritie in euerie of their open
and generall Sessyons, to enquire,
heare and determine of all and euerie
the offences aforesayd, committed or
done within the limittes of their com-
mission, and to make processe for the
execution of the same as they may doe
against any person being indicted bee-
fore them of treason, or lawfully con-
victed thereof.

Iust. of oier
Iust. of all

General sessions Enquirie Diet & vir.

Pzoces

And be it further enacted by the au-
thoritie aforesayd, that all other statutes
heretofore made and prouided for forg-
ger of false deedes, Charters, euyden-
ments or writings, and all and euerie
penalties appointed by the same, shall
from & after the sayd first day of June
be voide and of none effect in the lawe.
Any thyng in this act or thing therin conteined
to the contrarie in anie wise not-
withstanding.

Lloyd

Prouided alwayes, that this act or
any thing therein conteined, shall not
extend or bee preiudiciall in any wyse to
any Proctour, aduocate, or Register
of any ecclesiasticall court within this
realme for the writing, setting forth,
or pleading of any pleas made accor-
dyng to the Ecclesiasticall lawes or
customes, heretofore vsed & allowed
by the Ecclesiasticall courtes of this
realme, for the apparance of any person
or persones, being cyted to appeare in
any of the sayd Courtes Ecclesiastical
nor to any Archedeacon or Officyall,
for puttyng their Autentique seale to
the sayd pleas or pleis, neyther yet
to any Iudge ecclesiasticall for admyt-
ting of the same: But that they and
euery of them may hereafter do in all
pointes concerning the same, as they
and euerie of them might lawefully
haue done, before the makyng of this
act. Any thing in this act to the con-
trary in any wise notwithstandyng.

Proctor Aduocate Register

Pleas

Apparance

Archdeach Official Autentique seale Eccleiast. Iudge

Prouyded alwayes and bee it further
enacted by the authoritie aforesaid, that
if any

Conspiracy

Forge

Charter
Testament
Court rol

Freehold
Copyhold

Shewing in evidence

Knowing & forgerie

Attaint
Action of forgerie
Action on the case

Damages

Imprisonment
Fine

If any person or persones (confederate, that hath or they (by false conspiracy or fraud with any other, willingly, subtelly, and falsely, forged or made, or shall hereafter the said first day of June forge and make any false deede, charter, or writing sealed, or the will of any persone in writing, or any Court rolle, to the entent that the state of free hold or inheritance, or the right, title or interest of any person or persons of, in or to any manors, lands, tenements or hereditaments, being freehold or copyhold, or that by any such forged deede, charter, courtrolle, or writing before the said first day of June, shall or may be molested, troubled, or defeated of any the said estates of and in lands, tenements or hereditaments being freehold or copyhold as if any person or persones have heretofore publyshed or shewed forth in evidence, or hereafter the said first date, shall publysh or shew in evidence for the proofe of any title any false forged deede, charter, writing, will, court roll as true, knowing the same to be false and forged, as is aforesaid, to the intent above remembred, and shalbe thereof attainted accordinge according to the order of the lawes of this realme, either in an action of forger of false fait, or in an action upon the case, at the suit of the partie greeved, his heire, executors or assignes, that then the partie so convicted, shall pay and yeld dammages and costes of suit to the plaintiffe as shalbee assessed according to the order of the lawes of this realme in any such like accion or suit, and shall suffer imprisonment, and paine (and ransome at the pleasure of the Princes majestie, hee heires and successors: And if any persons or persones, shall after the said first day of June, plende, publyshe, or shewe forth in evidence or otherwise, for the proofe of any title, any false and forged deede, charter, writing, will, or Courtrolle, (hereafter falsly made and forged, or to bee falselie made and forged, before the said first day of June) as true, knowinge the same to be false and forged, to the intent to have or chayne the whole or any estate of inheritance, free hold, or lease of yeares, in or to any manors, landes, tenementes, or hereditamentes, or any annuitie, rent or profit forth of any manors, landes, tenementes, or hereditamentes, or to the intent to alter, defeat, molest, trouble, charge or recouer the estate of inheritance, free hold, or for yeares, of any persone, in any manors, lands, tenementes, rentes, or hereditamentes: That then every persone or persones that shall so offend, and shalbee thereof convicted in forme the first above remembred, shall pay vnto the partie greeved, double costes and dammages, and shall haue imprisonment, losse of eares, slytting and seuering of nose, and forfeyture of landes, in the same manner and forme as aboue is ymported for any persone that shall offend by forgeing or publyshing of any false deede or writing, as is aboue layd after the said first day of June: And be it enacted alwayes and be it enacted by the authoritie aforesaid, that this act nor any paine, forfayture, or thing therein contayned, shall extend to any attorney, lawier, or counsayl lour, that shall for any client plende, shewe forth in euidence, any false and forged deede, charter, writing, will, courtrolle, or other writing, for true, or being not partie and priuie to the forging of the same, for the pleading, shewing forth or giuing in euidence of the same, any thing in this acte to the contrary notwithstanding: And be it enacted alwayes, and be it enacted by the authoritie aforesaid, that this act or any thing therein conteyned, shall not extend to any persone or persons, that shall please or shew forth any

Knowing & forgerie

Leases

Annuitie

Convict

ij. damages
Imprisonment
Losse of eares
Slitting & seuering
Forfeyture

Attorney
Lawyer
Counsellor

Not privie

Exemplification

any deed by inrolling exemplifications vnder the great seale of England, or vnder the great seales of any other Autentique court of this realme, nor shall extend to anie Iudges Iustices or other persons, that shall make any search of anie Court to inrolled to make such deedes charter or inrolling auoided, nor hurt to bring the same to bee false and forged: Any thing in this act to the contrarie notwithstanding. Anno quinto Elizabeth capitulo.

Iudge
Iustice

*Forstallers, regraters, & ingrossers.*

Oppresse

NO forstallers shalbee suffered to dwell in anie towne, which is an open oppressor of the poore people, and of the commonaltie, and an enemy of the whole shire and countrey, which for greatnesse of his present gayne, doth present others in buying graine, fish, herring or any other thing to bee sold, commyng by land or water, suppressing the same, and encreasing the riche, subtill and pretie shifts of such thynges as hee intendeth to sell them most dearer, the which cause to marchaunt strangers which bring marchandise, offering them to sale, and vnlouyng them that their goodes might bee derer sold then they intended to sel, & in whole reigne & countrey is decayed by such craft and subtiltie, he that is conuict thereof, the first time shall be answered, and shall leese the thing so bought, and that according to the custome and ordinance of the towne. He that is conuict the second time shall haue imprisonment at the pillory. At the third time he shalbe imprisoned & make fine. The fourth time hee shall abiure the towne. And thys imprisonment shalbe geuen vpon complaynt of forstallers, and likewise vpon them, that haue geuen them counsaile, help or fauour, that be pillorizes & hyacinctizes.

Aliens

Conuict
Imprs
Fact.

Pillorie
Imprison
Fine
Abiure

Wines

2 ¶ The forestallers of Wynes, and all other vitailes, wares and marchandyses, ¶ come to the good townes of England by land or by water, to the damadge of our soueraigne lord the king and of his people, if they be therof attainted at the suit of the king, as of the parte, before Maiors, Bayliffes, or Iustyces thereto assigned, as elsewhere in the pynges court, and if they be attainted at the kynges suit by enditement, or in other manner, the thinges forstalled shalbee forfait to ¶ king, if the buyer therof hath made gree to the seller. And if he hath not made gree of all, but by arrest, the buyer shall incurre the forfaytures of so much as the forstalled goodes forsayd, doe amount to, after the values as he bought them if hee haue wherof. And if he haue not wherof, then he shal haue two yeres emprisonment and mete at the kings will, without being let to mainprysis or deliuere in other manner. And if he be attainted at the suit of the party, the partie shall haue the one halfe of such thynges forstalled and forfayt, or the price of the kynges gyft, and the king the other half. Anno 5. Edwardi tertij cap. 3. Stat.

Maior
Bailie
Iustice

Fayt.
Buyer

Imprison

Wittis

3 ¶ The Statute made in the time of king Edward our grandfather the 3rd. yeare of his reigne (5. cap. 3 before 5.) for forstallers of wynes, victailes, wares and marchandises which come to the good townes within the realme by land or by water, shalbe holden and firmely kept in all poyntes, and put in execution for the common profyt of the sayd Realme. Anno secundo R. 2. capitulo 2.

Merchandizes
Victaile

4 ¶ And allsoone per hyrne as per sonnes that after the first day of May next comming shall buy, or cause to bee bought, anie marchaundise, victuall, or anie other thyng whatsoeuer, comming by land or by water, to bring anie market or faire, to bee sold in the same, or comming toward any Citie, Port, hauen, creeke or rode of this realme, or Wales, from any parte beyond the sea, to be sold, or make any bargayne, contract, or promyse, for the

for ỳ haning and buyng of the same, or any part thereof, so commung, as is aforesaid, before the said marchaunbyle, victualles or other thyng shalbe in the market, faire, Citie, Port, hauen, creeke or roade, ready to bee sold, or shall make anie motion by woord, letter, message, or otherwyse to anie personne or personnes for the enhaunsyng of the prices, or deerer sellyng of anie thyng or thynges above mencyoned, or els dissuade, move, or stirre, anie personne or personnes, commung to the market or faire, to abstreyne to forbeare, to buyng or conveygh any of the thynges above rehearsed, to anie market, faire Citie, Port, Hauen, creeke or rode to bee sold, as is aforesayd, shalbee deemed, taken, and adiudged for a forstaller. Further bee it &c. that whatsoever personne or personnes that after the sayd first date of May, shall by any meanes regrate obteyne, or gett into his or their handes, or possession, in anie faire or market, anie, corne, wyne, fysh, butter, cheese, candels, tallowe, sheepe, lambes, calues, shoine, pigges, geese, capons, hennes, chyckins, pygions, cunnyes, or other dead victuall whatsoever, that shall bee brought to anie faire or market within this Realme, or Wales, to bee sold, and do sell the same againe in anie faire or market holden or kept in the same place, or in any other faire or market, within fower miles thereof, shalbe accepted, reputed and taken, for a regratour or regratours. And bee it &c. that whatsoever personne or personnes, that after the sayd first day of May, shall engrosse, or get into hys or their handes by buying, contracting or promise taking, other then by demise, graunt or lease of land, or tithe any corne growing in the fielden or anie other corne or graine, butter, cheese, fish, or other dead victualles, whatsoever within the realme of England, to the intent to sell the same againe, shalbe accepted, reputed and taken an vnlawfull engrosser or engrossers. And if anie personne or personnes shal at any time, after the sayd first day of May, offend in any of the thynges beefore recyted, and being thereof duely convicted or attainted by the lawes of this realme, or after the fourme hereafter mencioned, shall for his or their first offence, haue or suffer imprysonment by the space of two monethes without bayle or mainprise, and shal also lose and forfait the value of the goodes, cattels and victuall, so by him or them bought or had. And if any personne lawfully convicted or attainted, of or for any the offences aboue sayd, bee thereof effiones lawfully convicted or attaynted, that then euerie personne or personnes so offending, shall haue and suffer for hys said second offence imprisonment by the space of one halfe yeare, without baile or mainprise, and shall lose the double value of all the goodes, cattaill, and victuall, so by hym bought or had, as is aforesayd. And if anie person beyng lawfully twice convicted or attainted, of or for any of the sayd offences, shall effiones offend the third time, and be thereof lawfully convicted or attaynted, that then euerie such personne for the said third offence, shal bee set on the pillorie in ỳ Citie, towne or place where hee shall then dwell, and inhabit, and lose and forfait al the goods and cattel, that hee or they haue to their owne vse, and also be committed to prison, there to remaine during the kynges Maiesties pleasure. Prouyded allwaies & it is &c. that the buying of any such barley, Rigge, or otes, as anie personne or persones (not forestalling, shall buy to conuert into malt or otemeal) in his or their owne house or houses, and so shalbee conuerted in deede, or the buying of any such thing, by any such fishmonger, butcher, or poulter as concerne his or their owne faculte, craft or misterie (otherwyse then by forestallinge) which shall sell the same againe vpō reasonable prices

Woord
Letter
Enhaūsing of prices
Dissuade
Faire
Market
Corne
Wine
Fish
Victualls
Wales
iij. miles
Engrosse
Corne
Victuals
Connict
Attaint
First offence
Imprison
Fort.
ij. Offence
Imprison
Fort.
iij. Offence
Connict
Pillorie
Fort.
Imprison
Barley
Otes
Malt
Otemeale
Fishmongers
Butcher
Poulter

Retaile

by retaile, or the takyng of anie cattell, corne, graine, butter, cheese or anie other thing aboue mencyoned, reserued, without fraud or coyn, vppon anie lease for terme of life or liues, yeres or yeares, heretofore made, or hereafter to be made: or the buying of anie wyne or other dead victuall mencyoned, beeyng apt and mete for mans sustenaunce, by anie Inholder or other victualler, to sell the same by retayle within his house or to any of his neighbours for their sustenaunce, for reasonable prices, or the buying of any dryed or salted fish, herring or sprats (not forestalled) and sold for reasonable prices, or the buying of any corne, sythe, butter or cheese by any such badger, lader, kydder, or carier, as shalbe assigned and allowed to the office or doyng by three Justices of peace, of the countrie where the sayd badger, lader, kydder or carrier shall dwell, which shall sell or deliuer in open faire or market or to anie other victualler, or to anie other personne or personnes for ẏ prouision of his or their house or houses, al such corne, graine, butter and cheese, as any such personne shall buy or cause to be bought (ꝛ that within one moneth next after he shal so buy any such corne grayne, butter or cheese) so that ẏ same shalbe bought without forestalling, or elle that anie common prouision made or hereafter to be made without fraud or coyn by anie personne or personnes, of any of the thynges aboue sayd, for anie Citie, Borough, or to lone corporats, or for prouysion of victualling of anie Shyp, Castell or Fort, within the kynges dominions without forestalling, which shalbe employed onelie to that vse and purpose. Or the buyeng and prouision of anie of the victuals aboue mencioned, necessarie and requisite for the furnyture and prouysion of the inhabytauntes of Calleys, Guynes, and other the marches of ẏ same, or of the Towne of Barwicke, Holy Iseland, or the marches of England against Scotland, which without fraud or coyn shalbe transported and conueighed, allone as wynd and weather may serue to such of the places aforesayd, for the which the same shalbe so prouyded, shall not bee in anie wyse deemed, abridged or taken anie offence contrarie to thys act. And bee it ꝛc. that if anie personne or personnes after the sayd first day of May next commyng, hauyng sufficient Corne and grayne for the prouision of hys or their owne house or houses, ꝛ sowing of their grounds for one yeare, do buy anie Corne of anie faire or market, for the chaunge of hys or their seede, and do not bryng to the same faire or market, the same day so much Corne as hee shal fortune to buy for his seede, and sell the same if hee can as the price of Corne then goeth in the said market or faire: that then euerie such personne or personnes so buying corne for seede, shall forfayt and lose the double value of the corne so bought. Or if anie personne or personnes after the sayd first day of May shall buy anie manner of Oxen, Kyne, Stires, Synes, Heifers, Calues, Sheepe, Lambes, Goates or Kydds liuing, and sell the same againe aliue vnlesse he or they do keepe and feede the same by the space of fiue weekes, in hys or their owne houses, ground, ferme ground, or els in such ground or grounds where hee or they haue the herbage, or common of pasture, by graunt or prescripcyon, that then euerie person or personnes so buying and selling againe shall lose the double value of the cattell, or thynges so bought ꝛ sold againe. The moyty of all which forfaytures afore rehersed shalbe to the king ꝛ the other moyty to hym or them that will sue ꝛc. in the which ꝛc. Bee it ꝛc. that the Justyces of the peace in euerie countie within this realme or Wales, at their quarter Sessions, shall haue full power and auctoritie by vertue of this act, to enquire, heare ꝛ determine al ꝛ euery the defaults

Lease of victuals

Wine

Inholder Victualer

Haruish

Badger

Licence Iust. of p.

Within one moneth

Common prouision

Victualing of shipp Castel

Callis

Warwicke

Marches

Sede corne

Fort.

Cattel

Fort. Moytie

Iust. of p. wales

Enquire Oier ꝛ ter.

defaultes & offences perpetrated, committed or done contrarie to this act, within the county where any such sessions shalbee kept, by inquisition, presentment, bill, or information before them exhibited, by examination of two lawfull witnesses, or by any of ỳ same waies or meanes, by the discretion of the said Justices, and to make processe thereupon, as thoughe they were endicted before them by inquisition, or by verdict of xij. men or more, and upon the conuiccion of the offendor, by information or suit of any other then the king, to make extracts of the one moitie of the forfaitures to be leuied to the kinges vse, as they vse to doe of other fines, issues, and amerciamentes, growen in the Sessions of peace, & to award execution of the other moitie for the complaynant or enformer against the offendour by Fieri facias, or Capias as the kinges Justices at Westminster may doe, and vse to doe. And if any such conuiccion or attainder shall hereafter happen to bee at the kinges suit onely, that then the whole forfaytures to bee extracted and leued to the kynges vse onelie. And it is &c. that whatsoeuer personne shal at any time hereafter bee punyshed by vertue of this act for anie thyng mencyoned in this act, that then the same personne shall not otherwise bee vexed, troubled sued, or putt to anie paine or punishment for that thyng, wherefore hee or they shall haue beene so punished. Prouided alwayes, and it is enacted by the authoritie aforesayd, that it shall bee lawfull to euerie person or personnes which shalbe assigned and allowed by three Justices of the peace of the countie where he shall dwell thereunto, to buy, (other wise then by forestalling) corne, graine, or cattell, to bee transported or carried by water from anie port or place within this Realme, or Wales, vnto any other port or place within the said realme, or dominions, if hee or they shall without fraud or couyn, ship or imbark within xl. dayes nert after he or they shall haue bought the same, or taken couenaunt, or promise for the buying therof, & with such expedition and diligence, as wind and weather shall serue to cary and transport the same to such port or place, as his or their cockets shal declare, & there do dischardge, vnlade, and sell the same, and do bryng a true certificat thereof, from one Justice of peace of the countie, or Maior, or baylife of the towne corporate where the same shalbee vnladen, and also of the customer of the port, where such vnladyng shalbee, of the place, and day, where the said corne or cattell shalbee dyscharged, vnladen and sold, to bee directed vnto the customer & comptroller of the port where the same was embarked, anie thyng mencyoned in this act to the contrary notwithstanding. And ouer that that at all tymes hereafter when wheate shalbee commonlie at the price of vi.s. viii.d. the quarter, or vnder, malt and barley at iii.s.iiii.d. ỳ quarter, or vnder, Otes or otes malted, at the price of ij.s. the quarter, Peale or Beanes at the price of iij.s. the quarter, or vnder, and rie or meslein at the price of v.s. the quarter or vnder (all which quarters shalbe entended to be of London measure) that then it shalbee lawful to euery person & persons (not forstalling) to buy, engrosse, & kepe in his or their graneres or houses such corne of the kyndes aforesayd, as wythout fraud or couyn shalbee bought, at or vnder the prices afore expressed, anie thyng in this act to the contrarie notwithstanding. Prouided alwaies and be it &c. ỳ this act or any thing therein contcined, extend not to charge anie person or persons for any thoffences aboue mencioned, vnlesse he or they bee sued for the same within two yeares nert after such offence done or committed, this act to endure vntil thend of the nert parliament. Prouided alwaies & be it &c. that it shalbee lawfull to all

Witnesses
Proces
Extracts
Fieri fac. Capias
Conuiccion R. suit
Licence Just. of p.
Wales
Vnlede
Certificat
Just. of p.
Maior
Bailife
Custom.
Wheat
vi.s. viij.d the quarter
Malt & barley at iij.s. iiij.d.
Otes
Peale
Beanes
Rye
London measure
ij. yeres

to all and euerie of the kynges maieſ-
ties ſubiectes, now dwelling and in-
habyting or that hereafter ſhall dwell
or inhabyte within one myle of the
maine ſea, to buy all manner of fyſh,
freſh or ſalted (not forſtalling ꝧ ſame)
and to ſell the ſame againe at reaſona-
ble prices, this act or any thing therein
contained to the contrary in any wyſe
notwithſtanding. Prouided alſo and bee
it ꝛc. that it ſhalbe lawfull to al ꝧ euery
perſon ꝧ perſonnes knowen for a cõ-
mon drouer or drouers being licenced,
authorized, ꝧ allowed in writting by
three Juſtices of peace, whereof one to
bee of the Quorum, of the County or
counties where ꝧ ſame drouer or dro-
uers ſhalbee moſt abyding and dwel-
lyng, to buy cattell in ſuch ſhires and
countyes where drouers haue beene
wont in tyme paſt accuſtomablie to
buy cattel, at their free libertie ꝧ plea-
ſure, ꝧ to ſell the ſame as is aforeſayd,
at reaſonable prices, in cõmon faires
and markets, diſtant from the place or
places where hee or they ſhall buy the
ſame, forty miles at the leaſt, ſo that
the ſame cattell bee not bought by the
waie of forſtalling, thys act or anie
thyng therein conteyned in anie wyſe
notwithſtandyng. Prouided alwayes
that ſuch licence of the Juſtyces of the
peace ſhal not endure aboue one yeare,
vnleſſe the ſame bee yearelie renued,
by ſo many Juſtyces as is aforeſayd,
An. 5. E. 6. ca. 14. And after An. 7. E.
6. ca. 11. this act was continued to en-
dure to the laſt day of the nert parlya-
ment. And after An. 1. M. 1. parliament to
ca. 13. this act was cõtinued to endure
to the laſt day of the nert parliament.
And after An. 1. ꝧ 2. P. ꝧ M. cap. 16. it
is continued to the laſt day of the nert
parliament. And after An. 2. ꝧ. 3. P. ꝧ
M. cap. 21. ꝧ 4. ꝧ 5. P. ꝧ M. cap. 9. ꝧ 1.
El. cap. 19. it is contynued to the laſt
day of the nert parliament, which be-
gan. 5. El. and ended. 6. Eliz. and this
then diſcõtinued, was renued. 13. El.
cap. 25. and made perpetuall.

Prouided alway and bee it enacted,
that the ſaid act againſt regrators, for-
ſtallers, and ingroſſers is not ment to
extend, nor ſhall extend to any Wines
Dyles, Sugers, Spices, Cõmits, nor
other forreins victuals brought, or to
bee brought into this Realme from be-
yond the ſeas, ſithe ſalt onely ex-
cepted, 13. El. ca. 25.

*Fraunce and Frenchmen.*

AS in the parliament holde at weſt-
minſter in the time of king R. 2.
the 13. yeare of his raigne, it was or-
deyned that none Alien Frenchman
ſhould haue, nor inioy any benefice, ſi
in this realme, for certē cauſes, which
might come or happen, but that they
ſhould bee deliuered and voyded for-
ther out of the Realme before a certen
time, in the ſaid ordynaunce limitted,
as in the ſame is plainlye conteined.
And that at what time that any Pri-
ories, aliens, cõuentuall, or any other be-
nefice or office, due by the Kings title,
do voyd, by ꝧ departing, or death of ꝧ
ſaid priours, and other occupiers, that
then there ſhould bee during the warre,
honeſt Engliſh perſonnes put in their
place to accomplith the deuine ſeruice,
and none of the enemyes aforeſayd.
And notwithſtanding the ſayd ordy-
naunce, the ſaid aliens frenchmen, by
euill imagination and procace, to con-
tinue there euill miſchiefes, do purchaſe
the kings letters patents, to bee deny-
zens and the Kings liege people, and
where the ſame to continue, to the en-
tent to occupy and enioy the ſaid bene-
fices, and ſo yet occupie many benefi-
ces againſt the ſaid ordinances, where
by theſe aliens frenchmen bee encrea-
ſed, in deſtruction of the Kinges li-
ege people, and beare alwaye out of
the Realme great Treaſure of the
Kinges and of the Realmes, and
the Kinges counſell diſcloſe to the
enemyes of Fraunce, to the great
damage of the King and his Realme.

Our

Wayne ſea Fiſh

Drouer licenced

Juſt. of p.

Buy cattel

Faires Markets

Licenced but one yere

Perpetual

Wines Oyles Sugers Spices Salt

Alien Benefice

Priories

Warres

Denizens L. patents

Benefices Aliens

Our soueraigne lord the kyng consi-
dering the said mischiefe, will that the
said ordinances be firmely holden
& kept, & put in due execution, except ỳ
priors aliens cõuentual, & also al other
priors which have institution & induc-
tion, so ỳ they be catholike, & that they
shall find suertie, not to disclose nor
cause to be disclosed the counsel nor the
secrets of the realme. An. 1. H. 5. c. 7.

Priors

Catholike

Suertie

Church

Note wel ỳ the said stat. of 13. R. 2. is
not in the print ed booke of statuts.

¶ *Fraunchises & Liberties.*

WE have graunted to God, & by
this our present charter, have con-
firmed for vs and our heires, for ever-
more that the church of England shal-
bee free, and shall have all her hole
rightes and liberties inuiolable. Mag.
Carta. cap. 1.

Free

2 ¶ The Citie of London shall have
al the old lyberties & customes which
it hath beene vsed to have. Moreouer
wee wyll and graunt that al other ci-
ties, Boroughes, Townes and the
barons of the v. portes, and all other
portes have al their liberties and free
customes. Mag. car. c. 9.

London

Townes
Barons of
v. portes

3 ¶ Referring to al Archbishops,
bishops, Abbots, priours, Templers,
Hospittlers Earles, Barrons, and all
persons al wel spiritual as tempozal, al
their liberties & free customes, which
they have had in time passed, And al
these customes and lyberties alozesaid
which we have graunted to be holden
within this our Realme as much as
appertayneth to vs and our heires, we
shall obserue. And al men of this our
Realme as well spiritual as tempozal
(as much as in them is) shal like wise
obserue the same against al persones.
And wee have graunted vnto them
on the other part that neither wee nor
our heires shal procure or do any thing
wherevby the lyberties in this charter
shalbee infringed or broken, And if a-
ny thing be procured by any persone
contrary to the premisses, it shalbee
holden of no force ne effect. Mag. cart.
cap. 37.

Archbi-
shops
Bishops
Spiritual
persons
Tempozal
persons

4 ¶ For asmuch as writts of Quo
warranto, and iudgements geuen vpon
pleas of ỳ same, were greatly delated,
because the iustices in geuing iudg-
ment were not certified of the kinges
pleasure therein. Our soueraigne lord
the king, at his parliament holden at
Westminster after the feast of Easter
the xxiij. yeare of his raigne, of his spe
cial grace, & for the singular affection
ỳ he beareth vnto his prelats, Earles,
and barons, and other of his Realme,
hath graunted that all vnder his alle-
geaunce, as well spirituall as other,
vpych cause proue and verifie by en-
quest in the entre, as other wise, that
they and their auncestours or predece-
sours, have vsed any maner lyberties,
wherevf they were impleded by the
said writts before the time of king Ri-
chard our cosin, or in our tyme, and
have continued hitherto (so that they
have not misused such lybertyes) that
the parties shalbe atourned further vn
to a certayne day reasonable before ỳ
same iustices, within the vpych they
may goe to our Soueraigne Lord the
king vpyth the Record of the Iustices
signed with his seale, and also returne.
And the king by hys letters patentes
shall confirme their estate. And they
that can not proue the seyson of their
auncestours in such manner as is be-
fore declared, shalbee iudged and iud-
ged after the law and custome of the
Realme, and such as have the kynges
chartours, shalbee iudged accozding
to their chartours. Moreouer the king
of his special grace hath graunted that
all iudgementes that are to bee geuen
in pleas of Quo warranto, by his iu-
stices at Westminster, after the feaste
Easter, for the king him selfe, if ỳ par
ties greeued wyll come against beefore
the king, he of his grace shal geue the
such remedy, as beefore is mencioned.
Also our soueraigne Lord hath graun-
ted, for sparing the costs and expenses
of his

Quo war-
ranto

Pryue
Enquest

Attorney

L. Patents

Iudgemẽt

Remedy

of his people, that pleas of Quo warranto, from henceforth shalbe pleaded and determined in the circuit of ỹ Justices, and that al pleas now depẽdyng shalbe adiourned into the shires until the comming of ỹ Justices into those parties. An. 3. E. 1.

Prelates

¶ Where as prelats, Earles, Barrons, & other of our realme ỹ claimeth haue diuers liberties, which to examin ỹ kyng, ỹ hig had prefixed a day to such prelats, Earles, Barrõs & other. It is prouided, agreed, & ordened, ỹ the said Prelates, Earles, Barõs & other shal vse such maner of liberties, after the forme of the writ here folowyng. Rex vic. salutẽ. Cum nuper in parliamento nostro apud vvestmonasteriũ, per nos & consiliũ nostrũ prouisũ sit & proclamatũ, qd' prelati, comites, barones, & alii de regno nostro, qui diuersas libertates per cartas progenitorũ nostrorũ regũ Anglie habere clamant, Ad quas examinandas & iudicandas dié pfixerimus in eodem parliamẽto, libertatib⁹ illis ꝛaliter vterentur, qd' nihil sibi p vsurpationem seu occupationẽ accresceret, nec aliquid sup nos occuparẽt. Tibi precipimus, qd' ones illos de eoĩ tam libertatibus suis quibus hucusque racionabiliter vsi sunt vti & gaudere permittas in forma predicta, vsque ad proximum aduentũ nostrũ per comitatum predictum, vel vsque ad proximũ aduentum iusticiariorum itinerantium ad omnia placita in comitatu, vell dorsolud inde preceperimus saluo ꝛe pio nostro cũ inde loqui voluerimus. Teste &c. In like maner, & in ỹ same forme writs shalbe directed to shirifs & other bailifs for euery demaundant and the fourme shalbe chaunged after the diuersitie of the libertie which any man claimeth to haue in this wise: Rex vic. salutem. Precipimus tibi, qd' per totam ballimã tuam videlicet tam in ciuitatib⁹ quã in burgis & aliis villis mercatoriis & aldi, publice proclamari facias quod omnes illi qui aliquas libertates per cartas progenitorũ nostrũ regum Anglie vell alio modo habere clamant, sint coram iusticiariis nostris ad primam assisam, ad ostendendum quinmodi libertates habere clamãt, & quo warrãto, & tu ipse sis ibidem personaliter cum balliuis et ministris, ad certificandum ipsos iusticiarios sup his et aliis negociis illud tangentib⁹. This clause of liberties that beeginneth in this wise, Precipimus tibi qd' publice proclamari facias. &c. is put in ỹ writ of common somons of the Justices in eire, and shal haue a premonicion or warning before by ỹ space of xl. dayes as the common sommons hath, so ỹ if any party that claimeth to haue liberty bee afore the king it shall not bee in default before any Justices in their circuites: for the king of hys speyall grace hath graunted that hee will saue that partie harmeles as concerning ỹ quinzaine. And if the same partie bee impleded vpon such maner of liberties before one or two of the forsaid Justices, the same Justices, before who the partie is impleaded shal saue hym harmeles before the other Justyces. And if the forsaid party bee afore the kyng so that he can not be ỹ same day afore the said iustices in their circuits, the king shall saue that partie harmeles before the forsaid iustices in their circuites for the day, where as he was before the king. And if he do not come in at the same day then those liberties shalbe taken into the kynges handes in name of distresse, by the Shirife of ỹ place, so that they shall not vse them vntil they come to answere before ỹ Justices. And when they doe come in by distresse, their liberties shalbee repleuished (if they demaund them) in ỹ which replenins they shall answere immediatly after the fourme of the writte aforesaid: and if perchase they will challenge and say that they are not bounden to answere in the ordynall writte, then if it may appeare by any meane, that they haue vsurped any liberties vpon the king or hys

predecessours

Somons

xl. Dayes

Justices

Distresse Shirife

Repleuyn

Vsurpe

predeceſſours, of their owne head or preſumpcion, they ſhalbee commaunded to aunſwere incontinent without writt. And moreouer they ſhall haue ſuch iudgment as the court of our ſoueraigne lord the king wyll award. And if they will ſay further, that their auncеſtours died ſeyſed thereof, they ſhalbe heard: and the truth ſhalbe inquired incontinent, and according to that, iudgment ſhalbe geuen. And if it appeare, that their auncеſtours died ſeyſed thereof then the king ſhal haue a writte out of the chauncery in thys fourme, Rex vicic. ſalutem. Sum. per bonos ſummoñ talem, quod ſit coram nobis apud talem locum in proximo aduentu noſtro in comitatu predicto, vel coram iuſticiariis noſtris ad proximam aſſiſam, cum in partes illas venerint, oſtenſurus quo vvarranto tenet viſũ francipleg. in manerio ſuo de N. Vel ſic: quo vvarranto tenet hũdredũ de S. in comitatu p̃dicto, vel quo vvarráto clamat haber theloniũ pro ſe et heredibus ſuis per totũ regnũ noſtrum. Et habeas ibi hoc breue, Teſte &c. And if they come in at the ſame day, they ſhall aunſwere, & if they doo not come, nor bee allowed beſore the king, & the king doo tary longer in the ſame ſhire, ſuch order ſhalbe taken as is in the circuit of Juſtices. And if the king depart from the ſame ſhire, they ſhalbee adiourned vnto ſhort dates, & ſhal haue reaſonable delates according to the diſcretion of the Juſtices, as it is vſed in perſonall actions. Alſo the Juſtices erraunt in their circuit ſhall doe according to the foreſaied ordinaunce and according as ſuch maner of pleas ought to be ordred in the circuit. Concerning complaintes made and to bee made of the kynges baliffes and of other, it ſhalbe done according to the ordinance made beſore, & thereupon according to the enqueſt taken therupõ heretofore, & the clauſe ſubſcribed ſhall bee put in a writ of contan ſumons in the circuit of the Juſtices aſſigned to

Judgemẽt

Auncеſtors

Dayes

Juſtices errant

Cõplaints

common pleas directed to the ſhirife, &c. & that ſhalbee ſuch. Rex vicecomiti ſalutem. Precipimus tibi, quod publice proclamari facias, quod omnes cõqueрentes ſeu conqueri volentes, tam de miniſtris et aliis baliuis noſtris quibuſcunque, quã de miniſtris et baliuis aliorũ quorumcunque et aliis, veniãt coram iuſticiariis noſtris ad primam aſſiſam, ad quaſcunque querimonias ſuas ibidem oſtendendas, ad competẽtes emendas inde recipiendas ſecundũ legẽ et conſuetudinem regni noſtri, et iuxta ordinationẽ per nos inde factã, et iuxta tenorem ſtatutorum, et iuxta articulos eiſdem iuſticiariis noſtris inde traditos prout predicti iuſticiarii tibi ſcire faciãt ex parte noſtra, teſte me ipſo, &c. decimo die Septẽbris, Anno. regni noſtri trigeſimo, An. 30. E. 1.

6 ¶ Concerning the writt which is called Quo vvarranto, it was eſtabliſhed by our Lord the king, vppon the feaſt of Pentecoſt in the xviij. yere of his raigne, that al thoſe which claimed to haue quiet libertie and fraunchyſe beſore the time of king Richard, without interrupcion, and can ſhewe the ſame by lawfull enqueſt, ſhall well enioy their poſſeſſion, and in caſe that ſuch poſſeſſion be demaunded for cauſe reaſonable, the king ſhall confirme it by title. And thoſe that haue old charters of fraunchiſe, ſhall haue the ſame charters allowed, according to the tenour and fourme of them, and thoſe that haue loſt their liberties ſithence Eaſter laſt paſt, by the foreſaid writt, according to the courſe of pleading in the ſame writte heretofore vſed, ſhall haue reſtitution of their fraunchiſes loſt. And from henceforth they ſhall haue according to the nature of thys preſent conſtitution. An. 18. Ed. 1. ſtat. de Quo warranto nouum.

Quo warranto

Confirme

Reſtitution

7 ¶ We will and graunt for vs and our heires that al clerkes and lay men of our land, ſhal haue there lawes, liberteyes, and free cuſtomes, as largely & wholly

Clerkes Lay mẽ

and wholly as they haue vsed to haue ẏ same at any time, whē they had thē best. And if any statuts haue bē made by vs or our aūcesours, or any custōs brought in contrary to them, or anie maner article contained in this preſēt charter, wee will and graunt that such manner of statutes and customes shal bee voyd and frustrate for euermore, statut. de tallagio non contendendo.

Voyd

Cities Townes

8 ¶ The Cities, boroughes, and fraunchised townes shall enioy theyr franchise customes and vsages as they ought and were wont to do, An. 1. E. 3. cap. 9.

Church

9 ¶ Holy church shal haue her lyberties in quietnes, without interruption or disturbaunce. And that ẏ great charter & the charter of the forrest bee holden in all pointes. And ẏ the Citie of London and al other Cities & Boroughes of the realme of Englād haue al their franchises & customes, wherin they haue reasonably had and vsed in times past. An. 14. E. 3. ca. 1.

London Cities

Clergie

10 ¶ That al priuiledges & frāchises graunted heretofore to ẏ Clergie bee confirmed & holden in al points, Ann. 25. E. 3. ca. 1. & 3.

Confirme

Church

11 ¶ The church of Englād shal haue all her liberties wholy & inheritt, & the same fully kept & vse, An. 6. R. 2. c. 1. & An. 6. R. 2. stat. 2. ca. 1.

Church

12 ¶ Holy church shall haue & enioy al her liberties & franchises as wholy as she hath had and enioyed the in the time of our noble progenitours. An. 7. R. 2. ca. 1. An. 3. R. 2. ca. 3. & An. 2. R. 2. stat. cap. 1.

Church

13 ¶ Holy church shal haue and enioy al her liberties & frāchises wholy. An. 5. R. 2. ca. 1. An. 8. R. 2. ca. 1. An. 12. R. 2. cap. 1.

Repealed

14 ¶ An. 2. R. 2. cap. 1. al liberties & frāchises were cōfirmed, but this parliament was repealed by 1. H. 4. c. 3.

Church

15 ¶ Holy church shall haue & enioy al her rights liberties & frāchises & theyr & wont emblemishing. An. 1. H. 4. ca. 1. Anno 1. R. 2. cap. 1. Anno. 5. E. 3. cap. 2.

Church Lords

16 ¶ That holy church haue her right and liberties, and that al ẏ lords spirituall and temporall, and all the Cyties Boroughs and Townes enfraunchysed, haue and enioy al their liberties and fraunchyses, whych they haue onely vsed, and whych they haue of his noble progenitours and predecessours kynges of England, Anno. 2. Henrici. 4. capitulo. 1. Anno. 1. H. 4. capitulo. 1. Anno. 7. Henrici. 4. capitulo. 1.

Cities Townes

Church Lordes

17 ¶ That holy church haue all her liberties and fraunchises, and that all the Lordes spirituall and temporall, and other the kinges liege people, hauing lyberties and fraunchises, and al cities and Boroughs of the Realme, haue and enioy all their lyberties and fraunchises, whych they haue of the graunts of the progenitours of our soueraigne Lord the kyng, and of hys owne graunt or confirmation, except the fraunchyse nowe late graunted to the Scholliers of the Vniuersitie of Oxford. An. 9. H. 4. ca. 1. & An. 13. H. 4. cap. 1.

Cities Boroughs

Church

18 ¶ That holy Church haue all her liberties and fraunchises, and that ẏ Lords spirituall and temporal, & other the kings liege people hauing liberties and franchises, and al the Cities & boroughs of the Realme, haue and enioy al their liberties and franchises, which they haue had of the graūtes of the kinges progenitours, and of the confirmation of the same our soueraigne Lord the king, or his owne graunt. Except alwaies those franchises and liberties, which bee repealed in this preſent parliament, and those that bee repealed by the common law. An. 3. H. 5. cap. 1.

Lords

Liege people

Cities

Repealed

Church

19 ¶ Holy church, and al the lords spirituall and temporall, and all other the kinges people hauing liberties and franchises, and also al the Cities, & boroughes shall haue and enioy al their liberties, and fraunchises well vsed,

Lordes

Cities Boroughs

and

and not repealed nor by the common law repealable. Anno. 2. H. 6. ca. 20 ¶ Where diuers of the most auncient prerogatiues and auctorities of iustice, appertayning to the imperiall crowne of this realme, haue ben severed and taken from the same by sundry gifts of the kings most noble progetours kinges of this Realme to the great diminution and detriment of ỹ roial estate of the same, and to the hinderance and great delay of iustice. For reformation whereof be it ec. that no person or personnes, of what estate or degree soeuer they be of, from the first day of July which shalbe in the yere of our lord God 1536. shall haue any power or auctoritie to pardon or remit any treason, murders, manslaughters, or any kindes of felonies whatsoeuer they bee, nor any accessaries to any treasons murders, manslaughters or any otlaries, for any such offences aforesaid, cõmitted, perpetrated, done or deuulged, or hereafter to be committed, done, or deuulged, by or against any person or personnes in any parties of this Realme, Wales or the marches of the same, but that the kinges highnes, his heires and successours kinges of this realme, shall haue the whole and sole power and auctoritie thereof united and knitte to the imperial crowne of this Realme, as of gods right and equitie it appertaineth, any graunte, vsages, prescripcion, act or acte of parliament, or any other thing to the contrarie hereof notwithstanding. And bee it ec. that no person or personnes of what estate degree, or condition, soeuer they be from ỹ sayed first day of July, shal haue any power or auctoritie to make any Justice of Eire, Justices of assise, Justices of peace, or Justices of gaole deliuerie, but that al such officers and ministers shalbe made by letters patents vnder the kinges great seale in the name and by auctoritie of the kinges highnesse, & his heires kings of this Realme in al

shires, countie Palantine, and other places of this Realme, Wales, and marches of the same or any other ỹs dominions, at their pleasures & wills, in such manner and fourme as Justices of eire, Justices of assise, Justices of peace, and Justices of gaole deliuery bee commonly made in euery shire of this Realme, any graunte, vsages, prescripcions, allowances, act or acts parliamẽt, or any other thig or things to the contrary therof notwithstanding. And be it ec. that al original writtes & iudicial writs, & al manner of indictements of treason felony and trespas, and all manner of proces to bee made vppon the same in euery county Palantine and other libertie within ỹs realme of England, Wales, and marches of the same, shall from the sayed first day of July bee made onely in ỹ name of our said soueraigne Lord the king, and his heires kings of England. And that euery personne or personnes hauing such countie Palantine, or any other such liberty to make such originals, iudicials, or other proces of Justice, shal make the Teste, in the sayd original writtes & iudicial in the name of the same personne or personnes ỹ haue such countie palantine, or liberty. And that in euery writ & indictment, that shalbe made wythin anie such countie Palantine or libertie, after ỹ sayd first day of July next cõming, whereby it shalbee supposed any thyng to bee done against the kinges peace, shalbe made and supposed to be done onely against the kinges peace, his heires & successors, & not against ỹ peace of any other persõ or persons whatsoeuer they be, any act of parliament, graunt customes, vsage, or allowance, in eire before this time had, grasited, or vsed to ỹ contrary notwithstanding. Prouided alwaies that Justices of assyse, Justices of gaole deliuery & Justices of peace to bee made and assigned by ỹ kinges highnes, wythin the Countie Palantine of Lancaster, shalbe made

and

Countie pal.

Original writs

Indictmẽts

Proces

Kings name

Teste Name

Indictmẽt

Kings peace

Just. of ass.
Just. of g.
Just of p.

Chauncelor Seale of Lanc.

and ordeined by cõmyssion vnder the kinges vsual Seale of Lancaster, to mak̃ yᵗ same as hath bene accustomed, any thing in this act to the contrary notwithstanding. Prouided also that

Cities Boroughs

al cities, boroughs & Townes corporat within this Realme, which haue liberties, power and auctoritie to haue Justices of peace or Justices of gaole delyuery, shal stil haue & enioy their liberties and auctorities in that behalfe, after such like maner as they haue ben accustomed, without any alteratiõ by occasion of this act, any thing in this act, or in any article therin contained to the contrary thereof notwythstanding. And it is ꝛc. that all

Stewards Bailifes Officers

Bailifes, & other ministers of any liberties or fraunchises, which in tymes passed haue vsed or ought to haue tended vpon ẏ Justices of assise, Justices of gaole delyuery, & Justices of peace, at large in any county, shalbe attendant to ẏ Justices of assise, Justices of gaole delyuery, & Justices of peace of ẏ sãe shire wherin such liberties & frãchises be, and make due execution of all prores to thẽ to bee directed for ministration of Justice within such liberties or fraunchises. And that also al such bailifes or their deputies or deputie shall geue their attendance & assistãce vpon

Justices Just. of p.

Execute proces

ẏ shiriffe together with ẏ theriffes bayliffes at al courts of gaole delyuery frõ time to time, for executiõ of prisoners according to Justice. Prouided alway

Bailife Deputie Shiriffe

ẏ ẏ article next aboue rehersed shal not in any wise be prejudiciall to any steward or bailife of any cities borough or townes corporat set in any shire of this realme, which haue priuiledge ẏ they should not be compelled to attẽd or appeare out of such cities, boroughs or townes wherin they inhabit, but ẏ euery such citie borough, & towne corporat shall vse their said priuiledges & liberties as heretofore hath ben accustonied, any thing in any of ẏ articles aboue rehersed to ẏ cõtrary therof not wtstãding. And it is ꝛc. ẏ ẏ kyng our

Citie Townes

King

soueraigne lord his heires & successors kings of this realme, from ẏ sayd first day of July next comming, shall haue al maner fines, issues, amerciaments, & forfait ẏ shalbe lost, forf. or assessed by or vpõ any stewards, bailifes or other ministers or officers of any fraunchises or liberties for non execution, or misexecution or insufficient return of such writs, warrants, preceptes, or other proces, which to thẽ of any of thẽ or to any their deputy or deputies shal be directed, or for any contẽpt or other misdemeanour whatsoeuer it bee concerning their offices in and for the due execution or administration of iustice; any grant or allowance, or other thig to the cõtrary hereof notwtstanding. And that ẏ amerciaments for insufficient returnes of writs, or other proces made by the stewards or bailifes of liberties or frãchises hauing returne of writs and execution of ẏ same, shal be put and set vpon the heads of such stewards or bailifes & not vpon ẏ shiriffs. And furthermore it is enacted by ꝛc. ẏ purueiors assigned by the kynges commission for prouisions of his grace ẏ Quene, & their children, shal, & may prouide al vitailes, corne & other kynds of thyngs, whatsoeuer it be according to their commissions, aswel within liberties and franchises as without, any grants, allowances or other thing to ẏ contrary or lett therof, notwtstanding. Prouided alwaies that such purueiors shal obserue the statuts for ths prouided in euery behalfe. And ouer this it is ꝛc. ẏ in al such places, wheresoeuer the kinges highnes in his owne most royall person shall come to rest, tarry abide or make his repose within this realme or any hys dominions, wh in the liberties wythout, there & wh in the verge ymitted and acnst omed to his graces court during the tyme of his abode, hys grace hys steward, Marshall, Cozoner, & al other his ministers, shal & may kepe their courts, for Justice, and exercise their offices as shall

Fines Issues

Stewards Bailifs

Proces

Contempt

Amerciaments

Purueyors

Vitailes

Cõmissions

K. person

Verge

Steward Marshal Cozoner Courts

as shal appertaine to their occupying to the lawes, customes & statutes of this Realme as wel within liberties as without. And that his graces clerkes of ỹ market, and none other during ỹ same tyme as wel within liberties as without, shall exercise the office of a clarke of ỹ market, any pryuiledge graunt allowaunce or other thing to ỹ contrary hereof notwithstanding. Prouided alway, that this article next afore rehearsed, or any thing therein contained bee not in any wise preiudiciall to the Citie of London, but that the same citie shall haue and vse such liberties as they mought, if these articles had neuer bē made. And be it &c. that all and euery statut, act and actes, heretofore made & being in force against shiriffes their vnder shiriffs bailifes or other ministers of making or returning of panels or iuries, for due execution & serving of any writtes or other proces, or for taking of fees, or for relaxmatyon of extorcions, or for any other thing or thinges concerning their offices, & all penalties contained in euery such stat. shal from henceforth be extended to al Stewardes, bailifes, & other ministers and officers of liberties and fraunchises hauing returnes of writs and executions thereof in like maner fourme and condition as they extend to Shyriffes their vndershiriffes, Baylifes, and other ministers, & as if the sayd Stewards, Bailifs, and other ministers or officers of liberties and fraunchises had beene specially and particularly named and rehearsed in such statuts. Prouided alway, that this article nert aboue rehearsed shal not bee preiudiciall to any Steward, Bailifes of franchises or to their deputies or their clarkes, for exercising and occupying their office ouer and aboue one yeare, but that they and euery of them may keepe and occupy their saied office for so long tyme as they bee or hereafter shalbe geuen to them, as if this article nert afore rehearsed had neuer beene made, any of the said acts, to be exposed & taken against them or any of thē to the contrary thereof notwithstanding. And it is &c. ỹ al such Justices to be made, as is afore rehearsed in this act, shal haue auctorite and power to keepe & hold their sessions of peace, & to deliuer ỹ same gaoles from time to time only with ỹ same liberties & fraunchises, & in such places, & in none other place, by reason and auctorite of ỹ commission, and to do and execut al other thinges within the same, in as ample and large maner, as any other Justices of peace and gaole deliuery in any shire within this Realme may do and haue auctorite to doe, any act, graunt, vse, custome, and allowaunce, heretofore had, made, or vsed, or any article in this present act made to the contrary not withstanding.

Prouided alwaies, that al and singuler Justice of the peace, gaole deliuery, and assise hereafter to be made, named and appointed by the kinges highnesse his heires and successors, within any liberte, where any such Justice of peace gaole deliuery, or assise, or any of them haue bēne made by any person or persons, by vertue or auctority of any letters patentes, of the gift or graunt of our soueraigne Lord the king, or his most noble progenitors kinges of this Realme, or other wise shal sit and kepe their sessions, gaole deliueries, and assises only in such place & places, as the Justices of the said liberties lately haue commonly vsed within the said liberties. And that no person or persones, within the said liberties or any of them shalbee hereafter in no wise compelled by auctority of this act, to appeare out of the said liberties before any other Justices of assise, gaole deliuery, or of the peace, then before such Justices as shalbe named & assigned to sit and bee by the kings highnesse, his heirs & successours within the said liberties, in forme aboue said. And that this act shal not extend or bee expounded or taken to any

Clerks of the market

London

Shiriffes

Returning of Iuries

Fees

Penalties

Steward Bailife

Justices

Sessions of p. Gaoles

Iust of p.

Iust. of p.

Justices

L. patents

Sessions

Iust. of ass.

Iust. of g.

Iust. of p.

to any other liberte, p̄uiledge or fraun-
chise graūted vsed, or had to any per-
son or personnes other then before in
this p̄sent act is expressed and plain-
ly declared and vnderstood, any thyng
in thys act to the contrary notwyth-
standyng, and as if this act had neuer
been made.

Sir Tho. Engliefeld

Fees

L. patents

Citie Borough

Fines Issues

P̄uided alwaies that this act nor a-
ny thing therein contayned, be in any
wise hurtfull or p̄iudicial vnto Sir
Thomas Engliefeld knight iustice of
the county palantines of Chester and
Flint, nor to his deputie or deputies,
nor to any of the, for, or concerning
the office of Iustice or Iustices of the
said counties palantine and Flint, nor
for or concerning any fees, profits, or
auauntages to the same office in any
manner wise appertaining or belon-
ging, but that the said Sir Thomas,
his deputie and deputies and euerie of
them, may lawfully haue, occupy &
exercise the said office, and also receiue
and take to their owne vse, all maner
p̄fits, commodities and auauntages
to ỹ said office belonging or appertai-
ning according to the tenour purport &
effect of such letters patentes, as bee-
fore this time were vnto the same Sir
Thomas made vnder the seale of the
said county palantine, or vnder any o-
ther seale by our said soueraigne lord
the king that now is, of, for, or concer-
ning the said office, and other the p̄-
misses, or any parcel thereof, in as am-
ple maner as though this act had ne-
uer ben had nor made, any thing in this
act contained to ỹ cōtrary in any wise
not wythstanding. P̄uided alway, ỹ
this act nor any thing therin contained
be in any wise p̄iudicial or hurtful to
any citie borough or towne corporat,
by what name or names soeuer they
or any of them be incorporat, & their
successours, and the successours of e-
uery of them, of, or for any maner of
liberties p̄uiledges customes & ancī-
ent vsages and fraunchises. And also
of al maner of fines, fillies, & amercia-
ments and forfaitures, which they or
any of the haue of the grant or grants
of our said soueraigne lord the king, or
of any of his noble p̄progenitors kings
of this Realme of England, but that ỹ
said Cities Boroughs and Townes
corporat, and euery of them and their
successours may haue, take, leuy & en-
ioy al and euery such lawful liber-
ties, p̄uiledges, frāchises, customs, & vsages
in as ample and large maner & in like
fourme and condicō as they and eue-
ry of them haue lawfully taken, vsed,
and had the same before the making
of this act, any thing in thys act to the
contrary not withstanding, & as if this
act had neuer been had ne made. P̄ro-
uided alway, & be it enacted that Tho-
mas now Bishop of Ely, & his succes-
sours bishops of Ely, and their tempo-
rall steward of the Isle of Ely, for the
time being, and euery of them shal frō
henceforth be Iustices of peace within
the sayd Isle, and shall vse and exercise
all maners of things within the same
Isle that appertaineth or belongeth to
any iustices of peace within any coūty
of this realme of England, to do, exer-
cise and vse by vertue and auctho-
rite ỹ they be Iustices of peace, in as am-
ple and large maner, as any other iu-
stices of peace in any coūty within this
realme haue or might doe, exercise or
vse anie thing or thinges in this act cō-
tayned to the contrary not wythstan-
dyng. P̄ro-uided alway and be it enac-
ted, that Cuthbert now Bysshoppe of
Durham, and his successours Bishops
of Durham, and their temporal chan-
cellour of the county palantine of Dur-
ham for the time being and euerie of
them, shall from henceforth be Iustice
of peace within the same county Pa-
lantine of Durham, and shall exercise
and vse all maner thynges within the
same county palantine that appertay-
neth or belongeth to anie Iustice of
peace within any coūty of this realme
of England to doe, exercise and vse, by
vertue & auctho-rite ỹ they bee iustices
of peace

Ely Steward

Just. of p.

B. of Dur-ham Chancellor

Just. of p.

of peace in as ample and large manner as any other Juſtices of peace in any coũty within this realme haue or might do exercise or vſe, any thyng or things in this act cõteyned to the contrary notwithſtanding. Prouyded alwaies and be it enacted, that Edward nowe Archbiſhop of Yorke and his ſucceſſours Archbiſhops of Yorke & their temporall chaunceloure of the ſhire and liberty of Hexã otherwiſe called Hextoldham, for the time being and euerie of thẽ, ſhal from henceforth be iuſtice of peace within the ſaid ſhire & liberties of Hexã otherwiſe called Hextoldham, and ſhall exercise and vſe al maner things within the ſaid ſhire and liberties, that appertayneth or belongeth to any iuſtice of peace within any coũtie of this realme of Englãd to do, exercise and vſe, by vertue & auctoritie of they be Juſtyces of peace, in as large & ample maner as any other Juſtyces of peace in any countie within thys realme haue or might doe exercise or vſe, anie thyng or thinges in this act contayned to the contrary notwithſtanding. An. 27. H. 8. cap. 24.

Archbiſhop of Yorke Chaūceloz yeam

Juſt of p.

21 ¶ Where diuers & ſundry ſites, circuits & precincts of late monaſteries, abbathies, priories, nunries, colledges, hoſpitals, & other eccleſiaſtical & religious houſes & places, & diuers honours, caſtels, maners, meſuages, lãds, tenemẽts, liberties, priuiledges, & fraũchyſes, & other hereditamẽts, by diuers & ſundry ſtatuts heretofore made, been aſſigned, limitted and appointed to the order, rule, ſurvey and gouernaunce of the court of our ſoueraigne lord ỹ king called the court of Augmentations of the reuenues of his crowne, and of the chaunceloure officers & miniſters of ỹ ſame, by the which ſtatuts it is not fully playnly, or expreſſely declared or rehearſed how & in what wiſe & by what ſpecial officers & miniſters the liberties, priuiledges, and franchiſes which the late owners of the ſame ſytes, circuites, precynctes, honours, caſtelles, manors, meſuages, lands, tenements and other the premiſſes had, vſed, exercised, and put in execution. Be it therefore enacted &c. that al and ſingular the ſame liberties, fraunchiſes, priuiledges and temporal iuriſdictions which the ſaid late owners had vſed and exercyſed lawfully by them ſelues or by their officers or miniſters, or might haue vſed or exercised within three monethes next before that the ſaid ſites, circuits, precincts, honours, caſtels, manours, meſuages, lands, tenements, & other the premiſſes, came to the poſſeſſyon of the kings highnes, ſhalbe by vertue of this preſent act reuiued, and be really and actually in the kyngs highnes his heires and ſucceſſours, and ſhalbee in the rule, order, ſurvey & gouernaũce of the kyngs ſayd court of Augmentations of the reuenues of his crowne, & the Chaunceloure, officers and miniſters of the ſame. And that the ſame liberties, fraunchiſes, priuiledges, & temporal iuriſdictiõs, and all maner fines, iſſues, amerciamẽts and other profits and cõmodities, of what kynds or natures ſo euer they be, comming, growing, or riſing by reaſon and occaſion of thẽ or of any of thẽ ſhalbee vſed, exercised & occupied to al intents, purpoſes, conditions, & reſpects, and ſhall bee claimed, lanied, collected, and taken by ſuch ſtewardes, bayliſes, & other offycers and miniſters, as ſhall pleaſe the kynges highnes to name and appoint, in like manner, fourme, faſhyon, & cõditiõ, as they or any of thẽ were lawfully vſed, exercised, executed, claimed, leuied, collected, and taken before that they came to the hands and poſſeſſion of our ſaid ſoueraigne lord, and that ỹ ſame ſtewards, bayliſes, officers, and miniſters, ſhall bee accomptaunt for the iſſues and reuenues of their bayliwykes and offyces, and ſhall be compelled to accompt in the ſayd court of Augmentations like as the kyngs receyuours or other officers, accõptants in that court heretofore haue done or

Monaſteries

Owners

Lands

Rule Surury Augmentation Chaūceloz

Fines Iſſues Amerciaments.

Leuied Stewards

Bailifes Officers Accõptant

owne to doo. And where also sundrie
Sites sites, circuits and precincts of late mo-
nasteries, abbeis, priories, nunries, col-
ledges, hospitals, and other ecclesiasti-
call and religious houses, and places, &
also diuers honours, castels, manors,
messuages, landes, tenements, lyber-
ties, priuiledges, franchises, and other
hereditamentes, which been comen to
the kings handes by attaindour or at-
Attaindor taindours of hygh treason, been assig-
ned, ymitted and appointed to the or-
der, rule, survey and gouernance of the
kynges generall surueyours. And for
asmuch as it is not fullie, plainly, nor
expressely knowen or declared howe &
in what wise, and by what special offi-
cers and ministers the temporal liber-
ties, priuiledges, franchises, & tempo-
ral iurisdictiõs which the late owners
of the said sites, circuits, precincts, ho-
nours, castelles, manours, messuages,
landes, tenementes, and other the pre-
misses, had, vsed, and exercysed, should
bee ordred, vsed, and put in execution.
Be it therfore enacted &c. that all and
singuler the same liberties, franchises,
Temporall iurisdictiõs priuiledges, and temporall iurisdictio-
ons which the late owners of the sayd
sites, circuits, precinctes, honours, cal-
telles, manors, & other the premysses
which ben comen to the kings hands,
by attaynders as is aforesayd, law-
fully had, vsed, and exercised by them
selues, or by their officers or ministers
or which they might haue vsed or exer-
cised within three monethes, next bee-
fore ỹ ỹ same sites, circuits, precincts,
honours, castels, manors, and other ỹ
premisses came to the possession of the
kinges highnes, shal by vertue of this
Reuued act, bee reuested, and bee really and ac-
tually in the kinges highnes, his heirs
and successours, and shalbe in the rule,
Survey order, survey, and gouernaunce of the
kynges said generall surueyours, and
of the officers, and mynisters of the
same. And that the same liberties, fr-
Fines Issues aunchises, priuiledges, and temporall
iurisdictions, & all maner fines, issues,
& amerciamentes & other profits and
commodities, of what kynde or na-
ture so euer they be, comming, gro-
wing, or rising by any reasõ or occasiõ
of them or any of thẽ, shalbe vsed, ex-
ercised & executed to al intents, purpo-
ses, conditions, & respects, and shall bee
claimed, leued, collected, and taken by
such stewardes, baylifes, & other offi-
cers and ministers, as shall please the
kinges highnes to nãe & appoint, for the
sãe in like maner, forme, fashyon, and
condition, as they or anie of thẽ were
vsed, exercysed, executed, claymed,
leued, collected, and taken beefore
they came to the hand and possessyon
of our said soueraigne Lord by attayn-
dour, as is aforesayd. And that the
sayd stewardes, baylifes, officers, and
mynisters therof shall bee accomptãt
for the issues & reuenues, of their bayli-
wykes and offyces, and shall be com-
pelled to accompt before the said gene-
ral surueiours as other officers accõp-
tantes in ỹ court heretofore haue done
or owe to do. And bee it enacted &c. ỹ ỹ
sayd stewardes, baillifes, and other of-
ficers and ministers shalbee attendant
and obedyent to all other the kynges
courtes as well for all executyons and
returnes of writs, warrants, and pre-
cepts, as for their personall appearan-
ces and other duityes of their offices,
lyke as the officers and ministers of ỹ
sayd late owners did and ought to do,
or should haue done by reason of their
sayd seuerall offyces, beefore that the
same liberties, priuiledges, and tem-
porall iurisdictions did come to the pos-
sessiõs of our said soueraigne lord, and
that to be done and obserued vpon all
paines and penalties, by the lawes of
this realme limytted and ordeined for
any offece or default in the same. And
that no sheriffe, vnder sheriffe nor other
officer or minister, of anie sheriffe or o-
ther forein officer or minister shal in
any wise intromit or meddle in, with
or vpon any of ỹ premisses, otherwise
or in anie other manner, nor for anie
other

Amerciaments

Collected Stewards Bailifes

Officers Attendant

Executions Returnes of writs

Sheriffe

other cause, then they or anie of them lawfully myght haue done before the same premisses did come to the possession of our said soueraigne Lord.

Prouided allway & be it enacted that all and singuler personnes, and bodies politique & the heires, successours, and assignes of euery of the, shal haue, hold vse, execute & exercise as well by them selues their officers, seruants, & ministers, as by & for their tenants, fermors and resiauntes, all and singuler liberties, priuileges, and franchises which they or anie of them nowe haue by or from the kinges maiestie by anie letters patentes, indentures, wrytinges vnder anie his highnesse seales, or by auctoritie of Parliamentes or other wise, or by the lawfull graunt or lease of anie personne or personnes, or by anie other meanes, or lawfull title, in as large ample, and beneficial manner to all intentes, respectes, and purposes, as they or any of them, nowe haue or of right ought to haue the sayd liberties, fraunchyses, and priuiledges or any of them, and as though this act had neuer ben had ne made, any thing above written not withstanding. The priuileges of sanctuaries, church, church yards, or cemitories, for tuitiō of trāsgressors and offendors onely excepted. Sauing to all and singuler personnes & bodies politique, and the heires successours and assignes of euery of them al such office and offices, fees, annuities, profites and commodities, which they or anie of them nowe haue, or of right ought to haue in or vppon, or by reason of the said sites, circuits, precincts castels, honours, mannors, messuages, landes, tenementes, liberties, fraunchises, priuiledges, and other the premisses, or in parte or parcell of the in as large and ample maner, fourme fashion, and condition, to all respectes and purposes, as if this act had neuer ben had nor made, anie thing in this act to the contrarie thereof notwithstanding. And furthermore be it enacted &c. that the Chauncellour of ye said court of Augmentations nowe being, and euerie of his successours being Chauncellours of the same court and the kinges generall atturney, and his graces attourney of the said court of Augmentation for the time being, and euerie of them & their successours, and the successors of euery of the shall haue full power & auctority by vertue of this act, to take to the vse of the king our soueraigne lord his heires and successours, knowledges of all manner of concordes for fines therupon to be had and recorded in the court of our said soueraigne lord the king and of his heirs and successours, commonlie called the common place, of, and vppon all & singuler manours, lordships, landes, tenements, & other hereditaments, beyng & which by reason of those fines or otherwise shalbe vnder the order, rule or surney of the said court of augmentation, without any fine or fee to bee payd for the same. And that the iudges & iustices for the tyme beeyng of the sayd court called the comon place, and their successours, shal accept receiue and allow all the said knowledges of concordes by the said Chauncellor and atturnes, or any of them to be certified or deliuered into the said Court, called the common place. And the same to be as effectual in the law to all intentes & purposes, as if the same knowledges of concordes had bene made, taken or knowledged before ye chefe Iudge of the said common place out of the same courts or openly in that court, & also ye the said Chauncelor & atturnes for ye time being, and euery of them, and the successors of euery of them, shall haue full power & auctoritie to take knowledge for inrolments of al deeds made or to be made to the vse of the king our soueraigne Lord, his heirs & successors of any manours, landes, and tenementes, and of all obligations to bee made to the king his heires and successours, or to other person or persons to

Chancellor of aug.

K. atturney

Fines

Common place.

Iudges

Inrolments of deedes

Obligatiōs



Letters Indentures

Sanctuaries Church Church-yardes

Offices Fees Annuities

Site

the ble of the king, hys heires and ſuc-
ceſſours, for any matter or cauſe con-
cerning the ſayd court of Augmenta-
tions, or concerning the ſaid manours
landes and tenements, without anie
fee, gift, or reward by them or any of
them to be taken therefore. And ỳ ſaid
bōde ſo knowledged to bee inrolled or
regiſtred in the ſaid court of augmen-
tation, and ſo being there inrolled and
regiſtred amongſt other recordes there
remaining, & the inrolments and re-
giſtrings of the ſame, to ſtand & bee of
record, & of as good ſtrength & effect as
if the ſaime were or had ben knowled-
ged before anie other iudge or Juſtices
of record, & inrolled in any other court
of record. Prouided alway & bee it &c. ỳ
in al ſuch of ỳ ſaid liberties, frāchiſes &
places priuileged, & in euery of the ỳ-
mittes to ỳ ſaid court of augmentay-
ons & to the ſurueyours court, where-
vnder the kyngs highnes in his owne
moſt roial perſō ſhal come to reſt, tary
abide or make his repoſe wōin this hys
realme, or any of his dominions, wōin
libertie or wout, there, & wōin ỳ berge
limitted and accuſtomed to his graces
court, during ỳ time of his abode, ỳ ſte-
ward or great maſter of hys graces
houſhold, the marſhal, cozoner, clerke
of ỳ market, & all other his mynyſters
ſhal & may kepe their courts for iuſtice
& exerciſe their office & offyces as ſhall
appertaine to them accordyng to the
lawes, cuſtomes and ſtatutes of thys
realme, aſwel within liberties & fran-
chiſes as without. And that his graces
clerkes of the market and none other
during the ſame time, aſwell wōin the
ſaid liberties & franchiſes, as without,
ſhal exerciſe the office of clerkes of the
market wōin ỳ ſaid berge, anỳ priuilege
or graunt alowance or other thing to
ỳ contrary therof notwithſtāding. Pro-
uided alway, ỳ this article next before
rehearſed, or any thing therein cōtayn-
ned be not in any wiſe preiudicial to ỳ
title of Londō, but ỳ the ſame city ſhal
haue and vſe ſuch libertyes as they
moought, if ỳ article had neuer ben had
nor made. And where alſo ỳ ſites, cir-
cuits, & precincts of ỳ late monaſterie
of Furnes, & of ỳ late monaſteryes &
priorſes of Cortmey, Conuſhed, Bur
trough, & Hollād, & alſo diuers honors,
caſtelles, manours, meſuages, lands,
tenements, liberties, priuiledges, frā-
chyſes, and other hereditaments late
parcell and appertaynyng to the ſayd
late monaſteries, and priorſes, or to a-
nie of them, which been comen into ỳ
kings handes, been aſſigned, limitted &
appointed to the order, rule, ſuruey, &
gouernāce of the chaūcellors, officers &
miniſters of ỳ county Palantine and
Duchy of Lancaſter. And foraſmuch
as it is not fully, pleinly, nor expreſſly
knowen or declared, how and in what
wiſe, & by what ſpecial officers & mi-
niſters, ỳ tēporal liberties, priuileges
franchiſes and temporal iuriſdictions,
which the late owners of ỳ ſayd ſites,
circuits, precincts, honours, caſtelles,
manors, meſuages, lands, tenements
and other the premiſſes, had, vſed, or ex
erciſed ſhould bee ordred, vſed, & put in
execution. Be it therfore enacted by ỳ
authoritie aforeſaid, that all & ſingu-
lar the ſame liberties, franchiſes, pri-
uileges, & tēporall iuriſdictions which
the ſaid late owners of the ſaid ſites,
circuits, precinctes, honours, caſtelles,
manors, and other the premiſſes law-
fully had, vſed, and exerciſed by them
ſelues, or by their officers or miniſters
or which they might haue vſed or exer-
ciſed within three monethes, next bee-
fore the ſame ſites, circuits, precincts,
honours, caſtels, manors, and other ỳ
premiſſes came to the poſſeſſion of the
kinges highnes, ſhalbee by vertue of
this act reuiued, & bee really & actually
in the kings highnes his heirs & ſucceſ-
ſors, and ſhalbe for euer in the rule, or-
der, ſuruey, & gouernance of ỳ ſaid chā
cellour, officers, & miniſters of the ſaid
cōuty palantine & Duchy of Lācaſter.
And ỳ the ſame liberties, franchiſes,
priuileges, & tēporal iuriſdictions, & all
maner

Surueiors court King

Vſerge

Steward Great maſter Marſhal Cozoner Clerk of the market Courts

London

Sites Monaſteries

Chauncerie County pa. Duchy of Lanc.

Owners

iij. monthes

Fines Iſſues Amerciaments

maner of fines, iſſues, amerciamẽts & other p̃fits & commodities, of what kindes of natures ſoeuer they be, comming, growing or riſing by reaſon or occaſion of the or of ante of them, ſhal be vſed, exerciſed & executed to all purpoſes, intents cõditions & reſpectes, & ſhalbe claimed, leuied, collected, & take by ſuch ſtewards, bayliffes, and other officers and miniſters, as ſhall pleaſe the kinges highnes to name & appoint for the ſame, in like maner, fourme & cõdition, as they or ante of them were vſed, exerciſed, executed, claimed, leuyed, collected & take before they came to the handes & poſſeſſiõs of our ſayd ſouereigne lord. And that the ſaid ſtewards, bailifs, officers, and miniſters, ſhalbe cõpelled to accõpt for the ſame before the ſaid chauncellour, officers & miniſters of the ſaid county Palantine and Duchy of Lãcaſter, as other officers & accomptants in ỹ court of the ſaid duchie hertofore haue done, or ought to do. And be it eñ. ỹ the ſayd ſtewards, bayliſes, & other officers & miniſters ſhall be attendaunt & obedient to al other the kings courts, as vſed for al executions & returnes of writs, warrant and p̃cepts, as for perſonall apparances and other matters of their offices, like as ỹ officers and miniſters of the ſayd late owners, did & ought to doe, or ſhould haue done by reaſon of their ſayd ſeuerall offices, before ỹ the ſame liberties p̃uiledges, & tẽporal iuriſdictions did come to the poſſeſſion of our ſaid ſouereigne lord, & that to be done & obſerued vpon al paines & penalties by the lawes of this realme limitted, & ordeined for any offices or default in ỹ ſame & ỹ no ſheryffe, vnder ſheryff or other officer or miniſter of ante ſheryff, or other ſtewarde officer or miniſter, ſhal in euil wiſe intermedle or medle in, of, or vpon ante of ỹ premiſſes, other wiſe or in ante other maner, or for any other cauſe thẽ they or any of the inhabitaũt might haue done before the ſame p̃miſſes did come to the poſſeſſion of our ſayd ſouereigne lord. P̃ouided alwaies ỹ this act nor any thing therin cõteined ſhall in ante wiſe extend to abrogate, abrudg, diminiſh, nor to take away ante liberties, fr̃achiſes, p̃uiledges, iuriſdictions, roialties or ante other p̃fits, cõmodities, & auãtages, whatſoeuer they bee, belonging, or in ante wiſe appertaining to any the kings caſtels, honours, manors, lands, tenementes, or other his poſſeſſions of his ſaid cõty palantine of Lancaſter, & Duchy of Lãcaſter, or of either of them, but ỹ al ſuch liberties, fr̃achiſes, p̃uiledges, iuriſdictions, royalties & al other ſuch p̃fits cõmodities & auantages whatſoeuer they bee, ſhalbe vſed, taken & anſwered to ỹ kings highnes his heyres & ſucceſſors, by the chauncellour, officer, & miniſter of ỹ ſaid cõty Palantine of Lancaſter & duchy of Lãcaſter & either of them as hertofore hath ben vſed & dõe at any time before ỹ fourth day of Feb. in the xxviij. yeare of hys moſt noble raigne: Any thing, matter or clauſe in this act contained to ỹ contrary hereof in any wiſe notwithſtanding. P̃ouided alwaies, that thys act or ante thing therein contained, do not extend to diſanul or be hurtfull to ante fee & liberties or p̃uiledges of ỹ fiue p̃ts. v. Ports. ports or the membres of the ſame, but ỹ they & euery of thẽ ſhal enioy poſſeſſe & haue al & ſinguler liberties, auſtomes & grants to thẽ graũted hertofore by the moſt famous Prynce of memorie king E. 1. and other his noble progenitours, confirmed by our Soueraygne lord the kinges maieſtie that nowe is, in like maner and fourme as though this act had neuer been had ne made. An. 32. H. 8. cap. 20. This act is confirmed by An. 33. H. 8. cap. 39.

Caſtels Honours Manours Lancaſter.

Chauncelor

Gno E

Sheriffe

Steward Bailife Officers Accompt Chauncelor

Duchy

Steward Bailife

Executions Returnes

*Frauduleni dicuntur dedi, gifts, graunts, alienations &c.*

For the auoyding and abolishing of fayned, couerous, and fraudulent feoffements, gifts, graunts, alienatiõs, conueys-

heyraunces, bonoes, suites, iudgemẽts, and executions, as well of landes and tenementes, as of goods and cattelles, more cõmonly vsed and practised in theise dayes, then hath bene sene or hard of heretofore: which feoffements giftes, graunts, alienations, conueyaunces, bondes, suites, iudgementes, and executions, haue been and are deuised and contriued of malice, fraud, couin, collusiõ or guile, to the end, purpose and intent, to delay, hinder, or defraud creditors, & others, of their iust and lawfull actions, suites, debtes, accomptes, damages, penalties, forfaytures, heriots, mortuaries, and reliefs not only to the let or hinderaice of the due course and execution of lawe and Iustice, but also to the ouerthrowe of all true & playne dealing, bargayning, & chevisaunce betweene man & man, without the which no common welth or ciuile societie can be maintained or continued. Be it therfore declared, ordeyned & enacted by the authoritie of this present Parliament, that all and euery feoffement, gift, graunt, alienation bargaine and conueyaunce of landes, tenementes, hereditamentes, goodes & cattelles, or of anie of them, or of anie lease, rent, or common, or other profit or charge out of the same landes, tenements, hereditaments, goods and cattels, or anie of them, by writyng or otherwise: and al and euery bond, suit, iudgement, and execution, at any time had or made sithence the beggynning of the Queenes maiesties raigne that now is, or at any time hereafter to bee had or made, to or for any intent or purpose before declared and expressed, shall bee from henceforth vtterly & clerely voyd, frustrate, and of none effect: anie pretence, colour, fained consideration, expressing of vse, or anie other matter or thyng to the contrarie notwythstandyng.

Feoffement
Gift
Graunt
Landes
Goods
Lease

Bond
Suit
Iudgemẽt
Execution

Voyd

Vse

And be it further enacted by thauctoritie aforesaid, that al and euery the parties to such fayned, couenous, or fraudulent feoffement, gift, graunt, alienation, bargaine, conueyance, bõds, suites, iudgementes, executions, and other thinges before expressed, or being priue & knowing of the same, or anie of them, tohith at any time after the .x. day of Iune nert comming, shal wyttingly and willingly put in vre, avow, maintene, iustify, or defend the same, or any of them, as true, simple, & done, had, or made, bona fide, and vpõ good consideration: or shall alien or assigne anie the landes, tenementes, goodes, leases, or other thinges before mencyoned to him or them conueied, as is aforesayd, or anie part thereof, shall incurre the penaltie and forfaiture of one yeares value of the sayd landes, tenementes, and hereditamentes, leases, rentes, commines, or other profits, of or out of the same, and the whole value of the sayd goodes and cattels, and also so much money, as are or shalbee conteyned in anie such couenous and fayned bond: the one moitie whereof to be to the Queenes maiestie, her heires and successours, and the other moitie to the partie or parties greeued by such fayned and fraudulent feoffement, gift, graunt, alienation, bargaine, conueyance, bonds, suits, iudgements, executions, leases, rentes, commines, profits, charges, & other things aforesaid, to be recouered in any of the Queenes courts of record, by action or debt, bill, plaint, or information, wherein none essoyne, protection or waeger of lawe shalbe admitted for the defendant or defendantes. And also beyng therof lawfully

Parties

Priuie

Iustifie

Alien

Forf.

Goods
Money

Moitie

Accion
Bill

Impzilon

lawfully convicted, shall suffer imprisonment for one halfe yeare without bayle or mainprise.

Recoueries

Provided alwayes, and be it further enacted by the authoritie aforesaid, that nothing in this act contained, extended or meant to the prejudice of any recoueries, entailes, or other assurances had or made before the first day of this present parliament, other then such as are hereafter specified.

T. in taile Freehold

Provided also, and be it enacted by the authoritie aforesaid, that this act, or any thing therein contained, shall not extend to any estate or interest in lands, tenements, or hereditaments, leased, granted, or demised, or to be demised, granted, or assigned by the Queenes Maiestie, her heires or successors, by indenture, deed, or writing, for the terme of one and twentie yeares or vnder, whereupon the rent reserued during the said terme, amounteth to the third part at the least of the cleare yearely value of the premisses, without fraud or couin, or to any estate or interest in lands, tenements, or hereditaments, leased, granted, or demised, or to be demised, granted, or assigned by any other person or persons, or bodies politique or corporate, not having at the time of such conueyance or assurance to them made, any manner of notice or knowledge of such couyn, fraud, or collusion, as is aforesaid: any thing before mencioned to the contrarie hereof notwithstanding. This act to endure vnto the end of the first session of the next parliament. Anno 13. Eliz. capitulo. 5. Anno. 14. Elizabeth capitulo. 11. It is continued to the end of the next parliament.

¶ For asmuch as the said pretended fraudulent estates (as of the rebells late in the North) and conueyances are yet kept secret, & not openly published in time to come may be very dangerous, and likely to tend to disherite y Queenes Maiestie and her assignes of their estate & interest in such lands, tenements, and hereditaments, as her Maiestie and her assignes maie haue, by reason of the said attaindres, vnles some prouision be made, that such secret estates, conueyances, and assurances, may at due and conuenient tymes be openly published & brought to light. For remedy whereof, be it enacted &c. that euerie person and personnes, their heires or assignes, which haue, hath, or claimeth to haue any estate of inheritance, lease, or rent, not already entred of record, or certified in the Queenes Maiesties court of Exchequer, of, in, or to any manors, lands, tenements, or hereditaments, by any graut, assurance or conueyance what soeuer, had, made, or done, by any of the said rebellious perssons attainted, named in y said act of statut, or in any of the records of their seuerall attaindours, at any time within two yeares next before the xx. day of November, in the xv. yeare of the Queenes Maiesties reigne, shall within the space of one yeare ensuing the first day of Hilary terme comming, cause such euidence to be shewed and brought forth into the Queenes Maiesties said court of Exchequer, the same his or their graut, conueyance or assurance,

Voucher to Formedon

Voucher

Records Eschequer Grauns.

Eschequer

Shew

One yere

Eschequer

EE.iij. assurance,

assurance, which he or they haue, or hath, or pretendeth to haue, of, in, or to any the said manours, landes, tenements, or hereditamentes: and there in the terme time, shall offer & exhibite the same grāt, conueyance, and assurance, to be entred and inrolled of record, or els enterie such grauntt, conueiance, and assurance, so had and made by any of the said rebelles and persones attainted, beside in the said act of confirmation, and other the recordes of their attainders seuerally named, & not to be brought into the said court of Exchequer, and there exhibited within the yeare aforesaid, shalbee vtterly voyd and of none effect, to all intentes and purposes: any thing in the same conueyance obteined to the contrarie notwithstanding.

Lands

Tearme time

Inrolled

Voyd

And be it further enacted by the authoritie aforesaid, that the treasurer, Chancellour, and Barons of the said court of the Exchequer, or any of them, vpon sight of such offering, and exhibityng of any such graunt, conueyance, or assurance hereafter in forme aforesaid to be made, shall forth with cause the same offer to be entred of record, & shall likewise cause the said conueyāce and assurance in the same court to be entred and inrolled of record, without any fee or reward to bee taken or had of the party for the doing thereof: and after such offer made and recorded, it shall and may be lawful for euery person vnto which hereafter shall so exhibit and offer any such graunt, conueyance, and assurance into the said court of the Exchequer, at his libertie and pleasure at all times within one yeare then next following, to produce and bring such testimonie, proofes, & witnesses vnto the said court of Exchequer, there to be examined, as he can, for the better proofe of his said graunt and assurance to be made bona fide, & without any fraude or couin. And yet nuertheles, if at any time after, vpon any information vpon that cause, or other information to bee preferred & exhibited vnto the said court of the Exchequer, for and on the behalfe of our said Soueraygne Ladie the Queene, or vpon any action vpon that cause or suit to be prosecuted by any the patentees of the Queenes maiestie, her heires, or successors, or by any the heirs or assignes of any of the same patentees, it shal happen to be sufficientlie tryed and proued, by verdict of xij. men, according to the common course of the lawes of this realme, that any of the said estates, assurances, and conueyances made by any of the said rebelles and persones attainted, was made vpon any fraud or couin, to the intent thereby to defraud the Queenes maiestie of such forfaytures, as ought haue growen or comen to her by vertues by reason of any the said attainders: that then euery such estate, conueyance, & assurance, so tryed & sufficiently proued as aforesaid, to be had and made by and vpon such fraud or couin, shalbee vtterly voyd and of none effect, to all intents, constructions, & purposes, vntil such time as such trial by verdict shalbe lawfully voyde by attaint or otherwise: any thing in the said conueyances to the contrary thereof in any wise notwithstanding.

Treasurer Chancellor & Barons of the Exchequer

Fee

Witnesses

Bona fide

Action on the case

Patentees

Verdict

Couin Defraud

Voyd

Attaint

Prouided alwaies, & be it enacted by the authoritie aforesaid, that this act, or any thing therein conteined, shal not in any wise extend to any bargaine & sale by deede indented & inrolled, of any landes tenementes, & hereditamentes, made vpon good & true consideracions, without fraud or couin, by any of the said persons so attainted, at any time before the day of his or their said seuerall treasons committed, whereof they stand now attainted: but that euerie such bargaine & sale shal stande, & be in as good force & effect, as the same were or were before the making of this act, any thing therein contained to the contrary thereof in any wise, notwithstanding.

Deede indented

Good force

And sauing to all and euery person & persones, & bodies politique & corporate, their heires and successours, and

Bodies politique

to the

to the heires and successours of euery of them, other then such persons and their heires as be or haue bene parties or prime to any estates or conueiances made by fraud or couin, as is reherced, and other then such as shall not exhibite offer and shew forth their said graunts, conueiances, and assurances in the sayed court of the Exchequer, within the tyme to them before in this act limitted, all such estate, right, title, and interest, as they or any of them haue, of, in, or to any of ỹ said manours, landes, tenementes, and hereditamentes, or any parcell thereof, in as large and ample maner and fourme, to all intentes and purposes, as they or any of them had before ỹ making of this act: any thing in this act contayned to ỹ contrary therof, notwithstanding.

Prime

Shew forth

Prouided alwaies, that this Act or any thing therein contained, shall not extend to any lease of landes, tenemẽts or hereditamentes, most commonly vsed to be letten to ferme for yeres or liues, within the space of xx. yeres before the making of the same lease, & not exceeding the terme of xxi. yeares or three liues, from the time of ỹ making of the said lease, and whereupon the vsual accustomed yearely rent or more is reserued, nor to any estate by copy, of any landes or tenemẽts, made according to the custome of any manoir, whereof the same is parcell. Ann. 18. El. ca. 4.

Leases

xxi. yeres vj. Liues

Copyhold

¶ Freehold.

NO One from henceforth may distreine his freeholders to answere for their freeholdes nor for any thing touching their freehold without ỹ kinges writt, nor shall cause his freeholders to sweare against their wille, saving such maner that without the kinges commaundement. 9 Hen. viii. 5. ỹ 5. cap. 24.

Distreine Freeholder

Sweare

¶ None of the kinges subiectes be compelled, neither by no way constrained to come ne to appeare before the counsell of any lord or lady, to answere for his freehold, ne for any thing touching his freehold, nor for any other thing real nor personal, ỹ belongeth to the law of the land in any maner. And if any find them selfe greued in time to come, contrary to this ordinaunce and agreement, he may complaine to the chaunceloure for the time being. Anno 15. Richardi. 2. ca. 12.

Constraine Appeare

Complaine Chaunceloz

3 ¶ The said stat of An. 15. R. 2. cap. 12. before 2. shalbe firmly holde & kept, & if any lord or lady or other of ỹ kinges liege people, doo to the contrary they shal incurre the paine of xx. li. to ỹ king An. 16. R. 2. ca. 5.

Forf.

¶ Fryers.

ANno. 4. H. 4. cap. 17. an act was made against Friers, for taking and keping of children, whych act is perpetual.

¶ Fuell.

AN. 34. H. 8. ca. 2. an act was made for assise of fuel, but that assise was altered by 7. E. 6. cap. 7. whych followeth here.

2 ¶ No person or personnes shall sustaine any losse, paine, or penaltie, for buying or selling of any tall wood, billet, or fagot now cutt, and made, although the same bee not of the assyse contayned in the sayd act. s. of 24. H. 8. cap. 3 before 1. any thing contained in the same act notwithstanding.

Talwood Billet Fagot

And ỹ al tal wod, billet, fagot, & coles to bee made, & put to sale in the Cities of London or Westminster, or in the suburbes of the same, after the last day of September next comming, shall keepe the assises hereafter expressed.

Coles

London

That is to wete, that euery sacke of coales containe foure bushels of good and cleane coales. And that euery tall wod containe in length foure foote be tween the eares. And euery tall fyde named

Assises

Sacke of coles

Content Talwood

named one, to containe in greatnesse
within a foote of the middest xvi inches
about. And every tale shide named of
two to containe in greatnesse within a
foote of ỳ middest, xviii inches about.
And every tall shide named of three
to containe in greatnesse within a foote
of ỳ middest, xxiiii inches about. And
every tal shide named of fower to cõ
taine in greatnesse within a foote of
ỳ middest xxviii inches about. And e-
very tal shide named of v. to containe
in greatnesse within a foote of ỳ middest
xxxviii inches about. And every billet
to containe in length three foote and
fower inches. And every billet na-
med a single to containe vii inches di
about. And every billet named to bee
a cast, to containe ten inches about.
And every billet named of two cast,
to containe, xiiii. inches about. And
every faggot bend to cõtaine in lẽgth
iii. foote. And the bond of every such
faggot to be of xxiiii inches about be-
sides ỳ knotte, which assises are lytle
lesse then ỳ assises contained in ỳ said
former act, & also are much greater
ths any assise that nowe is, or of long
time hath bene commonly kept. And
be it further enacted ỳ it shalbe lawe-
full frõ henceforth, for every owner
without daunger of any forfaiture to
make billetes of two casts. And that
all billets of two casses frõ henceforth
to be made & put to sale shalbe of the
assise hereincomprised or more, and
shalbee marked onely with vi. puches
of the middest thereof. And ỳ every
bylet of one cast from henceforth to
be made, and put to sale, shalbe onely
marched with fower inches of ỳ end
thereof, vppon paine that every mar-
kar, & every seller that shall make sa-
ling such fuell, or coales and put the
same to sale, to forfeit for every shide
of tall wood, billet, faggot or sacke of
coales, from henceforth put to sale lac-
king of ỳ assise aforesaid iis. & for ỳ
peece. And that this present statut
onely, and no other statut of assise of
fuell or coales shall from henceforth
stand in force ne take place. And for
asmuch as by the greedy appetite, and
couetousnes of diuers persones, fuell,
coales and wood ryseth manie times
through fower or five severall hands
or more, before it commeth to ỳ hãds
of them that for their necessitie doo
burne or retaile the same: Be it fur-
ther enacted that from the first daie
of May next cumming, no persone or
persõs shal buy any such wood, coales
or fuell, but onely such as will burne
and consume the same, or such persõs
as shal sel the same againe by retaile
to such as shall burne, or consume the
same for their owne occupying, with
out fraud or coun, or wharfingers,
or bargemen, vpon payne to forfayt
the treble value of al such wood, coales
and fuell, as shalbe otherwise bought
for any lucre or gaine. And ỳ no per-
sonne or personnes shall alter any
marke or assise of any of the sayed
fuel marked, or vsed, according to this
statut, in paine of like forfaiture, as
is aforesaid, the one halfe of al which
forfaiture herein contayned shalbe to
the king our soueraigne Lord, and ỳ
other halfe to him or them ỳ will sue
&c. wherin &c. Prouided alwaies and
bee it &c. that no persoune or persons
shal yeld ne forfait any penaltie here-
in contained, vnlesse action or suit be
commenced for the same within one
whole yere next after the offence ther
of committed or done. And that if a-
ny cutter, or marker, as aforesaid, or
other that shall forfayt any summes
herein contained shal not bee able to
yeld such forfaiture or summes as is
aforesayd, that then such person there
of convicted by witnesses or other-
wise, to bee set on the pillorie in the
most market towne to ỳ place where
he shall so offend by a Iustice of the
peace or any other the kings officers
at ỳ first of their lothe in the market
day with a billet or faggot bounden to
some part of his bodye. And for ob-
serving

discharged

discharged of the said forfaiture. Prouided also & be it enacted that it shalbe lawfull to euery person and persones, to buy, sel, make and cut billets for the only seruing of the towne of Callice, and the marches of the same, so that they conteigne in length thirty inches at the least as hath beene there most accustomed forty yeares last past without forfaiture of any penaltie herein contayned, any thyng herein contained to the contrary to any wyse notwithstanding. Anno. 7. Edwardi. 6. capitulo. 7.

Callice

¶ *Fugitiues ouer the sea.*

BE it enacted that all & euerie person and persõs, of what estate, degrée, or condiciõ they be, being ỹ natural borne subiects of or in thys Realme of England, or other dominiõs being vnder ỹ obeisance of ỹ Quéene, her heires or successours, or being frõ Denizens of this realme the wbych at any time sithence the first day of ỹ raigne of our said soueraigne Lady ỹ Quéene (whom almighty God long preserue) hath passed, or hereafter during her Maiesties life, shal passe out of this realme of England or of Ireland, or any other the dominions of the same, at any place whatsoeuer, into any ỹ Realmes, dominions, or coũtreis, of any forayne prince, potẽtate or gouernor, by whatsoeuer name or names they be called or knowen, without the special licẽce of our said soueraigne lady by writing, vnder ỹ great seale of England or ỹ lute seale, or ỹ litle signet: that then euery such person or persons which hath departed, or hereafter shal so depart out of this realme or the realme of Ireland, or any ỹ dominions of the same, without such licẽce, as is aforesaid, & shal not retorne into ỹ sãe realme of England, & there yeld and render his or their bodies to the custodie and ward of the Sherife of the countie where such persone or persons shal so arriue, or to some of the most honorable priuy Counsel of our said soueraigne lady, within the space of vi. monethes next after proclamation made by our said soueraigne lady the Quéene vnder the great Seale of England, for the Returne & yeldyng of the body of such person or persones so, as is aforesaid, departing without licence, shal forfait and lose to our said soueraigne lady the Quéene, ỹ whole profits (Stat. 4. El. cap. 6. after. 2.) of al their maners, lãds, tenements, and hereditamentes, during their liues, wherof they were seised of any estate of freehold, or inheritaunce, in their owne right, or in the right of their wiues: And also shall forfait vnto the sãe our soueraigne Lady the Quéene, her heirs, and successours for euer, al their goods and cattailes whatsoeuer. And that all and euery the benefices, prebends and other ecclesiastical promotiõs & dignities whatsoeuer, of euerie spiritual and ecclesiastical personne so offending in departing the realme, as is aforesaied, and not retourning and yeelding their bodies in fourme aboue limitted, shalbe vtterly void to al intentes and purposes, as though the incumbent were dead: and that the patron and Donor of euery such benefice, prebend, spiritual promotion and dignitie, shall and may lawfully present to the same, or geeue the same in such maner & fourme, as if the said incumbent were dead.

And be it further enacted by the authoritie aforesaied, that all and euerie person and personnes beeing naturall borne subiect, as is aforesayd, and also al and euery denizen and Denizens, wbych at any time sithence ỹ first day of the raigne of our sayed soueraigne Lady the Quéene, haue departed, or hereafter during her Maiesties life shal depart out of this realme, or ỹ realme of Ireland, or any the dominiõs of & same, by licence of our said soueraigne Lady vnder any the seales aforesayd, vnto

Subiects

Denizens

without licence

Departing out of this realme Ireland

Returne

Render his body

Shirife

Priuie counsaile vi. moneths

Proclamation

Forf.

Lands

For life

Freehold

Forf.

Goods

Benefices

Prebends

Lloyd

Patron

Present

Borne subiects

Denizens

With licẽce

into any forein realmes, countries, or dominions, being not vnder the obeisance of her highnes, and shall not Returne returne into this realme, and there yeld his or their body, as is aboue declared within the space of six moneths, next after the expiring of the time appointed by or in such licence for his abode in such forraigne Realme, dominions & countries, if their licence shal expire hereafter, but if their licence be expired already, then within eight monethes after the end of this session of Parliament, if he or they shalbe at their owne libertie, & not restrained or compelled against their will, not to depart out of, or from such forein realme, dominion or countrey, or not further licenced, as is aforesaied, for a further terme: that then al and euery such persone & persons, shal forfait and lose to our sayed soueraigne Lady the Queene, hir yng their lyues the whole profits of al the maners, lands, tenementes, and hereditaments, whereof they shalbe seysed of any estate of freholde, or inheritaunce, in their owne right, or in the right of their wife or wines, and also all their goods & cattels whatsoeuer: & that the benefice, prebends, and other ecclesiasticall promotions & dignities whatsoeuer, of euery spirituall and ecclesiastical person so offending, shalbe vtterly void to all intentes & purposes as though the incumbent were dead, and that the patrones and donours of euery such benefice, prebend, spirituall promotion, and dignitie, shall & may lawfully present to the same, or geue the same, as if the incumbent were dead.

And forasmuch as diuers of the sayd persons, after they haue determyned to passe out of this Realme, or the Realme of Ireland, or the dominions of any of the same, without licence, or hauing licence, determine not to returne into the same, according to their licence, doe most continually by couin & fraud, make, cause, or suffer to be made & had, recoueries, estats, grants, leases and other conueiances of their manners, landes, tenementes, and hereditaments: and also do by couin and fraud make giftes and graunts, and other deuises of their goods & cattails, to the intent and vpon priuie confidence that the profittes of the same may be imployed & bestowed in such fourme, and to such secret purposes and vses as they do, or shal limit and appoint, and be agreed vppon. Be it therefore further enacted and ordeyned by the authoritie aforesaied, that all and euery such estates, graunts, leases gyftes, deuises, & conueiances whatsoeuer, & euery of them, being found by office to be made and had by fraud or couin, as is aforesaied, shalbee as touching such interest, as by this act is appointed, to our soueraigne Lady the Queenes highnes now being, her heires & successours, as is aforesaied, & as against the same our soueraigne lady the Queene, for and concerning the same interest, vtterly voyd and of none effect or validitie in the law, and that our sayed soueraigne Lady the Queene, shall haue and enioy the same so conueniently conueied, as if the partie so offending, were thereof actually seysed or possessed: such recoueries, estates, leases, graunts, or conueiances, suffered, had, or made, or any lawe, stat. vsage, custome, or other thing to the contrary notwithstanding.

And be it further enacted by the authoritie aforesayd, that the Lord chancelour of England, or the keeper of the great Seale for the tyme being shall haue full power and authoritie during the Queenes Maiesties life, by vertue of this act, without other warrant, to make and award out vnder the great Seale of England, Commissions from time to time, to such person and persons, as by the wisdome and discretyon of the same Lord Chancelour, or keeper of the great Seale shalbee named and appointed, to enquire by the othes of twelue lawful men at the least

what

Fraudulent gifts Goods

Voyd

L. chancelor L. keeper Great seale

Commissions

Enquire

what person or persons haue departed out of this Realme, or other the dominions of the same, without lycence, or by lycence, and not returned into the same, and yelded their bodies in such manner and fourme as is aboue declared, and what manours, landes tenementes, hereditamentes, goodes, and cattalles, they or any of them were seised or possessed of, at any time wythin the space of two yeares next before their said departing, or after, and what estates or conueiances they or any of them haue made, and when and whether the same were made vpon couin as is aboue expressed, and what person and persons ben the terretenauntes of the same mannours, lands, tenementes, & hereditamentes, or occupiers and possessours, or takers or receauers of the profitts of ỳ same, and of the sayed goodes and catteles, and by what title they hold and possesse the same, and to whose or what vse or vses, and of the yearely rentes & values thereof: The which inquisition thereupon taken shalbe made in wryting indented, betweene such of the Commissioners as shall execute the same, interchaungeably Sealed with their Seales, and the Seales of the Jurours, by whom the same inquisition shalbee found: and that the same part so Sealed by the Jurours, shall bee deliuered vnto the sayd Commissioners, and the other part thereof Sealed by the Commissioners, shalbe deliuered, and remayne wyth the Foreman of the Jury, by whom the same inquisition shalbee found: and that the Commissioners, wythin the space of two monethes next after such Inquisition found and Sealed, shall certifie and deliuer the same commission, with ỳ counterpane of the same sealed by the Jurours, as is aforesaid, into the Court of ỳ Exchequer of our said soueraigne Lady ỳ Queene, there to remaine of Record. Stat. 14. El. ca. 6. after. 2.

without licence
with licence
Lands
Goods
Ÿpers
Couin
Terretenants
Occupiers
Goods
Rents
Inquisition
Indented
Seale
Jurors
Foreman
Cõmissioners
3. moneths
Certifie
Exchequer

And be it further enacted by ỳ authoritie aforesayed, that all and euerie the said matters and thinges beeyng truely found vppon any the sayd commissioners by inquisition, as is aforesaid, shalbee good and auayleable in the law, to all intentes and purposes vntil the same shalbe vndone by lawfull trauerse, which the partie greeued shall haue at his wyll & pleasure. And that the Barrons of the said Exchequer shal and may thereupon from time to tyme, take such order for the true answering of the rentes, reuenues, issues, and profits of the sayed manours, landes, tenements, hereditamentes, goodes, and cattels, to the vse of our sayed soueraigne Lady the Queene, as vnto them and the sayed Court of the Exchequer shall seeme most expedient. Stat. 14. Elizab. ca. 6. after. 2.

Auailable
Trauers
Ba. of the Exchequer
Order Rents

And bee it further enacted by ỳ authoritie aforesaid, that if any personne or persons to whom any estate, graunt leale, or other conueyaunce, is, or hereafter shalbe made, or had, by any such person or persons which hath departed, or hereafter shal, in fourme aforesaid, depart into any foraygne Realme, countrie, or dominion, by or wout lycence, as is aforesayed, of any their manours, landes, tenementes, hereditaments, goodes, or cattailes, do not wythin the space of three monethes next after proclamation made in the name of our said soueraigne Lady the Queene vnder the great seale of England, within any Countrey where ỳ same manours, landes, tenementes, and hereditamentes shall lye, truely declare vpon their othes, either beefore the sayed commissioners, or beefore ỳ Barrons of ỳ Exchequer, or some of them to what vse and intent such estates, graauntes & conueyaunces were made, according vnto the very trueth, without any concealment or colour: that then euery such personne and persons to whom such estate or conueyance

Estats
without licence
3. moneths Proclamation
Great seale
Declare

conueiaunces is or shalbee made, shall forfait and lose vnto our sayed soueraigne Lady, the summe of twenty poundes of lawful money of Englād, and shall also suffer imprisonment, during the pleasure of the same our Soueraigne Lady. And further that the sayed Commissioners, and so many of them as shall take vppon them the execution of the sayd commission, and also the barons of the Exchequer, after the returne and certificat of ỹ same commission beefore them, shall haue full power and authoritie by vertue of this act, by al such meanes & waies as to them shall seeme most expediēt, to send for al and euery such persone & persons, as shal haue any estate, interest, possession, occupation, or medlyng wyth the said manours, landes, tenementes, goodes, or cattels, or any other, and thē, and euery of them to examine vpon their corporall othes, to open and declare plainely and truely, to what and whose vse, profitt, & commoditie they haue or hold ỹ same manours, landes tenementes, goods, and cattels, and howe, and to what, and whose vse the rents, reuenues, issues, & profits of the same been and hath ben conuerted and imploted, and how long time: and to vse all such other wayes, meanes, and circumstaunces for the knowledge of the trueth in ỹ premisses, as to them shall seeme meete and conuenient. And if any person or persons, beeing sent for to bee examined, as is aforesaid, shal not appeare at the day and place to them appointed, and hauing no lawful excuse for the contrary: or after appearaunce, shal depart without licence of such as shall haue power to examine them as is aforesayed, or shall refuse to answeare to such interogatories as shalbee ministred vnto them touching the premisses & the circumstaunces and depēdances of the same: that then euery persone & personnes aforesayd so offending, shal pay and loose vnto the Queene our Soueraigne lady, such fine and fines for the sayed contempt, as shalbee assessed by such, as before whom ỹ sayd examinations should bee made, as is aforesayed, for the knowledge of the truth in the premisses. Sauing to euery person and personnes, bodies politike and corporat, their heirs & successours, other then the sayd personne and personnes so departing by licence or without licence, as is aforesayd, and other then such personne and persones to whom any of the sayd assurances, conueiaunces, or deuises, be or shalbe made, as is aforesayd, and other then all and euery such person and persones which haue or shall haue, or claime any thing, of, in, or to any such mannours, landes, tenementes, goodes, & cattels, by or from any personne or persons, to whom any such assurance, deuise, or conueiaunce shalbee made, as is aforesayed: all such rightes, titles, interestes, possessions, leases, rentes, reuercions, remaynders, seruices, offices and other profites and commodities, whych they or any of them without fraud or coun shal haue in the same before such the departyng of any such personne or persones, and not returning, as is aforesayed, in as large and ample manner & forme, as if thys act had neuer bene had nor made.

Fyne Contempt

Claime

without fraud

Prouided alwaies, that this act or any thing therein contayned, shal not in any wyse extend to any knowen marchant of this Realme of Englād, or of the Realme of Ireland, or any the dominions of the same, or to any of their knowen seruauntes apprentices, or factors, or to any knowē masters of Shippes, Mariners, Saylers, or gunners of any Shippe, for & concerning his or their departing out of the same without licence into any forreigne realme, countrey, or dominion for his or their onelytrade of marchādise: so that such marchaunt or marchauntes, seruauntes, Apprentices, factours,

Merchāts Ireland

Seruants

Mariners

Trade of marchādise

Fol.

Iurysdiction

Cōmissioners

Ba. of the Eschequer

Examine

Not appeare

Without licence

Refuse to answeare

factours, maisters of shipes, or mariners, shal not attempt or do, nor shall haue attempted or done any act or thing whatsoeuer contrary to the dewtie of his allegeaunce, or to the preiudice or peril of our saied Soueraygne Lady the Queene, or ỳ estate of this realme of England or Ireland, or anie the dominions of the same, & shal returne into this realme, & there yelde his body vpon proclamation for his returne, as is aforesaid: this act or any thyng therein contained to the contrary, not withstanding.

Blind zeale

Prouided also, that if any person by reason of his blind zeale & conscience onely, depart beeyond the seas wythout licence, as aforesaid: or hauyng licence, doth for the same cause only, tary there after the time appointed by proclamation be expired, and do not in the time he is beyond the seas, or dyd not before he departed out of England conspire, compasse, or imagine, and by woord, writting, or any other open act declare any euil mind to the Queenes maiestie, or her estate, or quiet gouernment of her Maiesties Realme: that then and in such case, the Lord Chauncelour, or the Lord keeper vpon peticion to bee made, shal by authority of this act, wythout any other warrant, lymit and appoint, for ỳ maintenãce and education of his desolate wife and children, or any of them, & allot vnto them one reasonable porcion of the reuennes of the landes of such fugitiue persone, not vnder the fowerth parte, nor aboue a third part of the value of such landes as by this act shalbe forfaited to hir Maiestie, to be taken of the during the natural life and absence of the said fugitiue person, so ỳ the sayed person before his departure shall not haue made other wise sufficient conueiaunce and prouision for them, by the reasonable iudgment of the said Lord Chauncelour, or the lord keper of the great seale.

Without licence
With licence

Conspire

L. chaūcelor
L. keeper

Wife and children

4. Part

Landes

Prouided also, that if any person offending contrarie to this statut abouesaid, shall at any time after that by this act hee hath forfeited the profites of his manors, landes, tenements, or hereditaments, as is aforesaid, repent him of his offence and vndewtiful doing, will acknowledge that greate grace of God, returne againe into England, yeld him selfe to the Shiriffe of the Shire, as is aforesaid, or to any one of the Queenes Maiesties priuie Counsell, acknowledging his fault, submitting hym selfe to the Queenes Maiesties obeysance, and fully reconcile himselfe to the true Religion established by order of law wyth in thys Realme, declaring that his reconciliation to the Bishop of the Diocis, and shewing the same openly by cõming to the diuine seruice by order of thys Realme appoynted, and receiuing the holy Communion: that then after one yeare expired, euery such person, bringing to the lord Chauncellor, or Keeper of the great Seale, a Certificat from the Bishop of the Diocesse, and the Curat of his Parish, of hys true and vnfaygned reconciliation, shalbe restored to all hys Landes, and the profittes thereof, wheych before was forfaited by vertue of thys act, from thencefoorth to be due, and them to repossede from thencefoorth in as ample manner as they had neuer beene forfayted.

After forf.
Repent
Returne yeld himselfe
Shiriffe
Priuy councel
Reconcile
Bishop
Cõmunion
After one yere
Certificat
Restored Landes

Prouided alwaies, that this act or any thing in the same contayned, shal in no maner of wise extend, or be demed, or taken hereafter to extend to ỳ right honorable the Lady Jane Duches of Feria, now being in Spaine, Daughter vnto sir William Dormer knight, nor vnto the Lady Jane Dormer widowe, graundmother vnto the said Duchesse: any thing in this act to the contrary in any wise notwithstanding.

Duches of Feria
Lady Dormer

Prouided also that this act, or any thing therein contayned, shall not

continue

Queenes title

Peere of ye Realme

Queenes letters

Privy seale Returne

3. moneths

Not return Proclamation

Peere of ye realme

Depart

Devise no unlawful practise

Returne Yeld

continue or bee in force or strength any longer then during the natural life of ye Queens most excellent Maiestie.

Provided also, and be it further enacted by the authoritie aforesayd, that if it fortune any noble man, being a Peere of this Realme, at any time hereafter to depart this realme, whose departure shal not be contrary to the lawes and statutes of this Realme: That the no such noble man, so departing, shal incurre any paines or forfaitures provided by this act, unlesse such noble man be commaunded by the letters of our soueraigne lady ye Queene, under her graces priue seale or signet to make his retourne and repaire into this Realme, and after such warnyng do not repaire into this Realme, according to the tenour of the same letters, within the space of eight monethes next after the deliuerie of such letters of our sayd soueraigne lady ye Queene unto any such noble man, as is above mencioned: or if such letters shall not be to him delivered, so as he may wel returne within eight monethes after the sending thereof, then unlesse such noble man shall not retourne within other eight monethes next after proclamation to be made as is above appointed: any thing before in this act contained or expressed to the contrarie notwithstanding.

Provided also, that if any noble man being a Peere of this Realme, which at any tyme hereafter shal fortune to depart out of this realme, in such sort as by the lawes of this Realme hee may, and who hath not at any tyme before his departure, nor shall at any tyme during his abode out of this Realme, practise or devise any matter or thing against the royal person of our sayd Soueraigne Lady the Queene, or the quiet estate of this Realme, or any other her highnesse dominions being under her obeisance, do returne into this Realme, and doe yeld hym selfe to two of her Maisties Privy

Restored

Queenes title

Cease

For. Queene

Copthold Wood

counsel, acknowledging his office done contrary to this act: that then every such noble man shal from thencefoorth bee restored to all the rent, reuennes, issues and profites, of al hys landes, tenemets, and hereditaments, which from thencefoorth should or myght growe due vnto our sayd Soueraigne Lady the Queene by reason of hys act: and that then and from thencefoorth the Queenes highnes title in & to the rentes, reuenues, issues, & profits, of al and singuler his landes, tenementes, and hereditamentes, by vertue onely of this act, shall cease, ende, and determine: any thing in this act contayned to the contrary notwithstanding. An. 13. E. ca. 3.

2 ¶ Where as in the statut against fugitiues departing out of this realme made in the last parliament. (a. 13. El. ca. 3. before 1.) amongst other things it is ordeined, that the offendors against that statut, shal forfait and lose to our soueraigne Lady the Queene, ye whole profits of al their manors, lands, tenements, and hereditamets during their lives, sithens which time some doubt & question upon the said wordes hath risen, & bene moued. Whether her Maiestie, her heirs and successors, may let & set the same lands, or make graunts by copies of Court roll thereof, & vsual woodsales, or els shal only take the ordinarie profits as they rise, as vsufructuarie, and not otherwise: And where as in the said statut, one braunch or clause is ordained for the making void of fraudulent conueiances by the sayd fugitiues of their lands & goods made to thintent and upon privy confidence, that the profits may bee employed as they should limit and agree, upon the wordes of which clause, some doubt & question hath also risen, and bene moued, whether ye conueyance (to thintent aforesayd) made by such fugitiues as depart out of the Realms having licence, and doo not returne into this realme according to their licence and

intent

intent of the said estatut, shalbe within the prouision of the said estatut, vnlesse their determination of not returninge according to their licence, be proued to bee before the making of the said fraudulent conueyance, as a thing materiall beefore the making of the said conueyãce, or whether the same determination of not returning according to the saide licence, be not soe materiall, but that the same shall by the subsequẽt acte, (that is to say) by the not returning of the said partie according to the said licence, be sufficiently proued with out any further matter.

For auoyding of which doubtes, be it declared, and explaned, and ordeined by auctoritie of this Parliamẽt, that during so longe time as her Maiestie, her heyres or successours, shalbe entituled to haue the said profits by vertue of the said estatute, that and they may let and sette, and make grantes by coppie of Court rolle, and vsual woodsales and other thinges, to all ententes and purposes, as a tenaunt par terme dauter vie lawfully may doo.

And further, that the said determination, which is but a secrete thought of the fugitiue, whatsoeuer his wordes or speache be, is not materiall, but that the act and deed subsequent, viz. the not returning of euery such fugitiue, according to his licence, & not hauing such let or excuse, as by the said statut is allowed (without any further matter) was, is, and shalbe taken and deemed a sufficient proofe of the precedent determination of the same partie not to returne according to hys licence: and thing to the contrarie hereof in anywise notwithstanding.

And be it further enacted by the auctoritie aforesaid, that all such rentes, reuenues, issues, profittes, and other thinges, as all ready bee commen or growen, or hereafter shall come or growe to the Queenes Maiestie, for any the causes of forfeiture mencioned or expressed in the sayd former act and statute, or declared by this act, shalbee answered yearely vnto the Queenes maiestie in ỳ court of Exchequer, and shalbe in ỳ order, survey & rule of ỳ same court: & that the treasorer, chauncellor, & barons of ỳ said court, or ỳ more part of thẽ for ỳ time being, wher of ỳ treasourer, or chauncellour to be one, shal & may do, and cause to be done, al & euerie such act & thing, as they shal thinke meete & conuenient to be had, made, or done, for the demising, custodie, reteyning, ordering, & better answering to her maiesties commoditie & profit, of al such rents, reuenues, issues, profits, & other thinges as now be commen or growẽ, or hereafter shal come or growe to her maiestie, for asmuche the causes of forfeiture aforesaid, according to ỳ true intent & meaning of ỳ said former act, & of this present statut of explanatiõ & declaration. Prouided alwaies, & be it further enacted by ỳ auctoritie aforesayd, ỳ al lands, tenemẽts, rẽts, reuertiõs, seruices, & leases, being at this time parcel of ỳ possessions of the duchie of Lancaster, or deriued out of the same, wherunto, or to the profits whereof, the Queenes maiestie, her heirs or successours in any wise is, or hereafter shal be intitled, eyther by auctority of the said former estatute of fugitiues, or by this estatute, shalbee from henceforth vsed in the survey, demising, & order of ỳ court of the said duchie of Lãcaster, in such maner & fourme, as other ỳ premisses be assigned or appointed by auctoritie of this act, or by ỳ sayd former act to be in the survey, demising, & order of the said court of Exchequer: & ỳ the transcript of all offices and inquisitions concerning the premisses, to be vsed in the survey, demising, & order of ỳ said duchy of Lancaster, shalbe certified and remayned in the said court of the duchie of Lancaster: any thing eyther in the said former act, or in this act to the contrary, notwithstanding. 27. El. cap. 6.

Leases Copie Woodsales

Exposition

Non returning

Proofe

Rents Profits

Exchequer

Treasorer Chauncellor

By force.

Lands

Duchy of Lanc.

Survey Court of duchy.

Transcript Offices

Iron instruments

NO Iron Instruments, nor anie other untrue subtill meane or slight bee from henceforth vsed vppon anie fustian within this Realme; but onely by the broade shere, vppon forfaiture of twenty shillinges, to bee leuied for euery default of euerie such person or persons hereafter offendyng and vsing anie such deceyuable instrumentes or sleights as afore is said, the one halfe of ỹ said forfaitures to bee to ỹ king our Soueraigne Lord, and the other halfe to him or them that wil sue for the same forfaitures, by accion of debt, bill, plaint or information by anie of ỹ kings courts of record, where the same may bee determyned after the course of the common lawe, and that the defendaunt in such behalfe in noe wyse bee admytted to wage his lawe, nor that anie protection or essoigne be in the same allowable. And ouer thys be it ordeyned by the sayd authoritie, that the Maior and wardens of shiremen of the Citie of London, for the tyme beeyng haue authoritie to enter & search the workmanship of al maner persons occupying the broade shire as well Fustians, as Cloth, and the execution of thys present act to bee as well of the denizens, as of forreins and straungers. An. 11. H. 7. capitulo. 27. Norwich. 4.

Sheeres Forf.

Moitie

Accion of debt

wage lawe

Maior wardens London

Search

Denizens Forreins

## ¶ Gauges.

AN. 1. Hen. 6. capit. 5. an act was made for redemption of Iewels & such thynges as Henrie the fyfth had layd to gage.

Iewels

## ¶ Gauging.

THe statutes thereupon made (as it is sayd) be holden, kept, and put in due execution. And moreouer we declare and of the assent aforesaid wil & graūt, that as well al maner vessels of swete wines, of the Ryne, & of other wynes, as other vessels of vinegre, oyle, hony, & of all other lycours gaugeable, which from hēceforth shal come within thys realme of Englād, or within our lāds of Wales and Ireland, shall be well & lawfullie gauged, by our gaugeours thereto assigned or their deputies. And if any set debate or disturbance, & will not suffre the wynes or other lycours afore layd to be gauged, he shal incurre the peine ordeined by the said other statuts. And in the same maner ỹ gaugeours shall incurre the peine comprysed in the same statutes, if default be from henceforth found in them or in their deputies in this behalfe. Anno. 4. R. 2. capitulo. 1.

Swete wines Wenegre Oyle Hony

Wales Ireland

Vessels

Payne

2 ¶ The peny which is called the gauge peny shall not be payd to ỹ gaugeour, nor to any other in hys name, til he or his deputyes haue gauged the wines, and then hee to take & receyue his peny for the same in gree without more encrease or auantage for that to clayme. And also that he or his deputy be redy to do the office of gaugeour in al places, when he to that by the party shalbe required, & that to bee obserued through al the realme of Englād, vpō the paine cōprised in the statute made the xxiij. yeare of the noble kyng Edward the third of the gaugyng of red wyne, & white wine, truely to be executed. An. 23. H. 6. cap. 16.

Gauge peny

Gaugers

## ¶ Giggemilles.

NO maner of person or persones, after the first daie of May next commyng, shall vse or occupie, anie of the said Gigge milles, for ỹ worksyng of anie woollen cloth or clothes, made or to be made within this realme, vpō paine of forfeyture for euerie cloth so wrought in, or, by anie of ỹ said milles called Gigge mils, fiue pownd, the one moitie &c. to the king, the other moity to him that will sue &c. wherin &c. An. 5. E. 6. cap. 22.

Woll cloth

Forf.

Moitie

## ¶ Girdlers.

THe girdlers of the realme, ỹ worke girdels garnyshed w̄ white mettal, may

White metal

may worke, vſe and continue their ſaid craft, that is to ſay, to garniſh the girdels with white metal, as of old times it hath ben vſed, notwithſtanding any charters or patentes made or graũted to the contrary. And if any charters or patents be made to the cõtrary ẏ they ſhalbe void & of no force. Anno. 15. R. 2. cap. 11.

Patents

¶ *Glouceſter.*

AN. 33. H. 8. cap. 35. an act is made concerning Conduites in Glouceſter. Se before in Prerogatiua regis of the cuſtome of Glouceſter for forfayture.

¶ *Gold, Siluer and Goldſmithes.*

NO Goldſmith of England, nor none other within the kinges dominion ſhal not from henceforth gylde nor cauſe to begilded, no maner of veſſel, Iuell, or any other thing of gold or ſiluer except it be of the very beſt allay and ſiluer of ẏ ſterling allay, or of better, at the pleaſure of him to whom the gold belongeth, and ẏ none gild worſe ſiluer then ſterling. And that hee ſuffer no maner of veſſell of gold or ſiluer to depart out of his handes, vntil it be aſſayed by the wardens of the craft, and further that it be marked with the lybardes head. And that they worke no worſe gold then of the touch of Paris. And that the wardens of the craft ſhall go from ſhop to ſhop among the Goldſmiths to aſſay if their gold be of the ſame touche that is ſpoken of beefore. And if they find any other then of the touche aforeſaid, the gold ſhalbee forfait to the king. And that none ſhal make ringes, croſſes, nor lockes. And that none ſhal ſet any ſtone in gold, except it be natural. And that grauers or cutters of ſtones and of ſeales, ſhall giue to eche their weight of ſiluer (as nere as they can) vpon their fidelitie. And ẏ iewels of baſe gold which they haue in their handes, they ſhal vtter as

Gild

Beſt allay
Sterling allay

Aſſayed
Wardens
Marked
Paris touch
Wardens
Search

Forf.
Ringes

Naturall ſtones.
Stone cutters

faſt as they can. And from henceforth if they buy any of ẏ ſame worke, they ſhall buy it for to worke vppon and not to ſell againe. And that all the good townes of England where any goldſmithes be dwelling ſhalbe ordred according to this eſtatut, as they of Lõdon be. And that one ſhall come from euery good towne for all the reſidue ẏ be dwelling in the ſame, vnto London for to bee aſſertayned of their touche. And if any goldſmith be attainted hereafter becauſe that hee hath done otherwiſe then beforeſt is ordeined, he ſhalbe puniſhed by impriſonment, and ſhall make fine at the kinges pleaſure. And notwithſtanding all theſe thinges beforeſe mencioned or any point of them, both the king and his counſell, and all they that were preſent at the makyng of this ordinãce, wil & intend ẏ ẏ right & prerogatiue of his crowne ſhalbe ſaued to him in all things. Articuli ſuper cartas. An. 28. E. 1. cap. 20.

London

Attainted.

Impriſon.
Fine.

2 ¶ All marchaunts privy & ſtraũgers, may ſafely cary & bring with our ſaid realme & lands, plate of ſiluer, and billets of gold, & al other maner gold, & al money of gold and ſiluer, to our bullion, or to our eſchaunges, which trees ſhall do, ordeine at our ſaid ſtaples and els where, taking there money of our coyne of gold and ſyluer conenable to the valure. And if anie will take good money of Gold and Syluer of other coygne then of ours in payment, hee ſhall take the ſame without impeachment, ſo that none be thereunto compelled, if hee will not take it of his good will. Prouyded alwayes, that no money haue comon courſe within our ſaid realme and landes, but the money of Gold and Syluer of our coygne. And that none carry out of our ſaid realme and landes the old ſterlings, nor other money, but our newe money of Gold and Siluer, except the marchaũtes Straungers, that bying to our ſayd Realme and landes anie maner of money, and there will employ

Merchãts

Billets of gold

Money

this money within our realme & lãds: whom we will that they may recarie into their countrey al this money, or as much as shall remaine therof not employed without impechement. So alwaies that good and lawfull searche be therof made in the ports and other places where any arrialle is. And ỹ all the money, that euerie marchaunt straunger shall bryng within our sayd realme and landes, shalbe put in wrytyng by the searchours, to thintẽt that no marchaunt shall carry more beyõd the sea, then he brought into the same realme and landes. Prouyded alwaies that no minister nor other, by colour of such search, shall make impechement or disturbaunce to anie marchaunt straunger to greene him vnduely. And that all the falle money that may bee found by serch, or in other maner chaced within the same our Realme and landes, in deceyt of our good money, shalbe forfaited to vs, according to the ordinances another time therof made. Anno. 27. E. 3. cap. 14.

Serch in ports

Falle mony

Forf.

3 ¶ Goldsmithes al well in Londõ as els where within the realme, shall make all manner of bellell and other works of siluer wel and lawfully of the allay of good sterling. And euery maister goldsmith shal haue a mark by him selfe, and the same marke shalbee knowen by them whych shalbee assigned by the king to suruey their warks and allay. And that the sayd goldsmythes set not their marke vpon their works, till the said surueiours haue made their allay, as shalbe ordeyned by the king and his councell, & after ỹ allay made, the surueiours shal set their marke, & afterward the goldsmyth his marke, for whych he will answere. And that no goldsmith take for bellel white and full to the weight of a pound, that is to say, of the price of two marks of Paris weyght, but xviii. s. as they do at Paris. And that no goldsmith making white bellel shal meddle with gylding, nor they that do gild, shall not meddle to make white bellell. And they which shall bee so assigned in euerie towne, shal make their searches as oft̃ times as shalbee ordeyned. And for that that shalbe in ỹ default of the goldsmithes, they shall incurre the peyne of forfayture to the king the valour of the mettall which shalbe found in default. An. 37. E. 3. cap. 7.

Bellel

Sterling allay

Marke

Assay

whit bellel

Gilding

Fault Forf.

4 ¶ No artificer nor other mã what soeuer he be, from henceforth shal gilt nor siluer any such locks, rings, beads, candelsticks, harneys for girdels, chalices, hilts, nor pomelles of swerdes, powderbores, nor corners for cuppes made of copper or laten, vpon paine to forfait to the king C. s. at euery tyme that he shalbe found gilte, and to make grée to the party greued for his damages, but that (chalyces alwaies excepted) the sayed artificers may work or do to be wrought ornamentes for the church of copper and laten, and ỹ same gilt or siluer, so that alwaies in ỹ forte, or in some other part of euery such ornament so to be made, the copper & ỹ laten shall be plaine, to the intent that a man may see whereof the thynge is made, for to eschew the disceypt aforesayd, Anno. 5. H. 4. cap. 13.

Artificer Gilt

Copper Latin

Forf. Church ornaments

5 ¶ That al the goldsmiths of England shall gilt no siluer wares then of the allay of the English sterlyng, and that they take for the pound of Troy gilt but xiiii. s. viii. d. at the most, and of greater weyght and lesse according to the quantitie, and rate of the same summe. And that which shalbee by thẽ gilt from henceforth, bee of a reasonable price and not excessiue. And if anie goldsmith do contrarie to this statute, he shal forfait to the king the valour of the thing so solo. Ann. 2. H. 5. capit. 4. Statut. 2.

Gilt siluer

English sterling

Troy weight

Forf.

6 ¶ Note from henceforth shall gilt any thethes nor mettal but siluer, and the ornaments of the holy church, nor shal siluer no mettall but knights harres, and all the apparell that perteyneth to a Warden, & aboue ỹ estate,

Gilt

Spures

vpon.

Forf. vpō paine of forfaiture to the kyng ten times as much as the thing so gilt is of valour, & shal haue also one yeares imprisonment. And the Iustices of peace shall haue power to enquire thereof, & that to determine. And he that will sue for the king in this party, shal haue the third part of the sayd pecuniar paine.

Imprison Iud. of p. Prouided that this last ordinance shal begin to hold place at ye feast of Easter next comming. An. 8. H. 5. cap. 3.

whit money 7 ¶ For the increase of white money, that no man, of what estate or condition ye he be within the realme, shall bye or sell no siluer in plate, peece, nor in masse, being as good of allay as the sterling, aboue xxr. d. ye pound of Troy ouer the fashion, vpon the paine of forfaiture of the double valour of as much as he buyeth or selleth contrary to this ordinaunce. And that the one halfe bee forfayt to the kings vse, & thother half to the vse of him that will sue & pursue ye same forfaiture. Prouided alwayes that they which go to the coigne haue and take of the maisters of the same coigne, according as is lawfully cōtey-ned in the indentures therof made betwixt the kyng and him. And also the maister of the sayd mynt, for the tyme beyng, may take and deliuer as is cōteyned in the sayd indentures without taking more for the ealo any profite of ye common people. Ann. 9. Henrici. 6. capitulo. 3.

Siluer plate

Forf.

Moiris

Mint maister

8 ¶ No goldsmith nor worker of siluer within the Citie of London, sell no workman ship of siluer, wherof it bee as fine as the sterling, except the same needs sowdour in the making, which shalbee allowed according as the sowdour is necessarie to be wrought in the same. And that noe goldsmith nor iewellour, nor none other that worketh harneys of siluer, shal set any of ye same to sell within the Citie, before that it bee touched with the touche, and also with a marke or signe of the wardens of the same, vpō paine of forfaiture of the double, as more is said. And that ye marke & signe of euerie goldsmith bee knowen to the wardens of the craft. And if it may bee found, that the sayd keper of the touch, touch any such harneys with the Leopardes head, except it bee as fine in allay as the sterling, that then the keper of the touch for euery thing so proued, not as good in allay as ye said sterling, shall forfait the double valour to the king, & to the partie as is aboue recyted. And also it is likewise ordeyned in ye Citie of Yorke, Newcastle vpō Tine, Lincolne, Norwich, Bristow, Salisbury, & Couētree that euery of the shall haue diuers touches, according to the ordinance of the maiors, bayliffes, or gouernours of the sae townes. And that no goldsmithes nor other workers of siluer, nor keepers of the sayd touches within ye same townes, shal set to sale nor touch anie siluer in other maner then is ordeyned before within the citie of London, vpon payne of the sayd forfaiture. And more ouer that no goldsmith nor other worker of siluer within ye realme of England, where no touche is ordeyned, as afore is said shal work any siluer, except it bee as fine in allay as the sterling, & that the goldsmith or worker of ye same siluer, set vpon the same his marke or singe before he set it to sale. And if it be found, that it is not as fyne as the sterling, that then the worker of the same shall forfait the double valour in manner and fourme as before is recyted within the Citie of London. And the Iustices of peace, maiors, and bailyffes, and all other hauing power as Iustices of peace, shall heare, inquire, and determyne, by bill, plaint, or in other manner, all that do contraine to the sayd ordynances, and them eek to punish due & reuty on by their discretyons. Prouyded alwayes that if ye master of the mynt that now is, or which for the tyme shalbe, offend or haue offended in his office of the sayd mynt, that then he bee corrected and punyshed according to the fourme of the

London

Sterling

Sowdour

Touched

Marke Forf.

Keper of touch

Forf.

Yorke

Maiors Bailifes

London

Marke

Forf.

Iud. of p. Maior. Bailife Oier & ter.

Execution Mint master

Offend

sayd indentures. Anno. 2. Henrici septi capitulo. 14.

Gold fine

Alay

Sell

9 ¶ That no sinour of gold & siluer nor parter of ỹ same by fire or water from hencefoꝛth alay no fine siluer nor gold, nor none sell in anie other wyse, ne to any person or persones, but onelie to officers of mints, chaunges, and goldsmythes within this Realme foꝛ the augmentation and amendyng of coigne and plate as is afoꝛesayd. And that the maisters of myntes, changes, and goldsmithes, foꝛ al such fyne gold or siluer commyng to them, to answere the valour as it is woꝛthy according as it is notwo and hath been of auncient time accustomed after ỹ rate of fynes. Ne that no sinor nor sinours parter nor parters sell to no personne neither to one ns to other, any maner of siluer in masse molton & alated, vpon payne of foꝛfayture of the same, the king thereof to haue the one halfe, and the finder that can prone, and will sue it in the kinges Eschequer thother half. And if any sinor or sinors, parter or parters of gold and siluer eyther by fire or water, alay or sell any fyne siluer or gold otherwise then is ordeyned in this last act, he or they to lose the valour of the same gold or siluer so alated or sold. The kyng thereof to haue the one halfe, and the finder that can prone it, and will sue it in the kynges Eschequer the other halfe. Also all such fyne siluer as shalbe parted and fyned as is afoꝛesayd, that it be made to fyne that it may bee two penie weyght & yet it bee as good as sterling, and rather better then woꝛse. And that euery sinor put his seuerall marke vppon such fyne siluer to beare witnes to the same to be true as is afoꝛesaid vppon ỹ payne of ỹ valour found contrary to be foꝛfait, the kyng thereof to haue the one halfe, & ỹ finder that can prone it & will sue it in ỹ Eschequer the other halfe. Also ỹ no gold smithes within thys Realme melt or alay any fine siluer, ta, ne foꝛ anie

Wine maisters

Sell

Siluer alayed Foꝛf.

Moitie

Alay

Foꝛf.

Moitie

2. penie weight

Sinour Marke

Foꝛf.

Moitie

woꝛkers of other intent but onely foꝛ making of amelles foꝛ diuers woꝛkes of goldsmithrie.

Amells

And foꝛ amending of plate to make it as good as sterling or better foꝛ the comon weale of this realm. Nor ỹ they sell no fine siluer, nor other siluer alayed molten into masse, to any person or persones whatsoeuer they be, nor one goldsmith to another. This ordinance to be kept by the goldsmithes in euerie point vppon payne of foꝛfayture of the same siluer or valure thereof. The kig therof to haue ỹ one halfe, & the fynder that can prooue it and will sue it in the kings Eschequer ỹ other halfe. Also it is ordeyned by the same authoꝛitie, that all letters patentes and graunties of offices beloging or appertayning to the mint of our soueraigne loꝛd ỹ king exercised in the same with fees & wages thereto belonging be from hencefoꝛth void and of none effect. Anno. 4. H. 7. capitulo. 2.

Fine siluer

Foꝛf.

Moitie

L. patents Offices Mint

Void

10 ¶ No persō dwelling or inhabiting within this realme from the said feast of Purificatiō (a. An. 1489.) pay or deliuer wittigly by way of exchage or otherwise, to anie marchaunt or other personne borne out of the kings obeisance, foꝛ any marchādise or wares or in any other wise any maner peces of gold coigned in this Realme or anie other Realme, or anie plate, vesselles, masse, bullyon ne Jewelles of Gold, wrought or vnwroght to foꝛfayt and lose the double summe, or double value of al such money of gold, coigned plate vessell, masse bullion or iewels of gold or siluer payed deliuered or eschanged cōtrary to this act, the one halfe of the same foꝛfaitures to the king our soueraigne loꝛd, and the other halfe to anie of his subiectes that will syle it or sue foꝛ anie such payment, deliuerance, or eschaunge made or to be made contrary to this act, and that it be lawfull to the kinges subiectes in this cause to sue foꝛ the sayd foꝛfayture by action of debt, by writ at the common lawe, by-

Pay Eschange Merchant Stranger

Gold coined

Plate Bullion Foꝛf.

Moitie.

byll

byll, or plaint, after the cuſtome of the City, port or towne where it ſhal happen any forfaiture to fall, and be or by information to be made in the kynges Eſchequer, and that no protection nor eſſoignes be allowable in anie ſuch action or information. An. 4. Henrici. 7. capitulo. 23.

11 ¶ An. 17. E. 4. cap. an act was made to endure for. 7. yeares agaynſt Goldſmithes, & ſelling of gold & ſiluer.

12 ¶ No Goldſmith, from the. xx. day of Aprill nexte cõming, ſhal worke, ſell, exchaunge, or cauſe to be wrought, ſold, or exchaunged, any plate or other Goldſmithes wares of gold, leſſe in fineſſe, then that of. xxii. Carrottes, & ỹ he vſe no ſother, amell, nor other ſtuffinges whatſoeuer, in anie of their workes, more then is neceſſary for ỹ finiſhing of the ſame, & that they take not aboue the rate of. xii. d. for the ounce of gold, (beſides the faſhion) more then the buyer ſhall or may be alowed for the ſame at the Quenes exchaunge or mint, vpõ paine to forfait ỹ value of ỹ thing ſo ſold or exchãged: & ỹ from the ſaid xx. day of Aprill no Goldſmith ſhal make, ſel, or exchãge, in any place within this realme, any plate or Goldſmithes wares of Syluer, leſſe in fineſſe then that of eleuen ounces two peny weight, nor take aboue ỹ rate of xii. d. for euery pound weight of plate or wares of ſiluer, beſydes the faſhion, more then the buyer ſhall or may be alowed for the ſame at the Quenes exchaunge or mynt: nor put to ſale, exchaunge or ſel, any plate or goldſmithes worke of ſiluer, before he hath ſet his owne marke to ſo much therof as cõueniently may beare the ſame, vpon paine to forfayt the value of the thing ſo ſold or exchanged. And if any goldſmith ſhall make any goldſmithes worke or plate, and the ſame after the ſayd twentie day of Aprill ſhalbee touched, marked, and alowed for good, by ỹ wardens or maſters of that miſterie and in the ſame there ſhalbee found anie falſehood or deceypt: then the wardens and corporation of that miſtery, for the time beyng, ſhall forfayt and pay the value of the thyng ſo exchanged or ſold: the one moytie of all which forfaytures, ſhalbe to the vſe of the Quenes maieſtie, and the other moytie to the vſe of ſuch party greeued and ſuſteyning loſſe therby, as lyll ſue for the ſame in anie court of record, by accion, bil, plaint information, or otherwiſe, wherein no eſſoigne, protection, or wager of lawe, ſhalbe admitted for the defendant. An. 18. Eliz. Statut. 15.

Deceipt

Forf.

Moytie

Worke
Sell
Exchange
Plate
11. Carrotz
Sother
Amel

xii. d. ỹ ounce of gold

Forf.

Siluer wares
Fineſſe
xii. d ỹ pound

Marke

Forf.

Goldſmithz worke

Marked for gold
Wardens

*Graunte.*

AN. 1. R. 2. capit. 2. it was enacted that graunts made by certaine attaynted perſonnes, attaynted of treaſon ſhould bee voyd. But this parliament was repealed by Anno. 1. Henrici. 4. capit. 3.

02 ¶ Where the right noble & famous king of full worthy memorie, kinge Henry the eight, father to our moſte dread and naiw naturall Soucraygne liege Lord, ſithens the iiij. day of Februarie in the xxvij. yeare of hys late raigne, and alſo the kinges moſt excellent Maieſtie, by their ſeuerall letters patentes, haue geuen, graunted, bargained, ſold or eſchanged, to and wyth diuers and ſundry the ſubiects of thys Realme, bodies politike and corporat, in fee ſimple, fee taile, for terme of life, or yeres, diuers honours, caſtels, manours, landes, tenementes, and other hereditaments and offices. After, and ſince which graunts, bargaines, ſales, and exchanges, dyuers of the ſaid patentes, their heires and ſucceſſours or aſſignes, haue bargayned, ſold, geuen, exchaunged, or demyſed parcelles of the ſame ſo to them geuen or graunted, haue beene in times paſt, & in time to come are like to bee diſherited, or in daunger of loſſe of theyr intereſt, in, or to the ſame to their no litle hinderance and peril. For remedie

L. patents

Fee ſimple
Fee taile
Life
yeres

Sales
Eſchanges
Patentes
Sold

whereof be it &c. that al and euerie per-
sonne or personnes, bodies politique or
corporate, which lawfully shal or may
Claime claime by force of any patent or pa-
tents, made sithens the laste fawerth
day of Februarie or hereafter to bee
made by the kings maiestie, his heirs
or successours kynges of this Realme,
or by anie of them, and all other that
nowe haue, or hereafter shall happen
to haue, anie good or lawefull estate,
Right ryght, tytle, rent, profyte, interest, or
possession, of, in, to, or out of anie ho-
nours, mannours, landes, tenements,
heredytamentes, or offices or of other
thynges, to anie of the premysses by-
uers particuler partes, parcelles or
porcyons of the sayd honours, castels,
mannours, landes, tenementes, here-
ditamẽts, and offices, or other things
thereunto appertaining or belongyng
to other personne or personnes, bo-
dies polytyque or corporate, that is to
say, to some of them in fee symple, to
some other in fee tail, for terme of life,
or yeares, or otherwise. And after the
Patents surrẽdred same patents, for consideratiõs them
moving, haue surrendred, & geuen vp,
their said letters patẽts vnto ẏ chaun-
cery or otherwise ẏ sãe letters patẽtes
Forf. hath been forfaited by attainder, lost,
cãcelled, imbesilled, or by other wayes
or meanes haue come to the hands of
the kings maiestie his late father. And
thereupon oftentimes the inrolmẽt of
ẏ same hath ben made void & frustrate,
somtime in part & somtime in ẏ whole
by reason wherof such persones bodies
politique or corporate, as haue had in-
terest, or title, in or to ẏ same castels,
mannours, or particuler porcions, or
appertaining, or belonging, or to anie
part, parcell, or member of them, or
any of thẽ, by, from, or vnder any such
patentee or patentees, or any of them,
or by, from, or vnder the heires, succes-
sours or assygnes of them, or anie of
them, or by, from, or vnder the state of
any others which had, haue or hereaf-
ter shal haue ẏ state, title, or interest,
of any such patentẽ or patentẽs, or by
anie other meanes vnder the date of
such letters patentes, shal and may at
all times hereafter in any the kynges
courtes, bys heires or successours, and
elsewhere by vertue of this preſẽt act,
make and cõuey vnto them selfe title, Title
by waie of declaration, plaint, auowe-
rie, title, barre, or otherwise as well
agaynst the kynges highnesse, bys
heires, and successours, and euerie of
them, as agaynst anie other personne
or persons, vnto the said honours, cas-
tels, manours, landes, tenements, of-
fices, and other the premisses, or anie
part or parcell of the same vnto them,
or anie their predecessours or ancestors
or others whose estate they haue in the
same, by, from, or vnder the sayd pa-
tents or anie of thẽ or their ancestors
or assignes of any of them, or other
wise vnder the date of the said letters
patents, compiled and contayned in
any exemplification or constat therof, Exemplifi-
made or to bee made, by the the wyng cation
forth of the said exemplification or cõ-
stat of the rolle, or of so much thereof
as shall serue for the matters in vari-
ance vnder the great seale of Englãd.
And the same exemplification or con-
stat of the said enrollement, so as is a-
forsaid, pleded and shewed shalbee of Force &
like and the same force and effect to all effect
intents and constructions in the law,
as the said first letters patentes were,
and should be of, if the same were or
should be pleded or sued. Anno. 3. E. 6.
cap. 4.

3 ¶ Be it enacted and declared, that
all & euery patentee & patentees, their Patentees
heires, successors, executours, and as- heires
signes, and all and euery other person
and persons, hauing by or from them,
or any of them, or vnder their title, a-
ny estate or interest, of, in, or to any
lands, tenements, or heredytaments,
or any other thing whatsoeuer, to such
patentẽ or patentees heretofore gran- L. patents
ted by anie letters patentes, eyther of
the most famous Kynges hãg hẽry

the

the eight, k. Edward ỹ firt, Quene Mary, king Philip and Quene Mary, or by any of thẽ, or by ỹ Queenes moſt excellent maieſtie that now is, at any time ſithence the fowerth day of Febuary, in the xxvii. yeare of the raigne of the ſaid late king Henry the eight, or els by ỹ Quenes Maieſtie that nowe is, her heires or ſucceſſours, at any time hereafter to bee graunted, ſhall and may at all tymes hereafter in any of the Queens highnes courtes, her heires or ſucceſſors, and elſe where by the authoritie of this preſent act, make & conuey, & bee allowed and ſuffered to make & conuey, to and for him, them, & euerie of them ſelues, ſuch clayme or tytle, by waye of declaration, playnt, anſwere, barre, replication, or other pleadyng whatſoeuer, aſwell againſt ỹ queenes highnes, her heirs & ſucceſſors, & euery of thẽ, as againſt al & euery other perſon & perſons whatſoeuer, for or concerning the lands, tenemẽts, hereditaments, or other thyngs whatſoeuer ſpecified or contained in any ſuch letters patents, or of, for, or concerning any part or parcel therof, by ſhewing forth an exemplification or conſtat, vnder the grat ſeale of England, of the inrolment of the ſame letters patẽts, or of ſo much therof, as ſhal and may ſerue to, or for ſuch title, clayme, or matter, the ſame letters patentes thẽ being, & remaining in force, not lawfully ſurrendred nor cancelled, for, or concerning ſo much & ſuch part & parcel of ſuch lands, tenements, hereditaments, or other thing, whereunto ſuch title or claime ſhalbe made, as if the ſame letters patẽts ſelfe, were pleded & ſhewed forth: any law, vſage, or other thing whatſoeuer to the cõtrary notwithſtanding. An. 13. El. ca. 6.

Conuey

Title Plaint

Inrolment

¶ *Grenewich.*

An. 37. H. 8. ca. 11. An act is made for al the owners of the marches there, to be contributory to ỹ charges of reperations of theſe marches.

¶ *Halyfax.*

An. 18. El. ther was an act made concerning the parech Church of halifax, but this ſtatut is not in print.

¶ *Hats & cappes.*

An. 22. E. 4. c. 5. an act was made to endure for two yeares, againſt thicking of hattes and caps by mylles. And after Ann. 7. El. c. 6. cap. 8. this act was reuiued for fiue yeares.

Thicking of hatts

2 ¶ An. 4. H. 7. c. 9 an act was made for prices of hats & caps, but it is repealed by 3. H. 8. ca. 5.

Prices Repealed

3 ¶ There be no caps or hats made and ready wrought in any partie beyond the Sea, bought by any of the kings ſubiectes borne vnder ỹ kinges obeiſaunce, except lords and knights, vpõ paine of forfaiture for euery ſuch cap or hatte ſo by them or any of thẽ bought xl. s. the one moitie of ỹ ſame forfaiture to bee to the king our ſouereigne Lord, and the other moitie to him or them that ſyll ſue for the ſame, by action of debt or otherwiſe, in which action the partie defendaunt ſhall not bee admitted to wage his law, nor protection nor eſſoigne to bee allowed in the ſame action. Furthermore that noe capper nor hatter, nor other perſonne, ſell, nor put to ſale, any hat or cap that ſhalbe made within this realme after ỹ feaſt of Midſomer next comming, but ỹ it be ſufficiently wrought, and of a ſufficient colour in euery point after ỹ goodnes and fineſſe of the wull wherof they ſhalbe made, vpon paine of forfaiture of euery cap or hat ſo ſold. vi. s. viii. d. And ỹ the capper nor none other perſons, ſhal not take by him ſelfe or any other perſon to his vſe, for any cappe made of ỹ fineſt Leominſter woll, aboue iii. s. iiii. d. nor for any cap made of the ſecond ſort of ỹ ſame Leominſter wolle, aboue ii. s. vi. d. ne for any cap made

Beyond ſea

Lords Knights Forf.

Moitie

Wage law

Wrought Colour

Forf.

Leominſter woll

cap made

cappe made of the third sort of Lē-
minster wool above. xx.d. nor for any
cap made of the fourth sort of ẏ fine
Leominster wool above. xi.d. And ẏ
no capper, hatter, nor any other perſō
shall not take by him selfe, nor any o-
ther personne to his use, for any cappe
made of the finest Cotswold wooll a-
bove. ii.s. nor for any cappe made of ẏ
second sort of the same Cotswold wool
above. xvi.d. And that all other Capps
& hattes of other wool to be sold at such
price as the buyer and seller may rea-
sonably agree. The cappe made of the
said finest Leominster wool to be mar-
ked in the lining of the same cap with
a letter L. The cap made of ẏ second
sort of the same Leominster woll, to
be marked to this marke L. R. The
cap made of the finest Cotelwold wool
to be marked with the letter C. in the
lining thereof. And the cap made of ẏ
second sort of Cotelwold wool, to bee
marked with this marke C. R. And
the hatter, capper, nor any persone by
himselfe, nor any other persone to his
use, shall take of any of the kings sub-
iectes, for any hat of the best making
nor ingrained, more then. ii.s. And if
any capper, hatter, or other perſō take
more money for any cappe or hatte
contrary to this act, hee to forfayt for
euery cappe and hat for which he shall
take more then is afore rehearsed xl.
s. The mottie thereof to bee to ẏ king
our Soueraigne Lord, and the other
moytie to the partie greeued, or any o-
ther personne that would sue for the
same forfaiture by writ, byll, or plaint
at the common lawe, or after ẏ cu-
stome of the City or Towne where it
shall forfeture such forfaiture to bee by
like processe as is vsed in accions of
debt, in court where it shalbee pursued
And that the defendaunt in ẏ behalfe
be not admitted to wage his law, nor
that any protectiō or essoine be to him
allowed. And that all and singuler e-
statutes heretofore made concernyng
hattes or cappes, bee from henceforth
repealed and annulled by vertue of
this present parliament. Ann. 3. H. 8.
capitulo. 15.

¶ No maner of person nor persons
whatsoeuer hee or they be, from the
feast of ẏ purification of our lady next
comming, do sell or cause to be sold wi-
thin this Realme to any persone or per-
sonnes any woollen hattes or bonnets
or woollen hatte or cappe made or to
bee made in any place or places out of
this Realme of England, in any of ẏ
partes of beyond the sea, ouer or a-
boue the prices vnder written, that is
to say, no such cap or bonnet to be sold
aboue the summe of ii.s. sterling & no
such hatte to bee sold aboue the summe
of x.d. and no such single crowned cap
nor single night cap, to bee sold aboue
the summe of vi.d. vppon paine to for-
fait for euery such bonnet cap or hatte
at any time after the sayd feast, to bee
sold ouer the price aboue sayed contra-
ry to the tenour of this act xl.s. ster-
ling, all which forfaitures shal extend
onely to the losse of the seller or sellers
thereof and to none other, ẏ one halfe
thereof to be leuied & recouered to the
vse of our said soueraigne Lord, and ẏ
other halfe to the partie that will sue
for the same in any of our soueraygne
lord the kings courts by accion of debt
bil, informatiō, or otherwise, in which
accion or suit no protection, wager of
lawe, nor essoine, shall bee allowed or
admitted. And bee it &c. that euery per
sone or personnes, buying or wearing
any such bonnet, cap, or hat, made out
of this Realme, may lawfully at all
times hereafter, vse, weare, or detein
any such bonet, cap, or hat, caps or hats
without seisure of ẏ same for any dan-
ger losse or other forfaiture or penal-
tie to be had or suffered for the same, a-
ny matter, clause or other thing cōtei-
ned or expressed in this present act or
acts heretofore made to the contrary
notwithstanding. An. 21. H. 8. ca. 9.

¶ The said act made in the said xxi.
yeare (s. cap. 9. before.) and euerie
thing

Prices

Cotswold wooll

Marke

Ingrained

Forf.

Mottie

Wage lawe

Repealed

Sell

wollē hats
Wollen cap

Prices

Forf.

Mottie

thing, article, clause, braunch, and pro-
uiso therein mencioned, shall stand in
full strength, force and effect. And for
the better and more perfect, due, & full
execution of the said act hereafter to be
had, according to the true meanyng
and intent of the makers thereof, be it
&c. ẏ if any such bonnets, caps, or hattes
fortune hereafter to bee brought from
any the parties beyond the sea, into a-
ny place or places within this realme
or any the Quenes dominions after
the last day of May nexte comming ẏ
then al such bonnets, cappes, & hattes
shalbe brought by the owner of them,
or his seruant, to the customer or cus-
tomers of every citie, borough, towne
place, or port within this realme where
such hattes or bonnets shalbee laid on
land, or discharged, there to enter into
the customer or the customers bookes,
the custome for ẏe & to pay such cus-
tome for the, as by the lawes and sta-
tuts of this realme, they or any of the
same bled or ought heretofore to do, vp
pon paine of forfaiture of all such caps
& hatts as shal so be brought in, & not
presented to ẏ custome as is aforesaid
or ẏ value of the. And be it &c. ẏ no per
sone so bringing into this Realme, or
other the Quenes highnes dominios
any such hattes or cappes, shal in any
wise remoue, cary, or conuey such hats
and cappes, or any of them, from the
place where they shal so be laid on land
al such time as they shall be sold, in
maner & forme as hereafter is expres-
sed, vpon paine of forfaiture for euery
hat, or capp, removed or sold contrary
to the meaning of this act, xl.s. And be
it &c. that the customer or customers,
his or their deputie or deputies, of eue-
ry citie boroughe towne port haven &
creeke, where such bonnets, cappes, or
hats shalbee so brought into this Re-
alme, or other the Quenes dominios
shall within two daies after the entrie
of the same caps or hatts in the custo-
mers bookes, geue notice, and make
relation of the said hatts, bonnets, or
cappes, to the Maiors, Shirifs, bay-
liffs, constables, reues, or other ẏ chief
officers of the said Cities, boroughes,
townes or ports, and that vpon paine
of forfaiture of their offices. And be it
&c. that the said customer or customers
or their deputie or deputies together,
with the Maior or such other perso as
the Maior shal assigne or appoint, or
with the shirifes, bailifes, constables,
reues, or other the chief officer or offi-
cers of any such place, or any of them,
where such hattes or cappes shal so be
laid on land in the presence of the ow-
ners of them (if they wyl be present
or in their absence, if they will not) shal
sel the said bonnets, cappes, and hattes
and euery of them, to such person or
persons as will buy them at such price
and prices, as is limitted & appointed
by ẏ said act, made in the said xij. yere
& not aboue, & shal pay & deliuer ẏ mo-
ney that the said bonnets, cappes & hats
shalbee sold for to the owners of such
hatts, bonnets, and cappes, in such con-
uenient time, as the owners will re-
ceiue the same, vpon paine and forfai-
ture of xx.li. for euery time that such
custome or customers, Maiors, shirifs
bailifes, or other head officers, as is a-
foresaid shalbee remisse, or negligent
to make sale, as is aforesaid. And be it
&c. that no one person by any fraud, co-
uin, colour, or collusion, shal buy or bar-
gaine for any more hats or cappes, bey
ing made out of ẏ Realme at one time
of of one man, then one dozen, vpon
paine for euery cappe or hatt, bought
contrarie to the meaning of this act,
xl.s. the one halfe of all such forfay-
tures and summes of money, to be to
such as will sue for the same by bylle
plaint or information &c. wherein &c.
and the other halfe thereof to be to the
Quene her highnes, her heires, or suc-
cessours. Prouided that the said cus-
mer and customers, Maiors, shirifes,
Bailifes, constables, Reues, and o-
ther the head and chiefe officers, shal
not sel nor offer to vtter aboue one
dozen

From be-
yond sea

Customer

Customs

Forf.

Cumery

Forf.

Customer

Geue notice

Maiors
Shirifes
Bailifes
Constables

Forf.
Customers

Maiors

Sell

Pay

Forf.

Negligent

Forf.
Myttis

Customer
Maiors
Shirifes
Bailifes
Constables
One dozen

dosen of the sayd bonnets, caps, or hattes to any persoune or persounes An. 1. E. 6. parliamento 8. &c.

6 Be it enacted &c. that no person, by him or her self, or by any other, shal after the feast of ỹ Natiuitie of saint John Baptist next comming, make or worke any Felt or hat, of or with any sayem woll or flurre, vnlesse such person shal first haue bene apprentice or couenaunt seruat to such mistery of Felt or hatte making by the space of seuen yeres at the least, vpon pane to forfait al such hats or felts, as he shall make or cause to bee made in hir worketh, contrary to the fourme of this act, and x. li. in money for euery moneth that he shal so continue.

Worke felt
Forrin wooll
Apprētice

Forf.

And be it further enacted by ỹ aucthoritie aforesaid, that fro ỹ first daie of Aprill next comming, no persoune inhabitaeuer, shal make, sel, or cause to be made or sold, any Cappe or other thing of Felt but only hatts nor shal make, sel, or cause to be made, or sold any cappe of any cloth not knit. And that no person after the sayd first day of Aprill shall dye, or cause to bee dyed blacke any cappe, in barke or warke but onely with copperas & gall, or in woad and madder.

Cloth cap

Die blacke
Barke
Woad & madder

And for the setting of many poore and impotent persons to worke & for better making of cappes that no person after the saied first day of Aprill, shall fucke or ful in any mill, or cause to be fucked or fulled in any mil any Cap, vntill such time as the same can be first well scoured and cloden vpon bancke, and halfe fucked at the least in the forefucke. And that no maister the degree of a knight or of a loords sonne, shall after the sayd first day of Aprill, weare any hatte or bonet cappe or cloke, or couered with velvet, on paine to forfait for euery hat cap or other thing to bee made, died, fucked, fulled, sold, or worne, contrary to the meaning of this act, twelue shillings, whereof the one moitie shalbe to the Quenes maiestie, her heires & successours, the other moitie to such person then vsing the feat of Cappe making, as will sue for the same in any Court of Record, wherein no essoigne, protection, or wager of lawe, for the defendant, shalbee admitted or allowed.

Poore people

Fulling mill

Scoured

Forefucke
Knight
Lords sōne

Velvet cap

Forf.

Forfeit

And for the better and true making of Cappes and hattes within this realme: Be it enacted by the auctheritie aforesaid, that it shalbe lawfull to the maister and Wardeins of the company of Haberdashers, within the City of London, and to their successors for the time being, calling to them one of the Company of the Cappers, and another of the maisters of hats as often as need shal require, within the sayd citie, or within three miles of ỹ same to search al and al maner of Cappers and makers of hattes, and the offendours, and defaultes by them found, to correct & punish by fines and other wise, as in like cases they may do other offendors & defaults with the said companie, & that it shalbe lawfull for all Maiors, Bailifes, & other head officers, in all other cities and townes corporate, to doe the like.

Wardens
London
Search
Punish
Maiors
Bailifes

Prouided alway, and be it enacted by the auctheritie aforesaid, that euery Hatte maker, that now is a maker or worker of hattes, and being an house holder, apprentice, couenant seruaunt, or iourneyman, shall or may during such persons natural life, continue making of Hattes and Felles, albeit that such person were not bounden apprentice to the same art by the space of vij. yeres. And be it enacted, that no maister or worker of Hattes, shall take or retein any Apprentices, contrary to the true meaning of this act, that is to say, aboue two Apprentices at one time, nor those for any lesse time then seuen yeares at the least, on paine to suffer for euery Apprentice so taken or receiued against the fourme of this act, one moitie of the imprisonment

Apprentis
Iourneymē
Apprētices
Imprison

in the common Gaole, without bayle or mainprise. And that euery takyng and receiuing of Apprentice, contrary to this act, shalbee voyd: And also such person so taking or receiuing, shalbee from thencefoorth disabled to haue any more Apprentices, then one at one time. Voyd

Prouided alway, that nothing in this act, shall extend to charge any personne allowed to bee a Feltmaker or Hatmaker, wyth any payne or forfaiture for setting or vsing his or their owne children to the making or working of Feltes or Hattes, in hys or their owne houses. Prouided ẏ this act shall not extend to any making of hattes with worsted yarne in ẏ citie of Norwich. Anno. 8. El. ca. 11. Children worsted yarne Norwich

Bee it enacted and established, that al and euery persone & persones aboue the age of fiue yeares (except maydēs, Ladies, and Gentlewomen) inhabyting, commorating, and abyding wyth in any of the cities, boroughs, townes villages, or hamlettes of this Realme of England: and except also all noble personages, and euery lord, knyght, and gentleman of the possessions of rr. markes land by the yeare, and their heires: and except also al such as haue borne office of wardshyps in any cytie borough, towne, hamlet or shire: and also all such as haue borne the office of Wardens of the worshipfull companies of the citie of London, shal vse and weare vppon the Sabboth and holy day, vnlesse in time of their trauell out of ẏ said cities, Boroughs, townes villages, or hamletts, vpon their head one cappe of woll knitte, thicked and dressed in England, made wythin this Realme of England and onely dressed & finished by some of the trade or science of cappers, vpō paine of forfaiture for euery day not so wearyng, the summe of iii. s. iiii. d. of lawful money of England. Ladies Gentlewomen Noble men Gentlemen Officers wardens Sabboth Holyday wollen cap Forf.

And further be it enacted by the authoritie aforesaid, that Iustices of assise in their circuits, Iustices of peace in their sessions, shirifes in their turnes, Stewards in their Leetes and lawedaies, Maiors, shirifes, and bailyfes, of Cities, Boroughes, and Townes, corporat in their courtes, shal & may enquire, heare, & determine from time to time, all and euery ẏ said offences, committed & done within the limittes of their seuerall iurisdictions and authorities: And where any such forfaytures shal happen to bee found within ẏ precinct of any citie, borough, town corporat, Leete or lawday, then the Maiors, Shirifes, and bailifes, of the said cities, Boroughes, and townes, and owners of the said Leete or lawday, shal haue and enioy the one moitie of the sayd forfaitures, and the other moitie to bee distributed at the discretion of the rulers and chiefe Gouernours of euery such citie, borough, Towne or hamlett where ẏ trespas shallbee tried and found, among the poore inhabiting within the same. Iust. of p. Shirifes Stewards Maiors Shirifes Bailifes Enquire Oier & ter. Moitie

And be it further enacted for ẏ better execution of this statut that the parentes, gardians, gouernours, & masters shall lose and forfait the penaltie aforesaid for euery such child seruaunt or ward as shalbe aboue the age of vi. yeares, and vnder the age of xxi. yeres & remaining dwelling & abiding with any such person which shal offend or do contrary to this act or any thyng therein contained. An. 13. El. ca. 20. Parents Masters Forf.

## ¶ *Hauens, & Riuers.*

Where as it is contained in the stat. of Westminster second ca. 48. ẏ salmonsewes shall not bee taken by nettes, nor by other ingynes, at the milldammes, from the middes of Aprill til the natiuitie of saint John baptist, vppon a certaine paine limitted in the same statut: It is accorded and assented, that the sayd statut be firmely holden and kept. Ioining to the same, that salmonsewes shall not bee taken during Salmon sewes Nets

Mildams

Fisher

Thames

Netts

Frye

Conseruators

Punish

Iust of p.

Survey

Weares

Frye

during the saied time, at mildammes nor in other places vpō ẏ same paine. And ẏ no fisher nor garthmā nor nōe other, of what estate or condition that he be, shal from hencefoꝛth put in the waters of Thamise, Humbꝛe, Ouse, Trent nor no other waters of the realme by ẏ said time, nor in any other time of the yere, any nettes called stalkers, nor other nets nor engins what so euer they be, by the which the fry or the bꝛede of the salmons lampꝛoies or any other fish may in any wyse bee taken or destroyed, vpon the paine aforesaid. And also where as it is contained in the same statut, that all the waters, in the which salmons bee taken within the realme, shalbee put in defence as to the taking of salmons, from the Natiuitie of our lady vntill saint Martins day: It is ordeyned and assented, that the waters of Linwire, Perle, Ribbill, and al other waters in the countie of Lancaster be put in defence, as to the takyng of salmons from Michelmas day to the purification of our lady: and in no other time of the yeare, for cause that salmons bee not seasonable in the sayed waters in tyme aforesayed, and in the parties where such riuers bee, there shalbe assigned & swoꝛne good & sufficient conseruatoꝛs of this statut, as it is ordeined in ẏ said stat. of westminster, and that they shall punish ẏ offenders after the peine contained in the same statut, wout any fauour thereof to be shewed. An. 13. R. 2 ca. 19.

2 ¶ The Justices of the peace of al the counties of England, shalbe conseruatours of the said statuts in ẏ coũties where they be Justices: And that they and euery of them at all tymes when they may attend, shall survey the offences and defaultes attempted against the statuts aforesaid. And also shal survey and search all ẏ weares in such ryuers, that they shall not be bery straite for the destruccion of such frye and bꝛoode, but of a reasonable wydenes after the old assise vsed or accustomed: And that the same Justices or any of them which shal find default or misprision agaynst the statuts aforesayed shall make due punishment of them, which bee found in default after the content of the same statut.

And that the same Justyces shall put good and sufficient vnder conseruatoꝛs of the same statuts vnder them which shalbee swoꝛne to make lyke survey ing search and punishment without any fauour thereof to bee shewed. And moꝛeouer ẏ ẏ same Justices in their sessions shall enquire as wel of their office, as at the inforꝛmation, of the vnder conseruatours aforesaid, of all trespasses, misprisions, and defaults made against any of the points aforesayd, & shal cause them which be therof endicted to come before them. And if they be thereof conuict, they shal haue imprisonment, & make fine after the discretion of ẏ same Justices. And if the same be at the inforꝛmation of any of the vnder conseruatours aforesaid, the same vnder conseruatour shal haue ẏ halfe of ẏ same fine. And for as much as it is graunted to ẏ citezens of London by ẏ kings progenitours, ẏ they may remoue and take al ẏ weares in the waters of Thamis & Medeway, and that they shall haue the punishments thereof pertayning to ẏ king. Our sayd soueraigne lord the kyng in this present parliament, by the assent aforesaid, hath graunted that ẏ Maire, or wardein of London for the time being, shal haue the conseruation of the statuts aforesayd. And shal make thereof due execution and like punishment as afore is ordeined of ẏ Justices of the peace, in the sayed waters of Thamis, from the bridge of stanes to London, and from thence euer the same water, and in the sayd water of Medeway as farre as it is graunted to the sayed Citizens, as afore is said. Anno. 17. R. 2. ca. 9.

3 ¶ The standyng of nettes and engins

Punish

Deputies

Trespasses

Indict

Conuict

Imprison

Fine

Wottis

London

Weares

Thames

Maior

From stanes to London

Medway

engins called trinkes, & al other manner nettes, which bee and were wont to bee fastned and hanged continually day and night by a certaine tyme in the yeare, to great postes botes and anckers ouerthwart ẏ ryuer of Thamise and other Riuers of the realme, which standing is a cause and an occasion of a great and much destruccyon of the broode and frye of fish, and dysturbaunce of the common passage of vessels, as be the weares, kydels, or any other engyns, be wholly defended for euer. And that euery person ẏ setteth or fastneth them from henceforth to such postes, botes, & ancres, or lyke thing, continually to stand as afore is said, and be duely thereof by the course of the lawe conuict, hee shall forfayt to the king. C. s. at euery time that he is so proued in default. Prouided alwaies that it shalbee lawful to the possessours of the sayed trinkes, if they be of assise, to fish with them in all seasonable times, drawing and conueying them by hand as other fishers do with other nettes, and not fastning or tacking the sayed nettes to the postes, Botes & anckers continually to stand as afore is said, sauing alwaies to euery of the kings liege people their right title and inheritance in their fishing in the sayed water, Anno. 2. H. 6. ca. 15.

4 ¶The Chauncelour of England shal haue power to graunt such commission at all tymes needefull, to such indifferent personnes dwelling thereabout, which therto best can and maie entend to enquire, redresse, and amend all the defautes beeing in ẏ sayd water, alwell by dyuers trenches made out of the sayd water, as of all other manner stankes, kidels, weares or milles, beeing or made to the anoiaunce of the passage of botes in ẏ saied water according to the purport & tenour of the statuts in this case prouyded and ordeined. Anno. 3. Henrici. 6. cap. 5.

5 ¶An. 9. H. 8. ca. 9. an act was made to endure for three yeares concerning the clensing of the riuer of Lay, going fro Ware to Thames, of shelues that boates might passe in that riuer.

6 ¶Where the Maire of the citie of London for the time beeing is conseruatour hauing the conseruation of the water & riuer of Thames from the bridge of stanes vnto ẏ water of Pendall, & Medeway: it is so that wythin fewe yeres by tẽpest of wether & great abundance of waters in the said ryuer of Thames diuers breaches issues and creekes haue beene and growen out of the said ryuer of Thames. And by ẏ same, diuers pastures, medowes, and groundes of diuers persõs ben drowned and ouerflowen, in which breches issues, and creekes, & ground drowned, the fry and brood of fish for the most part resteth, & in the same places the sayd fry and brood in great multitude been dayly taken by the sayd fisherie, with vnlawfull engines and nettes, for bayt of eeles and coddes. And also to feeding of their hogges, to ẏ vtter destruccion of the said frie and broode, without a remedy the rather be prouided. The king &c. hath ordeined, stablished and enacted, that the Maior of London and his successours Maiors for the time being, haue the conseruation and rule, and like auctoryte in euery of the sayd breaches, issues, and creekes, and groundes so drowned and ouerflowen as farre as the water ebbeth and floweth, and touching the punition for vsing vnlawfull nettes, and other vnlawfull engines in fyshing, lyke as hee and his predecessors haue hadde or hath in the same water and Ryuer of Thames, wythin the landes afore rehearsed, and to doo al lyke correccion and punishyng there, concerning the reformatiõ and redresse of vnlawfull nettes and enginnes, as hee and hys predecessours haue vsed and owe to vse in the sayd Ryuer of Thames. Prouided alwaie that the Maior of London, or hys

successours

Netts

Frye

weares

connict Fork.

Trinkes

Chancelor

Cõmission

Trenches

Ley

Maior London

Frõ stanes to yendale & Medway

Frye

Weyts Hogges

Maior

Conseruatior

K. ground

Frãchyles

Cãterbury riuer

Ouse & Humber

Plimmouth

Tinkyarke

Stanery Iust of p.

Thames

successours Maiors for the time being haue not the conseruation ne rule ne auctho*ri*tie in any of the said breaches, issues, creke and grounds so drowned and ouerflowen wythin the kinges ground, or being within fraunchyses of any person spirituall and temporall, as touching the punycion for vsing vnlawfull nettes and other vnlawfull engynnes in fishyng, or to do any correccion or punishment there concerning the reformatyon and redresse of vnlawful nettes and engins as the sayed Maire and his predecessours haue vsed and owe to vse in the sayed Riuer of Thamis. An. 4. H. 7. capitulo. 15.

7 ¶ Anno. 6. H. 8. ca. 17. An act is made for clensing and amending of the Riuer at Caunterbury, fro Chart to Fordich.

8 ¶ Ann. 23. H. 8. cap. 18. An act is made concerning the amending of the Ryuer of Ouse and Humber, and for the pullyng downe and auoydyng of Fysh, Garthe, Pyles, Stakes, and other thynges sette in the sayed Ryuers.

9 ¶ An. 23. H. 8. cap. 8. et Anno. 27. H. 8. ca. 23. be two seuerall acts made of one effect for the preseruation of certaine hauens & portes of Plimmouth, Dertmouth, Lingmouth, Falmouth and Fowet, & other portes in Deuon & Cornewal, & that none should Labour in Tinworke nere the fresh ryuers of these hauens, and that they þ labour in Tineworke should so dou that stones and gravel should not cõe into these hauens vppon a forfayture, and if any were sues or troubled in þ stanery for executing this act, þ those sutes should be void, and if he were emprisoned by the stanery, hee should bee discharged by a iustice of the peace, saving the liberties of þ stanery.

10 ¶ Anno. 27. H. 8. ca. 18. an act is made for the preseruation of the riuer of Thames of London, agaynst them that annoy the streme, making of sheldes, digging or carrying thyngs in that riuer, or carying away of timber or other thinges fro the banks, vppon forfaiture of v. li. the one halfe &c. & an order appointed for taking of balast there, and that it shallbee lawfull to take away any thing fro þ sheldes there &c.

Fort. Moitie Balast

11 ¶ An. 31. H. 8. cap. 4. an act is made concerning the mending of the Riuer of Exe & the Cytie of Exeter, and that the Maires and officers of Exeter may pluche downe and breake weres, rockes, sands, gravel, & other lets in the said riuer and in other places conuenient, and to doo all other thynges necessary where by vessels may haue recourse in that riuer to þ City, paying xx. yeares purchase for þ digging, or els money to be assessed, as is expressed in the act at the election of the owner of the ground vppon a forfaiture, and paying to the occupiers for their hurtes &c. with diuers matters at large for this matter.

Exe Maior weares

12 ¶ No person or persons after the first day of August next comming do cast or vnlade out of any maner of ship, crayer, or any other vessel, bring wythin any hauen, rode, chanel or Ryuer, flowing, or running to any port Towne, or to any Citie, Borough or towne wõ this realme, or any other þ kings dominions, any maner of balast rubith gravel, or any other wrake or filth, but onely vppon the land aboue the full sea marke, vppon paine that euery person and persounes offending this act, to lose and forfait for euery time so offending v. li. the one halfe to the king our soueraigne Lord, & the other halfe therof to such person or persons as will sue for the same by byl &c. in which accion &c. Anno. 34. H. 8. capitulo. 9.

Balast

Fort. Moitie

## ¶ *Haukes & Hauking.*

Finding of haukes

EVery person which findeth Falcon, Tercelet, Lanier or Laneret, or other

or other Fawcon that is lost of theyr lord, shal forthwyth bring the same to the Sheriffe of the County. And that the shirife make proclamation in al the good townes in the countye, that hee hath such an hawke in his custody. And if the lord, which lost the same or anie of his meny commeth to challeng him and proueth reasonably, that the same is his lordes, let him pay for the costes and haue the fawcon. And if none cõe within .iiii. monethes to challeng him that then the sherife haue the Fawcon making gree to him that did take him, if he bee a simple man, and if hee bee a gentleman and of estate to haue the Fawcon, that then the Sherife rede-liuer to hym the Fawcon, takyng of him reasonable costes for the time, that he had him in his custodie. And if any man take such Fawcon, and the same conceyle from the lord, whose it was, or from his Fawconers, or whosoeuer taketh him from the lord, and thereof bee attainted, shall haue imprisonmẽt of two yeares, and yeelde to the lord the price of the fawcon so conceyled & caried away, if he haue whereof, and if not, he shall the lenger abide in prison. An. 34. E. 3. cap. 22.

Shirife Proclamation

Costs

4. moneths

Gentleman

Redeliuer

Concele

Attainted Imprison

2 ¶ If anie steale any hawke, and the same cary away not doing the ordinaunce aforesayd, it shalbee done of him as of a thefe that stealeth a horse or other thing. An. 37. E. 3. cap. 19.

Steale

Felony

3 ¶ No manner of person of what condiciõ or degree he bee, take, or cause to be taken, be it vpõ his owne ground or any other mens, the egges of anie fawcõ, goshauk, laners, or Swans, out of the nest, vpõ paine of imprisonmẽt of a yere and a day, & fine at the kings will, the one halfe thereof to the king & the other halfe vnto the owner of the ground where the egges were so taken, and that iustices of the peace haue authoritie by this present act to heare and determine such matters as well by inquisitiõ as informatiõ & proues. Also it is &c. that no man beare any hauke of the breede of Englãd called a stiffe gosshauk, tassel, laner, lanret, or fawcõ vpon paine of forf. of his hauke to the king, & ỳ said hauk to be at ỳ kings pleasure, & ỳ al such persones ỳ bryng anie suche hauk, or hauk or haukes fro anie of ỳ parties beyõd ỳ sea bring a certificat vnder ỳ customers seale of the port where he first lãded in ỳ said hauke or hauks: Or if he cõe out of Scotlãd, thẽ vnder ỳ seale of the wardẽ or his lieutenãt of that march that he commeth through, testifying that the same hauk or haukes be of the parties beyond the Sea of Scotland, vpon ỳ same paine, & ỳ the person that bringeth anie such hauke or haukes to the king shall haue a reasonable reward of the king, or els the same hauk or haukes for his labor. Also it is ordeined by ỳ same authoritie that no man take out eirer, fawcon gosshauke, tassell, or laner, or lanerets, in their warren or woods, or in any other place, nor purposely drive thẽ out of their courts accustomed to breed in, to cause them to go to other courtes to breede, nor slea them for anie hurt by them done, but suffer them to passe at their liberties, vpon paine of .x.li. ỳ one halfe thereof to the partie that will sue for the same by action of debt, by examinatiõ before iustices of ỳ peace, information or other wise, and the other half to the king. Prouided alway that the moitie of the forfait aboueslaid grẽn vnto the owner of the ground for taking of Swannes egges bee vnto the owner of the said Swannes, and not to the owner of the grõd. Anno 11. H. 7. capitulo. 17.

Fork.

Certificat

Scotland

Reward

Kill

Fork.

Moitie

Iust of p.

Swannes egges.

¶ *Herefordshire.*

AN. 12. H. 8. P. 1. M. cap. 14. It is enacted that the Deane and Chapter of Hereford may reedifie fower mylles where fower mylles were destroyed or nere thereunto, & to haue the water fishing paths, & weare as they had before to the other fower milles.

Mylles

Iust of p.

Oier & ter.

In An. 25. H. 8. cap. 14. an act was made intituled an act for the punishment of heresie. And by this Statute the statute of 2. H. 4. cap. 15. was repealed.

vi. Articles Repealed

2 ¶ In An. 31. H. 8. ca. 14. a Statut was made for ỳ punishment of heretikes, commonly called the act of ỳ six articles. But it was repealed by 1. Ed. 6. capitulo. 12.

Repealed

3 ¶ In An. 34. H. 8. ca. 1 an act was made for the punishment of heretikes & prohibiting certaine persons to preach or teach or to read scripture in English & againſt ill bishes. But it was repealed by 1. E. 6 cap. 12.

Repealed

4 ¶ In An. 35. H. 8. cap. 5. an act was made concerning or qualificatiō of the act of ỳ 6. articles. But this act in 35. H. 8. was repealed by 1. E. 6 cap. 12.

Repealed

5 ¶ In An. 1. Ed. 6 ca. 12. there were repealed and from thence forth made void by general words all statutes cōcerning doctrine or matters of religiō. But by 1. & 2. P. & M. cap. 6. the statutes made. An. 5 R. 2 cap. 5. & An. 2. H. 4 cap. 15. & An. 3. H. 5. ca. 7. were revived & afterward repealed by An. 1. Elizab. capit.

¶ *Hexamshire.*

The said territorie, franchise & liberties of Heram & Heramshire, wt the liberties of the same, may be, is, & shal be frō henceforth taken to be wtin, and part, parcel & member of the sayd cōtie of Northumberland. And ỳ all the pleas of ỳ crowne, as also al suits betwixt party & party, may procede & haue their due end & trial wtin the sayd county of Northūberland by & before the sherife & cozoners of the said shire, & also before the Justices of peace, iustices of gaole deliverie, Justices of Nisi prius, Over & determiner, & other officers, & echo & every of them, as the case shal require, & take effects, as any of the like haue ben, or ought to be, which shall happen wtin the sayd county of Northumberland: & that from henceforth the sherife & other officers of the county of Northūberland, for the time being, may haue ful power and authoritie to execut his or their office, & al processes to him or them directed wtin Heram & Heramshire, & liberties of the same, in as ample & large manner, as hee or they may, should, or ought to doe, wtin any other part of ỳ said county of Northumberland any graunt, priuiledge, custome, vsage, libertie, or thing else whatsoeuer heretofore made, claimed, vsed, had, put in vre or execution, or inioyed, to the contrary, notwtstanding. Saving to the Bayliffe of the liberties, or other officers of the sayd Towne of Heram & Heramshire, or the liberties therof, al liberties & priuiledges for executing of processe, returne of writtes, and other like, as they or any of them of right ought to haue before ỳ making of this act. An. 14. Eliz. cap. 13.

Sherife

Process

Bailife

Returns of writts

¶ *High wayes.*

An. 14. H. 8. capit. 6. an act was made authorizing George Gilsop to lay out a new high way in hys manor of Hampsted in Cumbrooke in ỳ wild of Kēt, & to take in seuer, & haue the old high way there. And that anie person within the wilde of Kent may make of his owne land by the ouerlight of two Justices of peace and xii. men of that hundred, and other hundreds adioyning, a new way more commodious, and to haue and to inioy the old way in seueralte &c. And after An. 26 H. 8. cap. 7. it is inacted, ỳ the said act of 14. H. 8. shall extend to all places conuenient in Sussex where the wayes be noysous.

Kent

Just. of p.

Sussex

2 ¶ In An. 37 H. 8. ca. 3. is an act for the amending of the high waies betwixt Chester called Huntington lane.

Hūtington lane

3 ¶ In An. 1. & 2. P. & M. parlia. 1. c. 5. is an act made to endure sixe yeares for the repairing of a causey betwixt Bristow & Gloucester wt diuers clauses at large concerning that matter.

4 ¶ The

Constable Church wardens Easter wake

4 ¶ The Constable and Churchwardens of euerie parish wythin this realme, shall yearely vppon the Munday or Wednesday in Easter weeke, call together a number of the Parochians, & shal thereelect and chose two honest persons of the parish to be surueiours & orderers for one yeare, of the woorkes, for amendment of the hygh wayes in their parysh leadyng to anie market towne, the which persons shal haue authoritie by vertue hereof to order and direct the persones and caryages that shalbee appoynted for thase woorkes by their discretions, & the sayd persons so named shal take vpon them the execution of their sayd offyces vpon paine euerie of them makyng default to forfait 12.s. And the sayd constable and churchwardens shall then also name and appoint fower daies for the amendyng of the sayd wayes before the feast of the Natiuitie of S. Jhõ Baptist then next following. And shal openly in ỹ church the next Sũday after Easter geue knowledge of ỹ same fower daies and vppon the said dayes the parochians shall endeuor thẽselues to the amendyng of the said high wayes and shalbe chargeable thereunto as followeth, that is to say, euery person for euerie plow land in tillage or pasture that he or they shal occupy in the same parish, and euery other person keeping there a draught or plough shall fynd & send at euerie day and place to bee appoynted for the amendyng of ỹ waies in the parish as aforesayd, one wayne or cart furnished after the custome of the countrey, with oxen, hatses, or other cattell and all other necessaryes meete to carie thinges conuenyent for that purpose, and also two able men to the same, vpon paine of euerie draught makyng default twoo shillinges. And euerie other householder, and also euerie cotager and laborer of that parish able to labour and being no hired seruaunt by the yeare, shall by themselues or one sufficient laborer for euerie of them

Surueiors

Default Forf. Constable Church wardens tũ dayes

Plow land

Cart

ỹ. Wen Forf.

Householder

vpõ euery of ỹ said fower daies worke and trauell in the amendement of the said high waies vpõ pain of euery person makyng default to lose for euerie day twelue pence. And if the caryages of the parish or any of thẽ shall not bee thought nedefull by the supervysours to be occupied vpõ any of ỹ said daies, that then euery such person that should haue sent any such cariage shall send to ỹ said worke for euery caryage so spared two able mẽ there to labor for that daie, vppon paine to lose for euery mã not so sent to the said worke twelue.ỹ. And euery person and caryage abouesayd shall haue and bryng wyth them such shouels, spades, pickes, mattocks, and other toles and instrumentes, as they do make their owne ditches, and fences withal, and such as be necessary for their sayd woorke. And al the said persons and cariages shall do and kepe their workes as they shalbe appointed by the sayd supervisours, or one of the eight howers of euery of the said daies vnlesse they shalbe otherwise licenced by the said supervisours or one of thẽ. And be it enacted by the authoritie aforesaid, that the Stewards and Sterwardes of euery leete or lawday shall therein haue full power and authority to enquire by the othes of the liuers of all and euerie the offences that shal be committed within the leete or lawdaie agaynst anie poynt, and artycle of this statut, and to asselle such reasonable fines, & amerciaments for the same, as shalbee thought meete by the same Steward. And in default of such enquiry or presentment the justices of peare of euerie place or countie shall haue authoritie to enquire of ỹ same offeces, which shalbe committed wyth the limittes of their commyssion at euerie their quarter sessions, and to asselle such fines therefor, as they or two of them, whereof one to bee of ỹ Quorum shal think meete. And ỹ steward of euerieleete and lawe day shal make estreytes, endented, of all the fynes,

Forf.

Tooles

Supvisors

Licence

Stewards of ỹ leete

Enquire

Finers

Just. of p.

Enquire

Quarter sessions

Steward of ỹ leete Estreats

forfaitures and amerciaments, for the defaults presented before him and shal deliuer ỹ one part thereof sealed & signed by him to the bailiffe and highconstable of euerie hundred, rape, lathe, or wapentake, wherein ỹ defaults shalbe presented, & thother halfe to the cõstable & churchwardẽs of ỹ parish wherein the defaults were made, the same to be perely deliuered within fiue weekes after the feast of S. Michel tharchãgel, & the clerke of the peace shal make the like estreits endented of the fines, forfeitures & amerciamẽts for ỹ defaults presented before the iustices of peace, & shall seale, subscribe, and deliuer the same in like sort as is aforelayd, the which estreats and euery of them shal be a sufficient warrant to the said bailife or chiefe constable to leuy the sayd amerciaments, fines and forfaytures by way of distres. And if no sufficient distresse can be found by the sayd bayliffe or headconstable, wil the layd offendor shall obstinately refuse to pay the sayd amercyament, fine or forfaiture, & do not pay the same within .xx. dayes after a lawfull demaund of the same by the said officer, that the euerie such person so forfait the double summe that he should before haue payd. And bee it further enacted that euery of the sayd bayliffes and head constable shal at the least once euery yeare betwixt the first day of Marche, and the last day of April, make a true accompt and payment of al such summes of money to the constable and Churchwardens of euerie parish wherein the offences were cõmitted, or to two of them, as he shal haue collected vpon any of the aforesayd estreates, vpon paine to forfait for euery time he shal not so do .xl. s. And be it &c. that al fynes, amerciaments, and forfaitures, which shalbee due for any offence against the purport of this estatut, shalbe to ỹ churchwardens of euery parish wherein thoffences shalbe committed, to be bestowed on the highwaies in the said parishes, & the said churchwardens shal haue authoritie to call the said bailifs and head constable to accompt before the Iustices of peace or two of them, whereof the one to be of the Quorum, by bill of information or otherwise, the which Iustices shall haue aucthoritie to take the sayd accompt, and to commyt the sayd bailliffe or headconstable to prysõ there to remaine vntill he shall pay all such arrerages, as shall be adiudged by the said Iustices. And euery of the sayd bayliffes and head constables vpon their accomptes shall haue allowed for euerie pound hee shall collect & pay eyght pence for his owne paines and twelue pence for the fees of the clerke of the peace or Steward of the leete for the estreits endented of euerie seuer all parishe that they shall deliuer as is aforesayd, and the successours of euerie churchwardens shal haue ỹ like accepon of accompt agaynst their predecessours as is before appointed agaynst the bailifes. This act to continue for eight yeares next after ỹ beginning of this parliament. And to the end of the next parlyament then next following. An. 2. & 3. E. 6. ca. 8. & so it expired.

¶ Bee it &c. that from henceforth it shal & may be lawfull to all and singuler superuisour and superuisours and orderers of the woorkes for the tyme being, for the amendment of the said highwayes therevnto elected & appoynted, according to the statute made in the second and third yeare of King Phillippe and Queene Marie, for the better reparation and amendment of ỹ high waies within their seuerall parishes and limittes where they shalbe so made superuisours (if it shall be so to them thought necessary) to take & carry away of the rubbyth or smallest broken stones of any quarry or quarryes lying and being within the parishe, where they shalbee superuisours wyth out licence, controlment or impeachment of the owners or owner, so much as by

Bailife

Clerk of p. Estreats

Warrant

Distresse

Refuse

Fork.

Bailifes Head constable

Accompt Constable Church Wardẽ

Fork.

All amerciaments

Accompt Iust. of p.

Impriſon

Allowance big. d. Clerk of p.

Steward of ỹ leete

Expired

Superuisor

Stones Quarry

Without licence

as by their diſcretions ſhalbe deemed and iudged neceſſarie to the amendment of the ſayd wayes. And that for default of anie quarrie or quarries not being within their ſaid parith or limitts, or in default of rubbiſh not to be found in anie ſuch quarrie or quarries, it ſhall and may bee lawfull to enter ſuch ſuperuiſour, or ſuperuiſours, for the vſe aforeſayd in the ſeuerall groundes of anie perſonne or perſons, being within the parith, & limitts where they ſhalbe ſuperuiſours, and nigh adioyning to ye way or wayes wherein ſuch reparations ſhalbee thought neceſſary to bee made, and wherin gravell, ſand, or ſinder likewyſe to bee found, to digge or cauſe to be digged for gravell, ſand, or ſinder, and likewyſe to gather ſtones lying vpon anie landes or grounds within the parith, & nigh to bee vſed to ſuch ſeruice & purpoſe, & therof to take and carry away ſo much as by diſcretion of the ſaid ſuperuiſors ſhalbe thought neceſſary to be imployed in the amendment of the ſaid high wayes.

Prouided alwayes that it ſhal not be lawfull to any ſuch ſuperuiſour, or ſuperuiſors, by vertue of this act, to cauſe anie rubbiſh to bee digged out of anie quarrie or quarries, but onely ſhall extend to ſuch rubbiſh as ſhalbee found there newly digged by ye owner or owners of the ſaid quarie or quarries, or otherwiſe by his or their licence and commaundement, nor ſhall not extend or geue authoritie to anie ſuperuiſour or ſuperuiſours to digge or cauſe to bee digged anie gravell, ſand, or ſinder in the houſe, garden, orchard, or meddow of anie perſonne or perſonnes, nor that it ſhalbee lawfull by this act to anie ſuch ſuperuiſour or ſuperuiſours to cauſe the pyttes to bee digged for gravell in anie ſeuerall & inclozed ground then one onely, and that the ſame pytte or hole ſo digged for gravell as is aforeſayd, ſhal not by anie way be in bredth or length aboue tenne yardes at the moſt. And that euerie ſuch ſuperuiſour as ſhal cauſe anie ſuch pitt to be made and digged for gravell, ſand, or ſinder, as is aboueſaid, ſhall within one moneth next after anie ſuch digging or pitte made, cauſe the ſame to be filled, and ſtopped vp with earth, at the coſts and charges of the paryſhioners, vpon paine to forfayt to the owner and owners, of the ſoile, wherein any ſuch pytte ſhalbe made and digged, for euerie default, fiue markes, to bee recouered by action of debt, as in other lyke caſes of debt hath beene accuſtomed.

And for as much as the high wayes in ſundry places of this realme bee full of continual ſprings and water courſes, by continual encreaſe & ſinking wherof into the ground, the ſayd wayes are not only verie deepe and daungerous, but alſo for the moſt part impoſſible to be mended & repaired in any good & ſufficient maner wout ſom further remedy prouided for ỳ cauſe. Bee it therefore enacted, that from henceforth euerie ſuch Superuiſor and ſuperuiſours, as is aforeſaid, ſhall by force of this act, within the Parith or limitts where he or they ſhalbe ſuperuiſours, haue full power & authoritie to turne any ſuch water courſe, or ſpring of water, beeing in any of the ſaid high waies, into any dich or ditches of the ſeuerall ground or ſoile of any perſon or perſons what ſoeuer next adioyning to ỳ ſaid waies, in ſuch maner and fourme, as by ỳ diſcretions of the ſaid ſuperuiſors ſhalbe thought meeteſt and moſt conuenient. And be it further &c. that the hayes, fences, dikes or hedges next adioyning on either ſide to any high or common lateryng way, ſhall from time to time be diked, ſcoured, repaired, and kept low, and all trees and buſhes growing in the high waies cut downe by the owner or owners of the ground or ſoyle, which ſhalbee incloſed with the ſayd hayes, fences, dikes, or hedges aforeſaid, whereby the ſaid wayes may bee open and the people haue more readie and eaſie paſſage in the ſame. And bee



Seuerall grounds

Graue Sand Digge

Gather ſtones

Quarry

Wery digged

Licence

Houſe Garden Orchard Meadow

Pitts

Bredth & length

Fill againe

Forf.

Water courſe

Ditch

Seuerall ground

Scoured

Trees

Bushes

vi. dayes

it enacted, that from henceforth there shalbe yerely fiue dayes, during the time and force of this statut, obserued

Repayring

vsed, and imployed in reparation and amendment of the said high waies, in lyke manner and fourme as the sayd fower dayes were limytted & appoynted to be obserued and kept, by the sayd statut made in the sayd second & third yeares of kyng Phillyp and Quene Marie.

And be it further enacted by the authoritie aforesaid, that from hencefoorth all and singuler such superuisour, or superuisours, for the time being, within

Superuisor

Default

one moneth next after default or offence, made, done, or committed by anie person or persons, contrary to the prouision, purport, and true meaning of ỳ said statut made in the second & third yere of kyng Phillip & Quene Marie, or contrary to the prouision, purport & true meaning of this present act, shall present euery such default or offence to the next Justyce of peace for the time being vppon payne to forfait for euery

Present Iust. of p.

Forf.

such default & offence, in such sort not by them presented forty shillings. And that euery such iustice of peace, to whō any such default or offence shalbe presented as is aforesaid, shal certifie ỳ same presentment so to him made, at the next generall sessyons within the said county then next after to bee holden, vppon payne to forfayt for not certifying of euerie such presentment, of euerie such default or offence as is afore said fiue pound. And that the Justyces of peace of euery coūty, where the said defaultes or offences shalbe committed, shal immediatly haue auctority to enquire of any such default or offence committed within the limits of their commission at euery their quarter sessions and to assesse such fynes for the same, as they, or two of them whereof one to bee of the Quorum, shall thinke méete.

Certifie

General sessions

Forf.

Iust. of p.

Enquirie

Fines

And be it further enacted by thauthoritie aforesaid, that euerie iustice of peace, shal haue auctority by this statute vpon his owne proper knowledge in the open generall sessions to make presentment of any high way not well and sufficiently repaired and amended or of any other default or offence committed or done within the county and limittes of hys commyssion contrarie to the prouision and entent of this statute, or the sayd statute made in the second and third yeares of king Phyllip and Quene Mary. And that euery such presentment made by any such iustice of peace vppon hys owne knowledge as is aforesayd, shalbee as good and of the same force, strength, and effect in the lawe as if the same had ben presented, found and auouged by the oths of twelue men. And that for euerie such default so presented, as is aforesayd, the Justices of the peace of ỳ said counte shall immediatlie at the sayd generall sessions, haue auctority to assesse such fynes as to them or two of them, whereof the one to be of ỳ Quorum, shalbee thought méete. Sauyng to euerie persone and personnes, that shalbee touched by anie such presentment to haue his or their lawfull trauers to the same presentmēt, as they myght haue vppon any inditement of trespasse, or forcible entrie, by ỳ lawes of this realme, before the making of this statute. And that all such fynes, forfaitures, and amerciamentes to be assessed by the said iustices of the peace at their generall sessions in any the cases aforesaid, shalbee estreated by the clerke of the peace of the said counte, and shalbee leuyed in such maner and fourme, and employed to such vses and intentes, as in the said statut made in the second and third yeares of kyng Phillyp and Quene Marie is limytted and appointed. This act to continue for xx. yeares next after the beginning of this present parliament and from thence vntill the end of the parliament then next to be holden. Anno 5. Eliz. capitulo. 13.

Presentment

Default

Fines

Trauers

Estrete Clerke of p.

Continue

Where in the Parliament holden at Westminster, in the seconde and third yeares of the raignes of King Philipp and Queene Marye, an Act was made and ordeined for the amending and repairing of the high waies. And whereas there is one other Act made in the .v. yeare of our Soueraigne Lady the Queene that now is, for the better amendement of high waies, wherein some doubts & defectes haue bene. For explanation whereof, & better prouision hereafter to be made for amendement of high waies: Be it ordeined and enacted &c. that euery person or persones (except such as shall dwel in the Citie of London) that shal be assessed to the payment of any subsidie to her Maiestie, to .v.li. in goodes, or xl.s. in lands, or aboue, during al such time as hee shall stand so assessed and not altered, and being none of the parties chargeable for the amendement of high waies by any former law, but as a Cottager, shal find two able men yearely to labour in the high waies, at such dates & times, as by the said generall statutes are ympted and appointed. And euerie other that hereafter shall occupie a plough land in tillage or pasture, lying and being in seuerall parishes, shalbe chargeable to the making of the waies within the parish where he dwelleth, as farre forth, and in such maner and fourme, as any person hauing a plough land in any one parish, is or ought to bee chargeable by reason of the said former statutes, or eyther of them. And that euery person or persons, occupying and keeping in his or their handes or possession, seuerall or diuers plough landes, as aforesaid, in seuerall or diuers townes, shal be charged to find in ech towne or parish (where the plough landes being in his occupying, do lie) one Cart, waine Tumbrell, Dung potte, or Court, sleades, Carres, or Dragges, furnyshed for thamendement and repairing of the high wayes within the seuerall parishes where the said plough landes doe lie, in such manner and fourme, as if he or they were a parishioner dwelling within the parishes where the seuerall plough lands do lie.

Explanation

London

Subsidie

Iustices

Plough land

Cart

And bee it further enacted by the authoritie aforesaid, that all and euerie persone and persones, that shall not repaire, dytche, or scower anie Hayes, Fences, dytches, or hedges adioyning to anie high waie or common fairyng waie, or shall not cutte downe or keepe lowe all trees and bushes, growyng in or nere adioynyng to anie the said wayes, according to the true intent and meanyng of the aboue recyted Act, made in the fifth yeare of the Queenes maiesties raigne that nowe is, for euerie offence committed therein contrarie to the true intent thereof, shall forfayt and lose for euerie default tenne shillings. And that all and euerie persone and persones, that shall occupie any landes adioynyng to the said ground, so adioynyng to anie such high waie, or common fairing way, where any dychyng or scouryng should or ought to bee, as aforesayd, shall from tyme to tyme, as neede shall require, ditche and scoure in his and their ground so adioyning, wherby the water conueied from the said high way, or common fairing waie, ouer the ground next adioyning, maie haue passage ouer the said ground so next adioyning to that ground, vppon payne of forfaiture for euerie time so offending, for euerie rod not so ditched and scoured .xii.d.

Default

Forf.

Occupiers

Scoure water.

Forf.

And for the better keepyng of the high wayes passable for her Maiesties people: bee it enacted &c. that no persone or persones, hauyng anie ground by lease or other wise, adioining to anie high waie, or common fairing waie, leading to anie market towne, shall cast or scower anie dytche, and throwe or laie the soyle therof into the high waie, and suffer it to lie there by the space of syxe monethes,

Leafe

Annoiance

Fort.

Surueiors

Sleweces

Parish

Distres

Money

Refuse

Constables Church warden

Peremptorie

Justices Just of p.

Stewards

Oier & ter.

to the annoyance of the said high way, or cõmon laying way, vpon paine of forfeiture for euery lode of soyle so cast into ẏ high way, or cõmõ laying way, in ditching, or scouring, twelue .d. And where any heretofore haue ben so cast into the high way, or cõmon layeyng way, that there is a bank betweene the said way & ẏ ditch, it shalbe lawfull for the surueyours & workmẽ, by ẏ lawes & statutes of this Realme, appoynted for ẏ amendment of the said wayes, to make sleweres or other deuises by their discretions, to conuey the water out of the said way into the ditch: any lawe, right, interest, custome, or vsage to the contrary notwithstanding.

And that all & euery penaltie, summe or summes of money forfeited for any cause within this statute, shalbe leuied in euery parish, by the surueyors of the wayes within that parish for the time being, by distresse, and sale of distresse, in maner & fourme as fines or amerciaments in leetes haue ben vsed, & the money so leuied, to be employed vpon the high way, or cõmon laying way, where ẏ offence was committed. And if the surueiours shall not or will not leuie and employ the same within one yeare after the offence so committed, that then the sayd summe or summes forfeiture or forfeytures, shalbe leuied in fourme aforesayd, by the constables or churchwardens of the towne or parish where the worke ought to be dõe in ẏ high way (as aforesaid) and ẏ he or they so leuying any of ẏ said penalties or forfeytures, shall make & yeeld such accompt appointed in the before recyted statutes, or eyther of them.

And bee it further enacted by ẏ authoritie aforesaid, ẏ all & euery iustices of assise, iustices of Oier & Terminer, Iustices of the peace in their sessions, & stewardes of leetes & lawedayes, in their leetes & lawdaies, shal heare and determine al & euery offence, matter, & cause, that shal growe, come, or rise by reason of this statute.

And where ẏ ferrie or passage, called kynges Ferrie, within the Ile of Sheppey in the countie of Kent, before the making of ẏ statute of high waies was vsually repaired and maintened time out of memorie of man, at the charges of al the inhabitants & lãd occupiers within the whole Ile, by taxation & assement at one court or lawday, time out of mynd yerely holden on the Mõday next after the feast of ẏ Natiuitie of Christ, at Kingesborow within ẏ sayd Ile, in ẏ name of ẏ Quenes maiestie & her progenitors, only for ẏ maintenance of ẏ same ferry: Bee it therefore enacted, ẏ the said court shalbee duelie kept, in such manner & fourme as hath ben heretofore accustomed, & ẏ it shall & may be lawfull to & for ẏ Jury impanelled & sworne at ẏ same court, for the time being, by their discretiõs, reasonably to assesse & taxe ẏ seuies & all other ẏ inhabitãtes & land occupiers of ẏ said Ile indifferently, according to ẏ rate of land in euery mans occupying, towards ẏ maintenãce of the said ferry & passage, & ẏ wales belõging or lieng to the same, so as no acre of fresh marsh & vpland, bee taxed aboue ẏ rate of a peny in one yere, nor of euery three acres of salt marsh aboue the rate of a peny in one yere. And ẏ al & euery thig profit, benefit, & cõmoditie, which here tofore hath ben geuen by any persõ or persons whatsoeuer, towards ẏ maintenãce of the said passage or ferry, shal be had & leuied to ẏ maintenance of the said passage or ferrie, & ẏ the ferry wardẽ for the time being, shal haue full power & authority, to leuy, recouer, & receiue ẏ same, & the taxes & assessmẽts of euery persõ & persons by way of distres, vpõ ẏ certeates made out by the stewards of ẏ said court, as al auncyentmẽts are vsed to be leuied & are certeated out of other ẏ queens maiesties leetes & lawdaies: & ẏ ẏ said ferry warden shal bestow ẏ money so leuied vpõ the repairing & maintenãce of ẏ said ferry passage, and wayes, and therof shall geeue

Kings ferry Sheppey

Court

Jury

Taxe

Marsh

Ferry warden

Estrets

Accompt

grēs accompt, as they haue bene accustomed, to the ste ward of the sayed court & homage, there to be sworne at

Arrerages

ỳ next lawday following, & all arrerages in his hands remaining, shal delyuer ouer to ỳ next ferry Wardein, or payne to forf. ỳ double of ỳ said arrerages, to be leuied as other paines & amerciaments in ỳ court aforesaid assessed, & to be imployed to the maintenance of ỳ said passage or ferie. And forasmuch as the vsual high way leading from the market toune, called Middleton, to ỳ said Ferrie, is presently in such decay, that neither man nor beast without great daunger is able to passe, whatsoeuer necessitie should so dainly happē for mē to repaire into or out of the said Ile, & ỳ parish to hurt ỳ sike lieth is not able to repaire ỳ same. Be it therfore further enacted, yt it shal be lawful frō henceforth yerely during ỳ space of 7. yeares, for three Justices of peace whereof one to be of Quorū, next inhabiting to ỳ said toune of Middleton within ỳ said countie of Kent, reasonably to assesse & tare al & euery lād occupiers dwelling out of the said Ile, & within fower miles distant from ỳ sayd ferry, as to their discretion shall seeme conuenient, not exceeding the summe of 1.d. vpon euery acre of fresh marish and vpland, in one yeare, and vppon euery 7. acres of salt marish, 1.d. in one yere, & to assigne & appoint such person & persons, as they shall thincke meete, for ỳ collecting & imploing of ỳ same vpon ỳ said high waies: & ỳ it shalbee lawful for ỳ said three Justices for the time being yearely during the said 7. yeres, to take accompt & reckning of ỳ said person or persons, touching or concerning ỳ said money so to bee leuyed or imployed. An. 18. El. ca. 10.

Just. of p.

Rent

Accompt

¶ *Holly dales & fasting dales.*

Flesh

AN. 2. E. 6. ca. 19. is an act made prohibiting flesh to bee eaten on fish dayes.

¶ An. 5. E. 6. ca. 3. be appointed which dayes should be kept holy dales & which fasting dales. And after An. 1. M. 1. parliamento. ca. 2. this act was repealed.

Repealed

¶ *Homage & fealtie.*

Freeman

WHen a free man shal doe homage to his lord of whom he holdeth in cheefe, he shal hold his hands together betweene ỳ hands of his lord, & shal say thus: I become your man frō this day forth for life, for member, & for worldly honour & shal giue you my faith for ỳ lands ỳ I hold of you, sauing ỳ faith ỳ I do owe vnto our soueraigne Lord the king & to mine other lords.

When a free man shal do fealty to his lord he shal hold his right hand vpon a booke, and shall say thus. Here you my Lord R. that I B. shalbee to you both faithfull and true, and shall owe my fidelitie vnto you for the land that I hold of you, and lawfully shall doo such customes and seruices as my duetie is to you at the termes assigned, so help me god and all hys saintes.

Villains

Where a villaine shall doe fealtie vnto his Lord, hee shall hold his right hand ouer the booke, and shal say thus. Here you my Lord A. that I B. from this day forth vnto you shalbe true & faithfull, and shall owe you fealtie for the land that I hold of you in villenage, & shalbe iustified by you in body & goods so help me God & al his saintes. Ann. 17. E. 2.

¶ *Honours.*

AN no. 37. H. 8. ca. 18. an act was made for ỳ erection of 4. honors. 1. Wellm. Kingston vpon Hull. 2. Mithes, & Donnington, & ỳ the king had power to erect as many honours as hee would, and to annex landes to euery of them, and that the freeholders and copiholders hold as they did before.

2 ¶ Ann.

Impthill

2 ¶ An. 33. H. 8. cap. 37. an act is made making the maner of Impthil and diuers landes to be the honour of Impthil, with diuers articles, concerning that matter, and the landes appointed to the suruey of the Court of augmentation.

Graton

3 ¶ An. 33. H. 8. ca. 38. an act is made making the maner of Graton to diuers landes annexed to the same to be the honor of Impthil with diuers articles concerning ỳ matter, & the landes appointed to the suruey of the court of augmentations, except the landes belonging to the Duchy of Lancaster, with certaine prouisions for saluing of offices and authorities to the iustices

Swanimot

Woods Fewel

wardens, sherifs, lieutenants, and Clerkes of the Swanmote, and certaine orders for woods and the sales and for paying & allowing of fees and wages and fewell, and reparations & house &c.

Hampton court

4 ¶ An. 31. H. 8. c. 5. an act was made making the maner of Hampton court an honour, & a chase made thereunto, and diuers lawes limitted to be in the Chase, and the chase to haue ỳ liberte and preeminences of auncient Forest chases and warren, and the offenders thereof of the lawes and ordinances of forest, chases, & warrens to bee punished as other offenders be in other forests chases and warrens. And the tenats freholders copiholders, to enioy their liberties & profits, & to fence their ground while it is sowen with

Freholders

corne, and ỳ freholders to deduct yerely the third part of their rentes, and ỳ

Copy holders

copyholders to pay halfe their fines & their suites, seruices, customes, & rents of the tenauntes not to bee chaunged and diuers other clauses concerning these matters.

¶ *Hornes.*

An. 4. E. 4. cap. 8. an act is made concerning the horners of London to haue the chaise of the hornes with

24. mile of London, and ỳ search of hornes in certaine places to forfait. See the statut.

¶ *Horsebreade.*

¶ It may and shalbe lawfull for euery hostiler, or inholder dwelling in any townes or village being a through fare or a common passage within this realme, and being no city, towne corporat, or market towne, wherein any common baker exercising the occupation of baking, and hath ben practice at the said occupation, by the space of iii. yeres, to dwelling, to make within his house husebred, sufficient, lawfull, & due assise, according as ỳ price of graines of corne ỳ now is, & hereafter shalbee from time to time, any thing in things mentioned in the said acts or statuts of king Richard the second (8. An. 13. R. 2. ca. 8. which is in vitailes 8.) or H. 4. (8 An. 4. H. 4. ca. 24. which is in vitails 10.) to the contrary notwithstanding. And bes it ẽ. ỳ if the husebred, which any of ỳ said hostilers or inholders, hereafter shall make be not sufficient, lawfull, and of due assise, according to ỳ price of graines of corne as is aboue said: Then the iustices of ỳ peace in euery shire liberte or franchises within this realme, shal haue ful power and authoritie to enquire, heare and determine the said defaultes and offences of ỳ said hostilers and inholders hereafter to be committed against the forme of this present statut, and to sesse such fines and make lyke paines thereupon as they commonly vse to doe vpon presentments of trespas against ỳ peace. And that also like wise, the shirifes in their turnes, and stewards in their leete & lawdaies, shal haue full power & authoritie to enquire & determine euerie such default and offence of hostylers against the forme of this present stat. hereafter to be committed wythin the limittes of their iurisdictions. An. 32. H. 8. ca. 41.

Wakter

Assise

Iust of p.

Enquire Oier & ter.

Shirifes Stewards

¶ Nons

NO man from henceforth that takes no such horse nor beast in any manner (that is by ryde in hasty messages or business &c.) against the agreement of the or whom they be. And if any pson ℔ have no sufficient signe nor auctho-
Impositon rity of ℔ king he shalbe taken & impri-
soned til he hath made due agreement to ℔ parties. An. 20. R. 2. ca. 5.

Out of England Licence

Fayl.

Mare

Sealed

Moitie

Customer

Custome

Ouerseers

From hence forth no maner of per-
son ne persons carry or conuey any horse out of this land, without the kings li-
cence vpon paine of forfaiture of the same, of any mare above the value of vi.s.8.d. without the kyngs especiall licence vpon ℔ said paine of forfaiture of the same mare, the owner therof or his deputie receiuing for the sale mare vi.s.8.d. at the time of the sealing vp-
on the said forfaiture, or else it to be no forfait, and at the time of sealing of the said mares or mare they shalbe prised by the head officers of ℔ town
where any such mare is taken, & there openly to be sold to the best price, and the halfe value of the ouer-price of her being above vi.s.8.d. to be to ℔ king, and the other halfe to him that so sey-
seth, and the kings part therof to be deliuered to the customer of the sayd port. And that no maner person or per-
sons hereafter carry or conuey any mare or mares out of this land, except ouer-
sight of the sayd mares so carried be of the age of three yeares at the least, and not under the price of vi.s.8.d. paying to the king for euery of them not a-
boue the value of vi.s.8.d. so to be car-
ried or conueied in the same port, such and soe as hath beene for mares be-
fore time. And for euerie Mare of more value hereafter by the kings ouer-
seers after ℔ same aforesaid rate set as aforesaid beyond the sea, the owner therof or his deputie assigned, or ser-
uant, shall pay vi.s.8.d. for the custode of the same before it be shipped vnder ℔ payne of forfaiture of euery mare so shipped ere they be deliuered. And o-
uer ℔ be it enacted, that if any person

at ℔ port will geue for any of ℔ mares so to be carried vii.s. that it be lawful to him so giuing and paying the said vii.s. to take ℔ said mare if she be not afore taken by the kynges officer, nor the kynges lycence doe not in that behalfe afore sayed for the same mare to be carried, obteined. Prouided al-
way that it shalbee lawfull to euerie person or persons, being denizens, here-
after to carry horse beyond the sea, the kynges licence in that behalfe not ob-
teyned, for their owne vse not inten-
ding at the tyme of the shipping of the same nor the fully purposed to sel him and that entent to bee knowen by the othe of him that shall so ship the same horse taken before the Customer, or searcher of the same port, this act notwithstanding. Ann. 11. Henrici. 7. capitulo 3.

Denizens

Horse

Conney

Wales

Beyond sea

Oxen

Sheepe

Licence

Fayl.

Haven

Fayl.

℣ No maner of person or persons from henceforth, shall carry or conuey any horse, gelding, mare, or colt out of this Realme, or Wales, or marches of the same, into any parties of beyond the Sea, nor from henceforth carry or conuey any Oxen, Steeres, Bullocks Calues, kyne, or sheepe, out of this Realme or Wales, or the marches of the same, into any of the said parties beyond the Sea, without the kynges speciall licence, vnder his great Seale of England, vpon paine of forfeyture for euery pol so conueyed contrarie to this act vi.s. nor that any persone or persones shall from henceforth bryng any such horse, geldings, mares, colts, oxen, steeres, bullockes, calues, kyne, or sheepe, to any hauen, port, or creeke within this Realme or Wales, or the marches therof, to be caried ouer the Sea out of this Realme, without the kinges special licence, vppon payne of forfaiture of euery such horse, mare, Oxen, and other cattels aforesayd, so brought vnto any such hauen, port or creeke, to be conueied out of this Re-
alme into the parties of beyond ℔ sea as is aforesaid.

℣ Prouided

Carry ouer sea to ride vpon

Oth

Calais

Victuale

Womā Customer

Obligation

Certificat

Kings counsell

Calais

Cancel the obligation. Fozf.

Exchequer Accompt

Certificat Proces

Customer

Fozf.

prouided alwaies that it shalbe lawful to euery the kings subiects, which for reasonable causes shall entend to passe and depasse into, and out of this Realme, that euery the parties of the same shall, to him, take and carry with them out of this Realme, horses or geldings, for their onely occupying, commodities and ease in such their iournaies, and not to the intent to sell the same in any the parties beyond the Sea, also that attent to be iudged by the oth of such the sayed subiectes that shall so ship such horse or gelding, which oth shalbe taken before the customers, or any their sufficient deputies or clearkes of the same port, wherein shalbe shipped before y shipping their

Prouided also that this act nor any thing therin contained be in any wise hurtful or preiudicial to such persones as shall carrey Oxen, Sheepe, or other cattel to the sayed Towne of Calais and marches of the same, for the only vitaillyng of the said Towne & marches, so that alwaies euery such person and persons be bound before the customers or their lawfull deputies of the port, hauen, or creke, where such cattel shalbe shipped by obligation to the kinges vse, in as great summe as the value of the cattel so to be conueighed, nor shal amount vnto according to the discretion of the same Customer, y he shall not onely ratifie the said cattel to the said towne or marches, there to be sold, or otherwise there to be distributed and spent for the vitailling onely of the same, but also to bring or send to the sayd customer a sufficient certificat, within xl dayes next after the date of the said obligation, the same certificat to be sealed and subscribed with the hands of two of the kings counsel of y said towne or marches, and by the Customer or his deputie of the said Towne, that the sayd Cattelles haue been truly brought without fraud, and deliuered to some of the kings officers or subiects, inhabiting and dwelling of the said Towne of Calais or marches there to be spent for the onely vitailing aforesaied. And after that such maister hath receyued such certificat made, sealed & subscribed in due forme (as is aforsaid) he to cancel the same obligation vppon paine of forfaiture of the summe of the said obligation, & after to bring or send the same obligation so cancelled, with the certificat therunto annexed, or els for lacke of such due certificat so to be made, the said customer to bring or send the said obligation vncancelled into the kinges Eschequier at the time of making of his or their accompt for the yeare next after the time limited to the said obligation, there to remayne vntil true knowledge be had, whether the said cattel and euery part thereof haue been duely brought without fraude to the sayed Townes or marches for vitailing of the same as is aforesayed, so as for lacke of such Certificat not made according to the condition of the said obligation, processe may be made in the said Eschequer for the recouery of the penalties in the said obligation to the kinges vse according to reason. And if any Customer, Serchey, or controller of any port, hauen, or creke, within this Realme, suffer any such cattels to bee shipped in the same, before such obligation had as is aforesayd, or if any Customer faile in bringing or sending into the kinges Eschequer, at his or their accompt the said obligation by him to be taken with the Certificat, if any be to him brought in forme as is aboue said, that then euery such Customer, Serchey, and controller, suffering any such Cattell to be conueyed ouer the Sea, contrarie to this act, shall lose and forfayt like summes, as the parties so shipping or conueying the same cattell shall doe by vertue of this present act, and for default of Certificat of any such obligation and Certificat, according

Fozf.

accoꝛding to the tenour and effect of this act, euery such Customer shall lose and foꝛfait x.li.

Foꝛf.

And be it further enacted, that it shal not bee lawfull to any persone to cary oꝛ cõuey any such cattel, bꝛought out of this Realme, to the said towne of Calets oꝛ marches out of the saied Towne and marches of the same, vpon paine of foꝛfaiture foꝛ euery poll so bꝛought out of the sayed Towne and marches xl.s. The one halfe of which foꝛfaitures and penalties, except the summes of money contained in such obligations, to be to the kyng our soueraigne loꝛd, and thother halfe to the partie that shal seise oꝛ sue foꝛ ẏ same &c. wherein &c. And if any plees bee pleaded in any such accion oꝛ suit: not triable in the Realme, noꝛ within any such place, where the kings writt doth run, then by auctoꝛitie of this act euery such ple if any issue bee taken of the same, shalbee tried by ẏ verdict of xii. men in the shire oꝛ place, where any such accion oꝛ suit shalbee commensed, any thing to the cõtrary therof notwithstanding.

Foꝛf.

Woꝛtie

Plees

Verdict

Prouided that it may bee lawful to the kinges Counsellours of the sayed Towne and marches of Calies to cõuey out of this Realme to the same towne and marches, such hoꝛses, geldinges, and mares foꝛ their owne vses, as they shall thinke expedient, not entending, at the shipping of them to put them afterwarde to sale, whereby they should bee conueyed out of the kinges sayed Towne and marches, & that entent to bee Judged by the othe of them, that shal shippe such hoꝛses, geldinges and mares, to bee taken beꝛe the customer oꝛ searcher oꝛ any their deputies of the same poꝛt, hauē, oꝛ creek, where it shalbe shipped. And that other hoꝛsemen of ẏ said towne and marches, that is to say, men of armes, speres on hoꝛsebacke, archer on hoꝛsebacke, and scoutrers, may cary and conuey out of this realme such hoꝛses and geldinges, as any of them cõming into this Realme shall haue bꝛought with them, oꝛ leauyng such hoꝛses oꝛ geldings, as they shal bring into this realme, oꝛ comming hither within this Realme wout any hoꝛse oꝛ gelding, may liberally carie & take with them to the saied towne of Calies and marches other hoꝛses, and geldings of the bꝛeding of this realm foꝛ their owne vses, within and wout the same Towne and marches, this act oꝛ any thing therein cõtained to the contrary notwithstanding.

Kꝭ. cõsaile Callets

Hoꝛsez

Oth

Customer Sercher

Men of armes

Prouided alwaies, that this act oꝛ any thing therein mencioned bee not in any wise hurtfull oꝛ preiudiciall to the maister of the kinges hoꝛses, now and hereafter to be foꝛ such thinges & commodities as shal and do concerne his office, any thing in this act to the contrary notwithstanding. Prouided also, that ẏ warden of ẏ v. poꝛts now being, oꝛ hereafter to be, may yerely at his pleasure graūt vi. hoꝛses oꝛ geldings, and no moꝛe within one yere, at one oꝛ diuers times, vpõ like payne as is afoꝛesaid, to any persone oꝛ persons into the partes beyond the seas, being in amitie wõ the kings highnes oꝛ his successours, this act oꝛ any thig therein contained notwithstanding.

Maister of the hoꝛse

warden of v. poꝛts

vi. Hoꝛses

This act to continue vnto ẏ last day of the nert parliament.

Prouided alway that it shalbe lawful to any of the kings subiects to caꝛy oꝛ send to any parties of beyond ẏ Seas, any mares, whereof the pꝛice of any one share so to be caried, dooth not extend to vi.s. viii.d. in like manner as they might do beforethe making of this act, any thing in this act to the contrary hereof notwithstanding. An. 22. H.8. ca.7. And after An. 28. H.8 cap.6. this act was continued to the last day of the nert parliament. And after An. 31. H.8. ca.7. thys act was continued to the last day of the nert parliament. And after Ann. 37 H.8.c.23. this act was cõtinued vnto the

Carry

the last day of the next parliament. And after an. 7. E. 6. c. 11. this act was reuiued & continued vnto the last day of the next parliament. And after An. 1. M. 1. parliamento, ca. 13. this act was continued vnto the last day of the next parliament. And after. An. 1. M. 2. parliamento ca. 13. this act was cõtinued to the last day of the next parliament. And after. Anno. 1. & 2. P. & M. cap. 16. this act was continued to the last day of the next parliament. And after Anno. 2. & 3. P. & M. cap. 21. this act was continued to the last day of the next parliament. And after Ann. 4. & 5. P. & M. it was continued vntill ỹ last day of the next parliament.

4 ¶ It shalbe lawfull to euery person and persons being the kings subiectes, and inhabiting in the forsayed marches, for against Scotland to arrest any Scotish man, leding or conueying any such horse, gelding or mare out of this Realme into the sayd Realme of Scotland, and that ỹ moitie or one halfe of the price of ỹ said horse, gelding or mare shalbee to the vse of the seisour & arrestour of ỹ same after due triall of the same made, and the other moitie to the kings highnes. An. 23. H. 8. ca. 16.

Marches of Scotlãd

Arrest

Moitie

5 ¶ Euery person & persones, as wel spiritual as temporal of what estate, degree or condition so euer he or they be, which at this present time or at any time hereafter, shall haue anie parke or ground enclosed wyth hedge dich, walle, or pale, wherein any deere is or hereafter shalbee vsually kept for game conteyning the quantitie of one mile in compas, and is or shalbe seised thereof in fee simple, fee taile, or for terme of life, in possession to his or their owne profit & behofe, that euery such owner of euery such parke and ground, being in his owne hand, & euery fermer of euery such park or ground being letten to ferme from the first day of May that shalbe in the yeare of our lord god 1537. shall kepe for euery such parke or ground being enclosed, as is aforesayed as long as the same parke or ground enclosed shalbee vsed and kept with deere in the same for games, two mares being not spaied, apt & able to beare foles, eche of them of the altitude or height of xiii. handfuls at the least, to be measured from the lowest part of the foue of the foote vnto the highest part of the shoulder, euery handfull to containe fower inches of the standerd, vppon paine of forfaiture of xl. s. for euery moneth, lacking the saied mares contrary to this act. And that euery such owner or farmer of parke or ground, whereof the cõpas is fower miles and aboue, vppon paine aforesaid expressed, shal kepe for euery such parke iiii. mares being not spaied, apt and able to beare foles, of the altitude or height of xiii. handfulls at the least to be measured, as is aforesaid.

Parke

Ditch

Deere

Fee simple

Taile

Owner

Fermer

ij. Mares

Height

Forf.

4. Miles compas

4. Mares

Prouided, that if it shal happen any of the sayed mares by mischaunce or casualtie for to die, that then the lord, owner or owners of the saied mares, prouidig or buyig others of like height & altitude, as is before limitted, within iii. monethes next after the death of ỹ same mares, shall not incurre ỹ daunger and penaltie of thys statute, anie thing before rehearsed to the contrary notwithstanding.

Dye

And it is also enacted by authority aforesaied, that the lord, owners and fermers of al parkes and grounds inclosed as is aboue rehearsed, limitted, & appointed by this act to kepe mares, shall not at any time after the sayed first day of May which shalbee in the yere of our Lord God. 1537. willing ỹ suffer any of the saied mares to be couered & kept with any stoned horse, vnder the stature of xiii. handfuls, to be measured in forme aforesayed. vppon paine of forfaiture of xl. s. The moitie of al which forfaitures shalbee to the king our soueraigne lord, & the other moitie therof to the partie that wyll

Cõmon Foyest

Chaces

Stonde horse

Couered Stoned horse

Forf.

Moitie

wyll sue for the same in any court of our soueraigne lord the king by accion &c. in which accion &c.

Prouided alway, that this act extend not to charge the Lord owner or owners of any parke or ground, inclosed within the counties of Westmerland, Cumberland, Northumberlād, and the Bishoprieke of Durham, nor any of them to keepe any mares, for any parke or parks, ground or grouds enclosed, as is aforesayed, lying in the said counties of Westmerland Cumberland, Northumberland, & the Bishoprieke of Durham, otherwise then they haue or might haue done before ỳ making of this act. Nor also shal extēd to charge the lords, owner or owners of any parke or parks, or grounds enclosed with the finding of any mares, tharbage of which parke or parkes, is common to the tenants & inhabitants of the townships next adioining to the same parke or parks, any thing in this present act made to the contrary hereof notwythstanding. Anno. 27. H. 8. capitulo. 6.

Cumberlād
Northumberland
westmerlād
Durham

6 ¶ No commoner or commoners within any Forest, chase, moore, marish, heth, common, wast ground, nor any Officer or officers of or wythin any of the sayd Forestes or Chases, or any other person or persons whatsoeuer he or they be at any tyme after ỳ last day of march, which shalbee in ỳ yeare of our lord God 1543. shall haue or put to pasture in, to, or vpon any such ground, forest, chase, moore marish heth, common, or wast ground, any stoned horse, or horses, being aboue the age of ii. yere, & not being of ỳ altitude and height of xiii. handfuls to be measured frō the lowest part of the hose of the forefoote vnto the highest part of ỳ wither, and euery handful to conteine 4. inches of the stāderd, to pasture fede or be in or vpon any of the saied Forests, chases, commons, moores, marishes, heathes, or wast grounds within any of the shires and territories of Norfolk, Suffolk, Cābridge, Buckhuntington, Essex, Kent, Southamshire, Northwilshire, Oxford, Barke, Worcester, Glouc'ster, Somerset, Northwales, Southwales, Bedford, Warwike, Northamptō, Yorkshire, Chesshire, Staford shire, the county of the Citie of Yorke, the Towne and liberte of Glocester, the countie of the Towne of Kingston vpon Hull, the Countie Palantine of Lancaster, the County of Salop. Leicester, Hertford and Lincolne, or with any of them, nor shall put to fede or pasture anie stoned horse or horses, being aboue ỳ said age of two yeres, and not being of the altitude and height of xiii. handfuls to be measured as is aboue layd, within or vpon any lyke ground or groundes as beene aboue written, lying or being wythin any other shire of this Realme, nor wythin any of them, vpon paine of forfaiture of the said horse, or horses, wheych shalbee so found in, or vpon any such ground, Forest, Chase, moore, marish, heth, common, or wast ground, at any time after the said last day of March, wheych shalbee in the saied yeare of our Lord God, a M. D. xliii. contrary to ỳ forme of this statut. And it shalbee lawfull to euery persone and persounes that shal finde any such horse or horses cōtrary to the fourme of this statut, to seise the same in manner and fourme following, that is to say, the sayed persone or persounes so fynding any horse or horses, contrary to this act in any Forest, Chase, common, moore, marish, heth, or wast ground within the sayd Shires or other lymittes aforesayd, or in any of them, shall first go vnto the keper or kepers of ỳ same Forest, or Chase, or to his deputie or deputies, or to the Cōstable, Bailife, hed Borough, burholder or tything man of any Townehipe next adioyning vnto the sayed place, where the said horse or horses shalbee. And shall commaund, or require him or them, or any

Cōmoners Forest

Chases

Stoned horse

Fforf.

Seise

Keeper

Constable
Bailife

any of them, in the kings behalfe, to go with him or them to bring euerie such horse or horses, as he or they shal thinke to be there feeding and goyng contrary to this estatut, to the next pound, and there the said horse & horses to bee mesured by any of the saie officer or officers, in the presence of iii. other honest men to be named and appointed by the saied officer, and if it so be found, that the same horse or horses bee contrary to this act, that then it shalbee lawful to euery such persone and persones, that shall so challenge & keyse the sayed horse or horses, as before is sayed, to take and retaine the same horse or horses, and euery of the, to his owne vse as his owne proper goodes and cattelles for euer without let interrupcion, deration, suit, or trouble of the owner, or owners of them or any of them, or of any other person or persones. And it is further enacted by the authoritie aboue saied, that if any of the saied keepers, their deputie or deputies, Bailifes, Constables, hedborroughes, burholders, or tithingmē, or any of ỹ said three other honest men, which shalbee required to be at ỹ measuring of the said horse or horses, as is before said, do refuse to do, as is aforesaid, or els do not truely measure such horse and horses, that then euery such bailife, keper, deputy, or deputies, constable, hedborough, burholder and tything man, and the said three honest persons to be named, as is aforesaid, and euery of them not doing, and refusing to doe hys or their dutie in the premisses shall forfayt and lose vl.s. for euery time so refusing to do, or not doing as is aforesayed, the one halfe thereof to bee to the kyng, and the other halfe thereof to the partie that will sue &c. in which accyon none essoigne &c.

Pound

Retaine

Refuse

Forf.

Moitie

Stoned horse

Prouided allway that this act shall not extēd to any stoned horse or horses, that shal happen once in any yere after the sayed last day of march, to breake, escape, or go out of any seuerall pasture or ground against the wyll & mind of the owner or possessour of such horse or horses, into any of the said forestes, chases, mores, marshes, hethes, commons, or waste grounds, so that the said horse or horses so breaking, escaping & going out do not remaine or abide in ỹ said forest, chases, mores, marshes, heaths, comons or waste grounds, or any of them, by the space of foure daies next after sufficient & open notice & knowledge geuen at the dwelling house of the owner of the sayd horse or horses, or after open publication thereof made vpon a sunday, or other festiual day in the parish church where the owner or possessour of such horse doth dwell. And bee it &c. that al forestes, chases, commons, mores, marshes, heathes, and waste grounds within this Realme of England and Wales, and the marches of the same, and euery of the shalbe vewen at ỹ feast of S. Michael tharchangel next comming, or within xv. days then next after, and so yerely to be vewen by the lords owners or possessioners of ỹ said forest, chases, or by the officers of the same, and by the Constables, hedborroughs, Bailifes, Burholders, and tithingmen, vnto whose offices and precinctes and limittes, ỹ cōmons, mores, marishes, heathes, & waste grounds being out of forestes and chases be or lie, vpō paine of xl.s. to be forfaited to our said soueraygne Lord the king, by vertue of the sayed officers, Bailifes, Cōstables, hedborroughes, burholders, and tithingmē, as often and at euery tyme, as ỹ sayd vewe shalbe omitted or left vndone, or not effectually done within xv. dayes after the said feast of S. Michael tharchangel as is aforesaid.

Notice

Vewen

Forf.

Owners

And it shall also bee lawful to the said lordes owners and possessioners of the said forests and chases, by their officers of the same, and by the Constables, Bailifes, hedborroughes, burholders

ſholders, and tithing men, and euery of them, within the limittes of theire offices, to make like diſcrite of the ſaide foreſtes, chaces, commons, moores, marſhes, heths, and waſt grounds at any other ſeaſon & time of ỹ yere whẽſoeuer & as often as they ſhall thinke meete and conuenient.

And furthermore be it enacted, that if in any of the ſaid diſtrictes there ſhalbe found any mare, filly, ſole, or gelonge, that the ſhalbe thought not to bee able nor like to growe to bee able too beare foles of reaſonable ſtature, or not able nor like to grow to be able to doo profitable labeures by the diſcretions of the viewers aforeſaid, or of the more number of thẽ, thẽ ỹ ſame viewer or viewers ſhal cauſe the ſame vnprofitable beaſtes and euery of them too bee killed, and the bodies of them to bee buried in the ground, or otherwiſe beſtowed, as noe noyance therby ſhall come or growe to the people, there nere inhabiting, or thither reſorting. And it is &c. that the iuſtices of peace in euery ſhire, riding, and other place in their quarter ſeſſions to be kept and holden by vertue of the kynges commiſſion of the peace to thẽ directed, and all Stewards of Leetes and lawdayes in the ſame Leetes and Lawe dayes, ſhall haue auctoritie by thys act, to enquire of all defaultes, contempts, omyſſions and offences, contrary to the effects aboue written, and euerie of them. And all preſentmentes therof to bee found in anie of the ſayd Leetes and lawdayes ſhalbee certyfyed by the Steward or deputie, Steward or courtholder of the ſame leete or lawedaye in the nert generall Seſſions of the peace to bee holden in the counte where ſuch preſentment ſhalbee found or had, or vnto the cuſtos Rotulorum of the ſame ſhire, with in forty dayes nert after that preſentment made, which iuſtices of peace in their quarter ſeſſions of the peace ſhal haue power and auctoritie by thys act to heare and determine euerie ſuch preſentment before themſelues found, or in anie of the ſayd Leetes or Lawdayes to bee preſented and certified, as is aforeſayd, as well by examination as other wyſe, and if anie ſuch Steward deputie, Steward, or courtholder aforeſayd, imbeſill or conceale anie ſuch preſentment, or do not certifie the ſame, as is afore written, euery of them, ſo offendyng, ſhall forfayt and loſe for euerie ſuch offence forty ſhyllings. Thone halfe of euerie ſuch forfayture, and of euerie other of the forfaitures afore written, to bee to the king, and the other halfe to the perſon or perſones, that will ſue for the ſame, beefore the ſayd Juſtyces of Peace in their ſayd quarter Seſſyons, by bill or information, which Juſtices ſhal haue full power and auctoritie by vertue of thys act, to heare and determyne euerie ſuch offence, aſwell by examynation as otherwiſe, as is before mencioned. And bee it further enacted by the auctoritie aforeſayd, that no perſonne or perſonnes, after the feaſt of Saint Michaell the archaungell nert commyng, ſhall haue or put to paſture anie Horſe, Celding, or Mare, infect with ſcabbe or mange, in, or to, or vppon anie of the ſayd Foreſtes, Chaſes, Moores, marſhes, heathes, commons, waſt groundes, or common fieldes: vppon paine to forfait for euerie Horſe, celding, or mare ſo infect, paſturyng in anie of the ſaid groundes tenne ſhillinges, which offence ſhalbe inquirable and preſentable beefore the Steward in euerie leete, as other common annoyſaunces bee. And the forfayture therof to bee to the lord of the ſame leete, where the ſayde offences ſhalbe preſented.

Prouyded alwaie, that this act or anie thyng therin contayned, ſhal not extend nor be preiudiciall to anie perſon or perſonnes, hauyng anie ſtoned horſe or hozles, vnder the heightes and attitudes aboue mencioned, for or concernyng the hauyng or puttyng anie

of the said horses to feeding, in, or vpon any common or other waste groundes where any Mares or fillies be not vsed nor suffred to be fed, pastured or kepte. An. 32. H. 8. ca. 13. some part of this Statute is repealed by An. 8. Elizab. cap. 8. here after. 11.

Archbishop Duke

7 ¶ Euery Archebishop and Duke of this realme from & after the feast of Saint Michael the archangel which shalbe in the yeare of our Lord God 1544. shall haue, find, keepe, sustaine and maintaine of their owne proper horses, and at their proper costes and expences, seuen stoned trotting horses for the saddle, euerie horse of the same to be in age three yeares and vpward, in height fortene handfuls, reconing and accompting to euery handfull foure inches of the standerd, to be measured from the nether part of the heare of the foote vnto the vpper part of the withers, that is to say, the vpper part of the shoulders, vpon payne that euery Archbishop and duke lacking the number of the sayd horses to them aboue limitted after the said feast by the space of three monethes, shall lose and forfayt for euerie horse so lacking, as often as they or anie of them shall so lacke them by the said space of three monethes twenty pound. The one moity thereof to the king, and the other moitie, to such as will sue for the same by bill &c. in which suites &c.

vij. stoned horses

Forf.

Moitie

Marques Earle Bishop

And that euerie Marques and Earle of this realme, and also euery Bishop of this realme, whose yerely value of whole bishoprickes is of the yearely value of a thousand pound or aboue, shall after the feast of Saint Michael the archangell, haue, find, keepe, sustayne and mayntayne of their proper horses, and at their proper charges & expences, fyue stoned trotting horses for the saddle, of thage and height aforesaid, vpon the payne aboue specified, to be lost and recouered to the vse and in such fourme as is afore remembred. And that euerie other Bishoppe of this Realme, whose Bishoppricke is of the yerely value of a M. markes and aboue: And euery vicount and baron, hauing landes, tenements, fees, annuities, or offices, for terme of his life, to the clere yerely value of a thousand Markes or aboue, vpon like paine as is aforesaid, shall after the said feast of Saint Michael, haue, finde, keepe, sustaine, and maintaine three stoned trotting horses for the saddle, of thage and height aforemencioned, vpon the payne aboue specified, to be lost, forfait, and recouered, in maner as is aforesayd. And that euery other Bishoppe, Vicount, and Baron of this Realme, not aforemencioned, and also euery Spirituall personne, hauing benefyces or promotions to the yearely value of fiue hundred Markes: And euerie Temporall personne, hauing landes, tenementes, offices, fees, or annuities for terme of his life, in his owne right or his wiues, to the yearelie value of fiue hundred markes, after the sayd feast of saint Michaell, shal haue, find, kepe, sustaine & maintaine two stoned trotting horses for the saddle, in manner & fourme, and vpon the payne afore rehearsed.

v. stoned horses

Bishop

Vicount Baron

1000. markes

3. stoned horses

500. marks

600. marks

2. stoned horses

Spiritual person

And that euerie other spirituall person, beeing vnder the degree of a Bishop, hauing benefices or promotyons to the cleare yerelie value of a hundreth poundes or aboue, and not to the yerelie value of fiue hundred markes; And all and euerie other person Temporall not aforemencioned, whose wife, after the feast of saint Michaell the Archangell next hereafter mencioned in this act, shal weare anie gowne of silke, or whose wyfe shall weare anie French hode or bonet of velvet, with any habilement, palle, or edge of gold, perle, or stone, or anie chayne of Gold about their neckes, or in their partelets, or in anie apparell of their bodie, shal after the feast of S. Michael tharchangell, which shalbe in the yeare of our Lord God a M. D. xlvj. haue, find, kepe,

100. li.

Gowne of silke

French hood

Habilement

Chaine of gold

One ſtoned hoyle

kæpe, ſuſtaine & maintein, as is afoze ſayd, one ſtoned trotting hoyle foz the ſaddle, vpon the peine, that euery ſuch ſpirituall perſon, vnder the degree of a biſhop, hauing landes, tenements, benefices oz promotions to the yearelie value of a hundzed pounds, and not to the yearely value of fiue hundzed markes, as is afozeſayd: And euerie other temporal perſon: whoſe wife after the ſayd feaſt of ſaint Michaell ſhal weare anie gowne of ſilke, oz whoſe wyfe ſhall weare anie french hoode, oz bonet of velwet, with anie habulement, paſſe oz edge of gold, perle, oz ſtone, oz anie chaine of gold about their necks, oz in their partlettes, oz in anie apparell of their body, ſhal loſe and forfait foz euerie time that anie of them ſhall want oz lacke by the ſpace of three moneths one trotting ſtoned hoyſe of the height and age afozeſayd, tenne pounds, the one moitie thereof to the king, and the other to ſuch as will ſue foz the ſame in ſuch fourme as is afoze mencyoned.

Foyl.

Moitie

And bee it enacted by auctozitie afozeſayd, that the Juſtices of aſſiſes, and iuſtices of peace, ſhall haue power and auctozitie within the limittes of their auctozitie, to heare and determine the defaultes done contrarie to thys act, as well by preſentment as information, and to make ſuch proces vppon any preſentment and information afoze them, as in anie other caſes of treſpaſſes and contemptes done agaynſt the fourme of anie eſtatutes, and ſhall ſet no leſſe fine noz paine vpon ſuch perſonnes as ſhalbee conuict by confeſſion oz tryall foz offendyng this act, then is aboue limitted. And foz the better obſeruation of thys act, bee it further ordeyned by auctozitie afozeſayd, that euerie Sherife in anie ſhire of this realme ſhall do hys dilygẽce and good endeuour to ſearch and knowe by vertue of his office, all defaultes done oz committed by anie perſonne oz perſonnes, in lackyng of horſes contrarie to thys act, as ſhall

Juſtices Juſt. of p.

Diet & ter.

Proces

Fine

Sherife

happen within the ſhire where hee is Sherife, and ſhall once in the yeare, that is to ſay, in the terme of ſaint Michaell certifie the ſayd defaultes if any bee, into the kynges Eſchequer, by writyng vnder his ſeale to the intent that proces may bee made againſt the offendours accordinglie. And that euerie ſuch certificat of the Sherife, ſhall be of as good force and effect againſt the offendours of this act, as anie information thereof in the ſayd Eſchequer. And in caſe anie ſhalbee conuict vpon anie ſuch certificates by confeſſion oz tryall, according to the courſe of the lawe, thẽ the Sherife making ſuch certificates, ſhall haue one moitie of the forfayture, and the kynges maieſties the other moitie thereof. Prouyded alwayes, that no perſonne ſhalbee impeached, moleſted oz troubled foz anie offence done contrarie to this act, by bille, accion, information, preſentment, oz certificats of the Sherife, vnleſſe that ſuch bill, accion, information, preſentment, oz certificates bee made oz had, within one yere next after the offence done contrarie to this act, anie thyng in this act to the contrary thereof notwithſtandyng. Prouided alwaies, that this act noz anie thyng therein conteined, ſhall extend to anie ſonnes and heires apparaunt of anie Duke, Marques, Earle, Vicount, oz Baron, noz to the ſonnes oz heires apparaunt of anie other perſonne, hauing landes, tenementes, oz hereditamentes, to the yearelie value of fiue hundzed markes oz aboue, to bynd oz compell any ſuch heires apparaunt, to bynd oz keepe anie horſes by vertue of thys act in the lyke of their fathers, except ſuche ſonnes and heyres apparaunt haue landes, tenementes, annuityes, fees oz offyces, to the yearelie value of fiue hundzed markes, but that euerie ſuch ſonnes and heires apparant, except beefoze except, may do as they dyd oz mought doe afoze the makyng of thys act, anie thyng in thys act

Certifie defaults Eſchequer

Conuict

Sherife Moitie

within one yere

Heyres

600. marks

500. marks

to the contrarie thereof notwithstanding.

Sonne

Prouided alwaies, that if anie such sonne and heire haue lands, tenemẽts, hereditaments, fees, offices, or annuities, for terme of lyfe in his owne right, or in the right of his wife, to the clere yerely value of .v. C. marks, that then such sonnes and heires hauyng such lands, tenements, hereditamẽts, fees, offyces, or annuities, to the clere yeraly value of fiue C. marke as is aforesaid, shal find, kepe, sustaine, and maintaine one trottyng horse for the saddle in fourme aforesayd, vppon the paine of xx.li. to be lost and forfayt for euery three moneths, yf any sonne and heire shal lacke & want a trotting stoned horse, as is aforesaid.

500. marks

One stoned horse

Forf.

And be it prouided and enacted by authoritie aforesayd, that if the wyfe of any person or personnes weare anie veluet in yᵉ lirying or other part of her gowne, other then in the cuffes or purfles of such gowne, or els weare anie veluet in her kirtle, or weare anie petycote of silke, that then the husband of euery such wife, shal find one stoned horse of the stature aboue in thys act recited, or shall incurre the aboue sayed penaltie & forfaiture of .x.li. to be leuied & recouered as is afore declared.

wife

Velvet

Kertle

Peticote

One stoned horse

Forf.

Prouided also that this act or anie thyng therein conteyned shall not extend to charge any person or persones, whose wife or wiues shall weare anie of the apparel or things aboue rehearsed, during yᵉ time such wife or wiues shalbe deuorced from their husband or husbands, or shall willingly absent her self from her said husbād, & during such absence shal weare any of the apparel or other things afore recited.

Deuorced

Heyres

Prouyded alwaies that heires wiin age, being wardes, whose lands, tenemẽtes, and hereditaments, amount to the yerely value of .cc.li. shal not bee compelled by authoritie of this act till they come to their ful age, to kepe anie horses, although the wyues of such heirs within age weare any gowns of

200.li.

silke, or anie frenche hode or bonet of velvet with anie habilliment, passe, or sogs of gold, pearle, or stone, or anie chaine of golde about their neckes, or in their partlettes, or in anie apparel of their bodie, any thing in this act to the contrary not withstanding.

Prouided also that if all or anie the horses kept by vertue of this act, shall happen to be killed, maimed or lost, in the seruice of the kinges warres, that then in euery such case the owners of such horse or horses so killed, maimed, perished or lost in yᵉ warres, shall haue libertie by the space of two yeres next after such chance of killing, maimyng, perishing or losing their horses to prouide other horses in the stede and place of the horses so killed, maimed, perished or lost in yᵉ warres, without anie dāger, losse, or penaltie of this act, any thing in this act to the contrary therof notwithstanding. Prouided also, that cart horses, or sumpter, shall not be taken, reputed or reckened for anie such horses, which any person is, or shalbee bounden to kepe by vertue of this act, Anno. 33. H. 8. cap. 5.

Killed

.ij. yeres

Cart horses

8 ¶ If any person or persons after the first day of Januarie next comming do sell, eschange, geue, conuey, or deliuer into the Realme of Scotland to the vse of anie Scottish man, or do carie, geue, eschange, sell, send, conuey, or deliuer into any place beyond the sea out of this realme, or the dominions of the same, any horse, gelding, or mare, without special licence therfore to be obteined of the kings highnes, or his heirs, vnder the great seale of this Realme, or vnder the priuy signet, or if any person or persons after the sayd first daie of Januarie, do sell, exchaunge, geue or deliuer to any Scottish man within this Realme of England, or Wales, the towne of Barwike or yᵉ marches of yᵉ same, to thentent, to bee conueied into Scotlād, any horse, gelding, or mare, or do conuey or carry any horse, mare, or gelding into any forein parties beyōd the

Sell

Conuey

Scotland

Beyōd sea

Horse

Licence

Exchange

Scottish man

Conuey

Licence

the ſea, without like ſpecial licence obtained of ỹ kings highnes, or of his heirs, vnder ỹ great ſeale, or priuy ſignet, as is aforeſaid, ỹ then the ſame perſon & perſõs ſo offẽding cõtrary to this act, ſhal loſe & forfait to our ſouereign lord & his heirs, ỹ ſame horſe, mare, or gelding ſo caried & cõueyed, & ſhal alſo loſe & forfeyt the ſumme of .xl.li. for euerie ſuch horſe, gelding or mare, ſo to be cõueied & caried in forme aforeſaid, whereof the one moitie to be to the king, & ỹ other moitie to him or them that will ſue for the ſame, by informatiõ action of debt &c. wherein &c. And that alſo al and euerie perſon and perſones ſo offending contrarie to this act, ſhall ſuffer impriſonment by the ſpace of one whole yere. And be it further enacted by aucthoritie aforeſayd, that it ſhalbe lawful aſwel to the warden and wardens of the Eaſt Weſt, & midle march for the time beeing in their wardein courts, as alſo to al and euerie ỹ kings Juſtices of peace, in euerie ſhire, as wel in England as in wales, in their quarter ſeſſiõs, to enquire of al & euery offẽce or offences hereafter to be perpetrated, cõmitted or done, cõtrary to this act. And that it ſhalbee lawfull to al & euerie other perſon and perſonnes beeing the kinges ſubiectes, to arreſt and impriſon euery Scottiſh man and al, and euerie other perſon or perſons, which ſhall lead or conuey contrary to the meanig of this act, any ſuch horſe, gelding, or mare, out of this Realme into the ſayd realme of Scotland, or into anie other forreine place beyond the ſea, other then ſuch perſons as hereafter ſhall haue ſufficient warrant by, or from the kinges highneſſe or hys heires, vnder his or their great ſeale, or priuy ſignet, according to the meaning of this act. Prouided alwaies, & be it enacted by thaucthority aforeſaid, that if the kyng our ſoueraygne Lord, his heires or ſucceſſours, at anie tyme hereafter vnder his great ſeale or priuy ſignet, do geue licence to any perſon or perſons, to carie or conuey any horſes, mares, or geldinges, into Scotland, or into any other parties beyond the ſea, or els do geue aucthoritie or cõmaundmẽt to any perſon or perſons, by warrant, vnder the kings great ſeale, to licence anie other perſon or perſones to cary, or conuey anie horſes, mares, or geldinges into Scotland, or into anie parties beyond the ſea, ỹ then it ſhalbe lawfull, aſwell to all & ſinguler perſon or perſons, hauing ſuch licence vnder the kinges great ſeale, or priuie ſignet, as to all and euerie other perſon & perſons hauing licence in writyng vnder the ſeale of ſuch perſon or perſonnes to whom the king ſhal geeue aucthoritie, power, or commaundment in forme aboueſaid, to licẽce other perſon or perſons, to cary or cõuey any horſes, mares, or geldings into Scotland, or into anie other parties beyond the Sea, to cary and conuey ſuch number of horſes, geldings or mares, or any of them into Scotland, or into anie other the parties beyond the ſea, as ſhalbe mẽcioned in anie ſuch licences as beforẽ ſpecified, any thing mentioned in thys act to the cõtrary in any wiſe notwithſtanding. Prouided alwaies, and bee it enacted by aucthoritie aforeſaid, ỹ this act ne any thing therein cõteined ſhall in no wiſe extend to any perſon or perſons, which at any time hereafter ſhal cary or conuey any horſe, mare, or gelding into Scotland, or into anie other forein parties beeyond the ſea, to ſerue the kyng in hys warres, with ỹ ſame Horſes, Mares, or Geldynges, anie thing mentioned in this act to the cõtrarie in anie wiſe notwithſtandyng. And to the intent the kinges maieſtie ſhall not hereafter bee decayed in the number of ſuch horſes, mares, or gelding, which hereafter ſhalbee caried, & conueied into Scotland, ne ỹ the parties which hereafter ſhal obteine anie licence by force of this act for the cariage or conueiãce of any horſes, mares or geldings, to be caried or conueyed in



fort.

Moity

Imprſon

wardens of the marches

Inſt. of p. wales Quarter ſeſſions

Arreſt Imprſon Scottiſhmã Conuey

warrant

Licence

warres

to Scotland. Bee it therefore enacted by the authoritie aforeſayd, that all & euerie ſuch perſon and perſones, which hereafter ſhalbe licenced, according to this act, to carie or conuey any horſes, mares, or geldynges into Scotland, ſhalbe before the ſame cariage or conueyance, vppon the paine of forfaiture of the ſayd horſe, mare, or geldyng, or the double value thereof, whereof the one moitie to bee to the kyng, and thother moitie to him or them that will ſue for the ſame by ſuch like action as is before limitted in this act, ſhew his or their ſaid licence to one of the iii. wardens of the three marches of England, to the intent that one of the ſaid wardeynes ſhall cauſe the number of the ſayd horſes, mares, geldings ſo licenced to be conueied into Scotland, not onely to be kalendred in a booke to remaine in his owne cuſtody, but alſo to bee endorced and written on the backſide of the ſayd lycence, and the ſame endorcement to be ſigned with the hād of the ſayd wardeyne. Prouyded alwaies, that it ſhalbe lawful to euerie of the kynges ſubiectes, that ſhal paſſe ouer beyond the ſea, to ſhippe and carie with them horſes, or geldinges, for their onely occupation in their iourneys, and not to the intent to ſell the ſame beyond the ſea. And that intēt to bee iudged by the othe of him or them, that ſo will carie ouer any horſe or gelding, which othe ſhall bee taken before the Cuſtomers or their deputyes or ſearcher of euerie ſuch port, where the ſame horſe or geldyng, ſhalbe ſhipped, before the ſhipping thereof, this laſt prouiſo is repealed by 5. of Eliz ca. 19. hereafter. 10. Prouided alwaies, that the wardeine of the fiue portes nowe being, or ỳ hereafter ſhalbe, may vere be at his pleaſure, geeue fiue horſes or geldinges, and no more, wythin one yeare, at one or diuers tymes, vppon lyke paine as is aforeſayd, to any perſonne or perſonnes, in the parties beyond the Seas, beyng in amity with the kinges highneſſe or his ſucceſſors, this act or any thing therin to the contrary notwithſtanding.

Prouided alſo, that this act, nor anie thing therin mencioned be in any wiſe hurtfull or preiudicial to the maiſter of the kings horſes, now and hereafter to be, for ſuch thinges and commodities, as ſhall and do concerne his office, any thing in this act to the contrarie notwithſtandyng. Prouyded alſo that it ſhalbe lawfull to anie ỳ kings ſubiects to carrie, or ſend into anie parties beyond the ſea, any Mares, whereof the price of anie one mare ſo to bee caryed, doth not exceede tenne ſhillings, in ſuch and like manner as mares beeyng of the prices of fiue ſhillynges eyght pence, been, or myght haue beene conueyed ouer the ſeas before the making of this act, anie thyng in this act, or in any other act or acts herctofore made to the contrarie hereof notwithſtanding. An. 1. E. 6. cap. 5.

9 ¶ Where in the parliament holden at London the third day of Nouember, in the xxi. yere of the reygne of the late kyng of moſt woorthie memorie kyng Henrie the eight, and from thence adiourned and proroged to Weſtminſter, & there continued by diuers prorogatiōs, vntill the fifteene day of Januarie in the xxiij. yeare of the raigne of ỳ ſaid late king, amongſt other things there was one Act or ſtatute made wherebỳ the ſelling, exchāging, or deliuerie of any horſes, geldinges, or mares into Scotland by any Engliſhmā ſhould be felome, which act or ſtatute is entituled, an act that no Engliſhman ſhould ſell, eſchaunge, or deliuer to be conueied into Scotlād any horſe gelding or mare, without the kings lycence, as by the ſame act and ſtatute more at large doth and may appeare. And although the ſame eſtatute was a very good and neceſſary lawe for the mayntenaunce of the ſtrength of this Realme, & for the due preſeruation of the ſtate of the ſame, yet the ſaid ſtatut

by cer-

Scotland

Maſter of the horſe

Mares

x. ſhillings

Wardēs of ỳ marches

Kalender

Endorſe

Horſes to trauell on

Intent

Iudgemēt

Oth

Cuſtomers

Searcher

Felony

warden of ỳ portis

Geue vi. horſes

by certein act of repeale made, aswell in the time of the late kyng Edward the first, as also in the time of Queene Mary, was by certein generall wordes repealed & made void, by reaſō wherof, diuers wicked and euil diſpoſed perſons, haue of late time for their owne priuate gaine, conueyed diuers Horſes, Geldings and mares out of thys Realme into Scotland, to the great ſtrength & boldening of the Scottiſh, & much to the detriment & hinderaunce of this realme. Wherefore be it enacted &c. that ỳ ſayd act and ſtatut made in the ſayd three and thirty yere of the raigne of the ſayd late kyng Henry the eyght, and all and euerie braunch, ſentences, articles, wordes, matters and clauſes therein conteyned ſhall from the firſt day of May nert commyng, ſtand, remaine, and continue in full force and ſtrength, to all intentes and purpoſes, as fully & as wholly as euer the ſame was at anie time heretofore, any act or ſtatute of repeale, or any other matter or cauſe whatſoeuer to the contrarie notwithſtanding. An. 1. El. capitulo. 8.

10 ¶ Where in the parliament holden at Weſtminſter in the firſt yeare of ỳ raigne of the late king Edward ỳ firſt brother to our ſoueraigne lady the Queens maieſty that now is, amōgſt diuers other Statutes, there was one act and ſtatute made againſt the carieng and conueying of any horſes, geldings, or mares, out of this realme, in which act amōgeſt other things there is one prouiſo or branche conteined in theſe woordes hereafter following. That is to ſay: Prouided alwaies that it ſhalbe lawfull to euerie of the kings ſubiectes, that ſhall paſſe ouer beyonde the ſea, to ſhip and cart ie with them, Horſes and Geldings for their onelie occupation in their iourneis, & not to the intent to ſell the ſame beeyond the Sea, and the intent to bee iudged by ỳ othe of him or them that ſo will carrie ouer any horſe or gelding, whiche othe ſhalbee taken before the cuſtomer or ſercher or their deputies, of euerie ſuch port where the ſame Horſe or gelding ſhalbee ſhipped, before the ſhipping thereof, as by the ſame acte and prouiſo it doth and may appeare. And all though &c. that all the ſaide prouiſo and branche before rehearſed, mencioned and conteined within the ſaid act & ſtatute, and euery article and ſentence cōteyned within the ſaid prouiſo ſhall frō henceforth bee repealed, made void, & of none effect, and that all the ſaide act and ſtatute ſhall ſtand, remaine, and bee in full force and ſtrength. Any thing therein ſpecified to the contrarie notwithſtanding. Anno. 5. Eliza. capitulo. 19.

11 ¶ Be it enacted &c. That as much of the aforeſaied eſtatute made in the ſaid xxxij. yere of king Henry ỳ eight before. 6. or yet any part, brāch, or article, or any parcell therof, touching or cōcerning any the Marſhes and ſeggy Fenne groundes within ỳ ſaid Ile of Ely, ſituate, lying and beeing in the ſaid county of Cambridge, together wt all other the Marſhes & ſeggie Fenne groundes, within the ſaied Shires of Cambridge, Hūtington, Northampton, Lincolne, Norfolke, & Suffolke ſhalbe frombenchforth vtterly repealed, Repealed. ſtruſtrate, void & of none effect in ỳ law. Any thing in the ſaid former act expreſſed to the contrary, notwithſtāding.

Neuertheleſſe, bee it ordeined & enacted by the auctoritie of this preſent parliament, ỳ no perſon or perſonnes whatſoeuer he or they bee, at any time after ỳ laſt day of March nert cōming, ſhal haue or put to paſture into or vpō any Marſh or ſeggie Fenne grounde within the ſaid Ile of Ely, or into or vppon any Marſhe or ſeggie Fenne groundes wtin the ſaid coūties of Cābridge, Huntington, Northampton, Lincolne, Norfolke & Suffolke, or any of them, any ſtoned horſe or horſes beeing aboue the age of. 2. yeares, and Put to paſture.

not beeing of altitude and height. xviii. handfulls, to be meaſured frō ỹ loweſt part of the hoofe of the foreſote, vnto the higher part of the wither, & euerie handfull to conteine .iiij. ynches of the ſtandard, to paſture, feede, or to bee nourished in or vpon any the ſaid marſhes or leggie Ferne grounds, wīin the ſaid Ille, & wīin the ſaid counties of Cāb'idge, Hūtington, Northāptō, Lincolne, Norffolk, & Suffolk, or any of them vppon ſuch & the like paine as by the ſayd former act is limitted and expreſſed. An. 8. El. cap. 8.

¶ *Hoſpitalles & Hoſpitallers.*

FOraſmuch as many hoſpitalles wīin the realme of England, founded aſwell by the noble kynges of thys cās realme and lordes and ladies both ſpiritual and tēporall, as by diuers other eſtates, to the honour of God and of his glorious mother, in aid and merite of the ſoules of the ſayed foundours, to the which Hoſpitalles the ſame foundours haue geuen a great part of their mouable goodes for the edifications of the ſame, and a great part of their landes and tenementes, therewith to ſuſteine impotent men and women, lazars, men out of their wittes & mind, and poore wom̄ with child, & to nouriſh, relieue, and refreſhe other poore people in the ſame, bee now for ỹ moſt part decayed, and the goodes and profites of the ſame by diuers perſonnes aſwell ſpirituell as temporal withdrawen and diſpended in an other vſe, whereby manie men and wom̄ haue dyed in great miſerie for default of ayde, lyuyng, and ſuccour, to the diſpleaſure of God, and peril of the ſoules of ſuch manner of ſpenders: The king our ſoueraygne Lord, conſidering the meritorious and deuout entents of the foundours aforeſayd, and the inſolent gouernaunces in the ſame, hath by the aduiſe and aſſent aforeſayd ordeyned & eſtabliſhed that as to the hoſpitalls, which be of the patronage and foundation of the kyng, the ordynaries by vertue of the kynges Commiſſions to them directed, ſhall enquire of the maner and of the foundation of the ſayd hoſpitals, and of the gouernaunce and eſtate of the ſame, & of all other matters neceſſarie and requiſite in this behalfe, & the inquiſitions thereof taken ſhal certifie in the kings chaūcery. And as to other hoſpitals, which be of an other foundation and patronage thē of the king, the ordinaries ſhal enquire of the maner of the foundation, eſtate, & gouernaunce of the ſame, and of all other matters and thinges neceſſary in this behalfe, & vpon ỹ make therof correccion & reformation after ỹ lawes of holy church, as to thē belongeth. An. 2. H. 5. cap. 1. Stat. 1.

2 ¶ An. 2. H. 6. ca. 2. it was enacted ỹ the hoſpital of ſ. Leonards in Yorke might gather thzaues, & haue an accīō for them.

3 ¶ Be it enacted, that Robert Erle of Leiceſter, his heires, executors, or aſſignes, at his or their wils and pleaſures, ſhall haue full power, ſtrength, licence, and lawful auctoritie, to erect found, and eſtabliſhe one Hoſpytall or Meaſondieu, within the ſayed Towne of Warwike, or els within the ſaid Towne of Kenelworth, at his or their choiſe and election, for the finding, ſuſtentation, and relefe of poore needie, and impotent people, to haue a continuance for euer. And that ỹ ſame Hoſpitall or Meaſondieu ſo founded, ſhalbee incorporated, and haue a perpetuall ſucceſſion for euer, in fact, deed, and name, of ſuch head members, and numbers, of poore, needie, and impotent people, as ſhalbee appoynted, aſſigned, limitted, or named by the ſaid Earle, his heires, executors or aſſygnes, vnder hys or their handes and ſeale. And further, ỹ the ſame hoſpital or Meaſondieu, ſhalbe named & called by ſuch name, as the ſaid Earle, his heires, executours, or aſſignes ſhal ſo limit,

K. foundation
Ordinarie
Enquire
Certifie Chauncery
Earle of Leiceſter
Erect
Goods
Lands
Poore people

so limit, assigne, and appoint. And the same hospitall or mesondieu so beyng so incorporated and named, shal by ye name of ye incorporation thereof, haue full power, authorite, and lawful capacitie and habilitie, to purchase, take hold, receiue, enioy, and haue to them and to their successours for euer, manors, lands, tenements, and hereditaments, set, lying, and being within anie countie within this realme of England, so that the same exceede not the yearely value of two hundreth pounds, aboue al charges and reprises, and so ye the same or any part or parcel therof, bee not holden of our soueraigne lady the Quéene, her heires & successours, immedyatly by knyghtes seruice in chief, or else by knights seruice, & not in chiefe. And further, that the same hospitall or Mesondieu beeing so incorporated, founded, and named, shal haue full power and lawfull authoritie by the true name of the incorporation thereof, to sue, and to be sued, implead, and to be impleaded, to answere, & to be answered vnto, in all maner of courts ye now are, or hereafter shalbe within this realme, aswel temporal as spiritual, in al maner of suits whatsoeuer they be or shalbee: & that the same hospital or Mesondieu shal haue and enioy for euer, such a common seale or seales as by ye said Earle his heires, executours or assignes, shal bee in writing vnder his or their hand & seale assigned, named or appointed, whereby the head of the same incorporation, with the members thereof, shall and may seale any maner of instrumēt touching the same incorporation, and the lands, tenements and other thinges thereunto belonging, or in any wise touching or concerning ye same: and further, shalbe ruled, gouerned, ordered, directed, & visited by such person or persons, as shalbe so nominated, assigned, or appointed thereunto, by the saied Earle, his heires or assignes, according to such rules, statuts and ordinances, as shalbee set forth, made, deuised, & established by the said Earle, or by his heires or assignes, in writing vnder his or their hād & seale: any lawe, statut, custome, vsage, or other thing whatsoeuer to the contrary in any wise notwithstanding.

Capacitie Purchace

100.li.lād

Knights seruice

Sue

Common seale

Ruled

Sauing alwaies to al & euery persō & persons, bodies politike and corporat their heires and successours, & ye heires and successours of euery of them, all such right, title, claime, possession, interest, rentes, annuities, seruices, commons, leases, conditions, offices, fees, actions, interests, demaunds, profits, and cōmodities, which they or any of them shal haue, or of right ought to haue, of, in, or to any manours, lands, tenements, rents, or hereditaments, hereafter to be giuen, limitted, or assigned, vnto the saied Hospital or mesondieu in fée, in fourme aforesaid, (other then to the said Earle & his heirs, and other then any other person or persōs, and their heirs, that shalbee ye geeres or graunters of the sayed mannours, landes, tenements, & hereditaments, rents, and seruices, and other profits, in forme aforesaid) in as ample, large, and in the same maner and forme, as they or any of them shal haue & enioy, or of right ought to haue and enioy ye same, as if this stat. had neuer ben had or made. An. 13. El. ca. 17.

4 ¶ An. 14. El. was made an act for ye assurance of gifts grants &c. made & to bee made for the poore in hospitals &c. which is not in print.

5 ¶ There were also ii. other statuts made An. 18. El. ye one concerning an hospital at Leicester, & ye other for the hospital of S. crosse nere winchester, nether of which ii. statuts are in print.

## ¶ *Hownsloe heath.*

An. 37. H. 8. ca. 2. an act was made for ye particōn of Hownsloe heath, wherin is appointed certaine parcels to certaine persons for copy held lāds and

and that those parcels shalbe set as copy hold lands, by lease for xxi. yeres.

Lease

¶ *Hull.*

Customes Tolles

AN. 27. H. 8. c. 3. An act was made for taking away the customes and tolls taken by the Maire and comminaltie of the Towne of Hul, whych they toke for fishe brought into that Towne. But this act in Ann. 33. H. 8. ca. 33. was from thencefoorth made void. And it is there further enacted ỳ from henceforth it shalbe lawful to ỳ maire and burgeses of ỳ kinges saied towne upon Hul, & their successours, maires, and burgeses of the same, and al other officers and ministers there for the time being, from time to time, at al times hereafter to receiue, haue and take of al and euery the inhabitãts and fishermen of the said counties of Suff. and Norff. & of all other places to the sayed Towne of Hull for such herring, sprats, saltfish, & for all other vitailes by them or any of them hereafter to be brought to be sold vnto the kinges sayd towne of Hul, such sũms of money, as hereafter foloweth that is to say, for euery last of herrings of euery persõ priuileged xx. d. for ỳ last. And for euery hundred saltfish iiii. d. & for euery last of sprats viii. d. And of euery person not priuileged for euerie last of herringes ii. s. iiii. d. & for euerie hundred saltfish iiii. d. & for euery last of sprats viii. d. as afore ỳ saied act made in the xxviii. yeare of the raigne of our said soueraigne lord ỳ king, as ỳ sayed maire and burgeses haue vsed and accustomed to take, any thyng expressed or contained in ỳ saied act to the contrary notwithstanding. Prouided alwayes, & be it &c. that this act or anie thing therein contained or expressed shall not extend nor in any wyse be hurtful or prejudicial to charge or onerate any city, borough, or towne within this realme, or the inhabitants of the same or any of them, for any more or other custome, impolition, or paimẽt, otherwise then they or any of them of right were charged or chargeable before the making of the said act & estat. made in the said xxviii. yere, any thing expressed or contened in this present act to the contrary in any wise notwithstanding. An. 33. H. 8. ca. 33.

Maiors

Fish

Tolle Herring Softfish Sprats

¶ *Hundreds.*

THat bailiwickes & hundreds of the kings, nor of other great lords of ỳ land be not let to farme at ouer great summes whereby the people may be ouercharged by making contribution to such farmes. Articuli super chartas An. 28. E. 1. ca. 14.

Ferme

*Hunters & Hunting.*

NO manner of artificer, labourer nor other lay mã, which hath not lands or tenements to ỳ value of xl. s. by yere, nor no priest nor other clarke if hee bee not auanced to the value of x. li. by yeare, shall haue or keepe frõ henceforth any greyhound, hound, nor other dog for to hunt, nor they shal not vse fyzettes heyes nettes harepppes nor cordes, nor other enginnes for to take or distroy deere hares nor conies nor other gentlemans game, vppon paine of one yeares imprisonment, & that the Justices of peace haue power to enquire, and shal enquire of the offenders in this behalfe, and punysh them by the paine afore sayd. Ann. 13. R. 2. ca. 13.

Artificer

Priest

Greyhound

Ferets Nets

Imprison Just. of p. Enquir

2 ¶ No person spiritual or temporall hauing no parke, Chace, nor forest of their owne, kepe or cause to be kept any nettes, called Deere haies or buck stalles, by the space of a moneth next after proclamation of this act made, vppon paine to forfayt for euery moneth that hee or they keepe or cause to bee kept the same netts, haies or buck stals x. li. And that no personne from henceforth stalke nor cause any other person

Parke Forest Nets

Forf.

Stalke

person to stalke wᵗ any bush or beasts to any Deere beeing in any parke, Chace, forest or without, but if it bee within his owne ground, chace, forest or parke without licence of the owner master of the game, or keeper, of the same ground chase, forest or park, vpon paine of forfaiture for every time that hee or they so stalke x.li. And furthermore that no person or persons wᵗ out his owne ground sea, take or cause to be taken by meane of craft or engin any herons without it bee with hauking or with a long bowe, vpon paine of forfaiture for every Heron taken or slaine vi.s.viii.d. And that no persons or persons without his or their owne ground take any yong herons out of the nest without licence of the owner of the ground where the sayed nest is, vpon paine of forfaiture for euery heron so taken out of the nest x.s. and that euery man that will may ꝑ shalbee admitted to sue for any of the said forfaitures by action of debt and lyke proces to bee had and made thereon as in other actions of debt at the making of this act. And ỹ the defendant be not admitted to tend, nor to doo his law in any such action. ¶ Nor ante tyme nor protection to bee allowed for the defendaunt in the same. And ỹ two Justices of peace in their sessions shal haue auctoritie to cal before the any person suspected of the premisses, ꝑ to their discretions to examyne thē in the premisses. And if by their examination the parties so examined bee found in default contrary to the premisses, then the person so found in default to be cōmitted to prisō til he haue found suerty for paiment of the same forfaitures to the king. And ỹ these Justices ỹ so examine them shal haue the tenth part of euery such forfaiture for their labour in that behalfe. 11.H.7.c.11.

¶ Do perso or persos of what estate degree or condition they be frō hence forth trace, destroy, and lil no hare in the snow with any dog, bitch or other

Licence

Fors.

Herons

Fors.

Fors.

Proces

Just. of p.

Examine

Imprison

1. Part

Trace Hare

Just. of p.

Enquire

Steward

¶ Husbandry & tillage.

NO person what estate, degrée or condition that he be, that hath any house or houses, that at any time within three yeres passed, hath ben, or that now is, or that hereafter shalbe letten for terme, wᵗ xx. acres of land at lest, or more, lying in tillage ꝑ husbandry, that the owner or owners of euery such house or houses ꝑ lād, be bound to kepe sustaine ꝑ maintaine houses and buildings vpon ỹ said ground, ꝑ land convenient ꝑ necessary, for maintaining ꝑ vpholding of the said tillage ꝑ husbandry. And if any such owner or owners of any such house or houses and land take kepe ꝑ occupy any such house or houses and land in his or their owne hands, ỹ ỹ said owner or owners by ỹ said auctoritie bee bound in likewise to kepe and maintaine houses ꝑ buildings, vpon the said ground and land convenient and necessary for ỹ maintaining ꝑ vpholding of the said tillage ꝑ husbandry, ꝑ if any man do contrary to the premisses or any of them, ỹ thē it bee lawfull to the king (if any such lands or houses be holden of hym immediatly) or to the lords of the fees, (if any such landes bene holden of them immediatly) to receive yearely halfe the value of the issues and profits, of any such landes whereof the house or houses be not so maintained ꝑ sustayned. And the same halfe dole of the

xx. Acres land

Uphold houses

King

Lord of the fee

halfe the issues

the issues and profits, to haue hold and kæpe to his or their owne vse, without any thing therefore to bee payed or geuen, to such tyme as the same house or houses bee sufficiently buylded or repaired againe. And ẏ no maner of freehold bee in the king, ne in any such Lord or lords by ẏ taking of any such profits, of, or in any such lãds in no maner of forme, but only ẏ king & the said lord, or lords, haue power to take, receiue, & haue the said issues and profits as is aboue said. And therefore the king, or ẏ said lord or lords to haue power to distraine for the same issues & profits to be had & perceiued by thẽ, in forme aboue said, by auctharitie of this present act. An. 4. Ed. 7. ca. 19.

Freehold

Distreine

Townes

2 ¶ All such townes, villages, Boroughs, & hamlets, tithing houses and other inhabitations in any parish or parishes within this realme, whereof ẏ more part ẏ first day of this present parliament, was or were vsed & occupied, to tillage husbandry, by ẏ owner & owners therof, for their singuler profit, availe & lucre, wilfully sithe ẏ sayd first day be or hereafter shalbee suffered or cause to fal downe & decay, whereby the husbandry, of the said townes villages, boroughs hamlets, tithing houses, & other inhabitations & parishes wõin this realme, ben or hereafter shal be decaied, & turned from the said vse & occupation of husbandry & tillage into pasture, shalbee by the saied owner or owners, their heires, successours, or assignes, or other for thẽ, within one yeare next after such wilful decay, redefied and made againe mete and convenient for people to dwell & inhabit in the same, and to haue, vse, & therein to exercise husbandry & tillage, as at ẏ said first day of this preſt parliamẽt, or sithens was there vsed, occupied, & had after ẏ manner & vsage of ẏ countrey where ẏ said land lieth, at ẏ costes and charges of ẏ same owner or owners, their heirs successors, or assignes. And if sithen ẏ first day of this preſt parliamẽt, any lands, which at ẏ same first day, or sithen, were cõmonly vsed in tillage, bene enclosed, or from hence forth shalbe enclosed, be turned onelie to pasture, whereby any house of husbandrie, within this realme, is or shal be hereafter decayed, ẏ thẽ al such lãds shalbe by the same owner or owners, their heirs, successors, or assignes, or other for them wõin one yere next ensuing ẏ same decay, put in tillage & exercised, vsed, & occupied in husbãdrie & tillage, as they were ẏ same first daye of this present parlement, or any time sithen, & after ẏ manner & vsage of the countrey where such land lieth. And if any person or persons do contrary to the premisses, or any of thẽ, ẏ thẽ it be lawful to ẏ king (if any such landes or houses ben holden of him immediatly) after office or inquisition foũde therof, cõ prehending ẏ sãe matter of record, or to ẏ lords of ẏ fees (if any such lãds or houses bene holden of thẽ immediatly) without office or inquisition thereof had, to receiue yerely halfe the value of ẏ issues & profits of any such lãds, wherof the house or houses of husbandry, bee not so maintained, and sustained, & ẏ same halfe deale of the issues & profits to haue, hold and kæpe to his or their owne vse wythout any thing therof to bee payed or geuen to such tyme as the same house or houses bee sufficiently reedified, builded or repaired againe for the exercising and occupying of husbandry. And immediatly after that as well the interest and title geuen by this act, to our soueraigne lord the king, as to the lordes of ẏ fee to cesse, and no longer to endure. And that it shalbe lawful to ẏ owner & owners of such lãds, house or houses holden immediatly of our said soueraigne lord the king, to haue and enioy the same, and to take the issues, & profits thereof, as if no such office or inquisition had neuer beene hadde ne made. And ẏ no manner of freehold be in the kyng, ne in any such Lord or

Enclosure

King

Office folid

Lord of the fee

Halfe the rents

Decay

Reedefie

Tillage

Ceaſe

Freehold

Lords

Lords by vertue of this act, or taking of any such profits of, or in any such land, in no maner of fourme, but only the king and the said Lord or lordes haue power to take, receyue and haue the said issues and profitts thereof, as is aboue said, and therefore the king or the said lord or lords to haue power to distraine for the same issues, and profits to bee had and perceyued by them, in fourme aboue said, by auctority of this present act. Be it ec. that if any of the said lord or lords immediat do not execute the premisses according to ỹ tenour of this act, that then the lordes immediat aboue them, within halfe a yeare next after that, to haue, receyue and take the moitie of the issues and profits thereof, in like maner & fourme as is aforesaid, of the sayd lords immediat, and so euery lord or lordes from one to another to haue like time and aduantage of and in the premisses, as in the said act is contained. Prouided alway that this act extend not, nor be prejudicial or hurtfull to any parke or parkes for deere, made or to be made, or to any marsh or marshes, for walling, & enclosing, or for any lands contained in the same within this Realme this act to continue & endure for euer An. 7. H. 8. ca. 1.

Distraine

Lord immediat

Halfe yere

Parke

Marsh

Note that in An. 6. H. 8. cap. 5. an act was made almost word for word to this, to endure to Chrystmas the next following.

3 ¶ The king, his heires and successors from and after the feast of S. Michael tharchangell, which shalbe in the yeare of our lord God, 1538. shall take and haue the moitie of al issues, reuenues, rentes and profits comyng and growing of al and singuler meses landes, and tenementes now and the remaining, enclosed, decayed or conuerted from tillage into pasture, contrary to the tenour and true meaning of the said act made in ỹ said xxvij yeare of king H. 7. cap. 19. before. I. & beyng at thys present day so found

King

Moitie

Decaied

already by office & verdict of twelue men, or which hereafter at any tyme by like office and verdict shalbe found of whom soeuer they be holde, which haue beene decayed and conuerted fro Tillage into pasture, sith thre yeares next before the foresaid xxvij yeare of the raigne of the sayed noble king Henry the 7. vntill such tyme as the owners of the said meases lands and tenements, shal haue builded and re-edified againe in and vpon conuenient places of the said meses, landes and tenements for euery fifty acres, xl. acres or xxx. acres of land, one sufficient tenement mete for an honest man to dwell in, and also vntill such time as the same owners haue conuerted, or caused al the sayd landes so mused to be conuerted from pasture into Tillage againe according to the nature of the soile, and course of husbandry vsed in the countrey where any such lands do lie, and according to the true intent and meaning of the said act. Prouided alwaies, and be it ec. that if any owner of landes and tenementes at any time after the last day of Aprill in the yeare of our Lord God 1536. decaye any house of husbandry, hauing twenty acres of erable land at the least there vnto lying in Tillage, or conuert the same land into pasture, contrarie to the true intent and meanyng of the sayd act, then if the lord, of whom any such houses and lands by them holden immediatly, do not take the benefitte of the sayed act, concerning taking of the moitie of the profites of the same house and landes so mused, as is aboue rehearsed, within one yere next after the sayd decaye, or within one yeare next after the conuerting of the said land from Tillage into pasture, the kings highnesse in default of ỹ said lords immediat, shal & may from and after any office found thereof, haue and take ỹ one moity of all ỹ issues, reuenues, & profitts, comming and growing of the same house and lands so decaied

Office Verdict

Wylfull

Tenemēt

Owner

Decay houses

Lord immediat

One yere

King

Halfe the issues

or

or conuerted from tillage into pasture vntil such time as the owner of ỳ said house and landes so misused, haue reedified the same house, and conuerted and put the same landes againe into tillage, according to the nature of the soile, and Course of Husbandry vsed in the countrey there, as is aboue rehearsed. Prouided alway, ỳ the kings highnes shall not haue, claime, or challenge any freehold, or tenure in, or to any of the premisses by taking of the moitie of any such profits, nor that any lord, of whom any such meases or lands bee holden, shall lose ne forfayt any their tenors, seruice, or other their right, of and in the same, but onely ỳ his highnesse his heires and successors shall haue ful power by vertue of this present act, after the finding alwaies of any office or offices, from tyme to tyme, onely to distraine for payement of the moitie of the yerely issues, reuenues and profits, of all such landes and tenementes, as bee vnto the kinges highnes lymitted and appointed by this act, according to the true intent and meaning of the same act, vntil such time as the true intent and purpose of this present act, shalbe duely and truely put in execution in euery behalfe, to all intentes, as is bee fore declared. Prouided also that this act nor any thing therein contayned, be in any wise preiudicial or hurtful to any infant within ỳ age of xxj. yeres nor to any persons or persons being out of the kings realme for any issues and profittes to bee leued, perceiued, or taken by vertue of this present act, as long as they shalbee within age, or out of this Realme, nor shal extend to any marsh or fenne groundes, nor to any manoures, landes, or tenementes, being inclosed at this present day, within any forest, parke or chase, wherein be deere belonging vnto ỳ kings highnes, or to any temporal Lord, knight, or squire, of this realme of Englād or Wales, so ỳ they haue licēce obtained at this present day of the kinges sayd highnes or of any his noble progenitours to impparke the same, and also haue compounded wt the owners there of, that the same owners bee satisfied for the same, any thing in this act to the contrary notwithstanding. Prouided alwaies that this present act extend not, nor bee in any wyse hurtful or preiudiciall, vnto anie owners of any lands or tenements, in any coūties of this realme of Englād, but only vnto all & euery the counties hereafter specified, that is to say, the counties of Lincolne, Notinghā, Leicester, Warwick, Rutland, Northāpton, Bedford, Buckingham, Orford, Berk, the Isle of wight, Worcester, Herford, and Cambridge. Anno. 27. H. 8. ca. 22.

4. ¶ That there shalbee yerely, after ỳ feast of ỳ Annunciation of our lady, which shalbe i ỳ yere of our lord God M.D.liii. as much land, or meze, put wholly in tillage, and tilled, and sowē, according to the custome of the countrey, and nature of the ground, and so shalbe continued, and tiled for tillage, and sowen for euer, by ỳ owners, fermours, or occupiers thereof, in euerie Towne, parish, village, & hamlet wtin the realme of England & Wales, as was or hath been put to tillage, in any one yeare, and so kept in Tillage by ỳ space of fower yeares, any tyme since ỳ first yere of the raigne of king Henry the eight, vppon paine to forfait, to the king and his heires, for euery acre not put in tillage tiled, & occupied, according to the fourme & effect of this present act, v.s. for euerie yeare so offending. And for the better execution of this act. Bee it &c. ỳ the king his heires & successours, at hys & their will and pleasure, from time to time, may direct his, & their seueral cōmission, and Commissions, vnder the great seale of England, to such persons as it shall please them. And that the same Commissioners, or fower of them

Needfis

Freehold

Distraine

Infant

Persons out of the Realme

Marsh

Forest Parke

Licence

Into what counties this act doth extēd

Tillage

Forf.

Cōmissiōs

Othes Presentment

Cōmissiō ners

Indent

Chann

Excheq

them at the leaſt, ſhal haue power and
auctho:ity by vertue of this act, and of
Enquirie the ſaid commiſſion, to enquire, ſerch,
and trie by the othes of xii. lawful and
indifferent perſons, o:̄ more, in euery
Hundred, Rape, o:̄ wapentake, ſuch
as may diſpend yerely xl.s. of freehold
what landes and tenements, in euery
Towne, paroch, village o:̄ hamlet, wi-
in the limitts of their charge, haue (a-
gainſt the fourme and effect of thys
preſent act and ſtatut) at any time o:̄
times, ſince ẏ ſaid firſt yere of ẏ raign
of king Henry the eight, bene conuer-
ted and tourned, frō tillage to paſture
and ſo lying conuerted and tourned,
from tillage, to paſture, & is now, and
hereafter ſo ſhalbe continued, and oc-
cupied in paſture. And that the ſayed
twelue perſonnes, o:̄ more vpon their
Othes Preſent- othes, ſhal make true, and lawful pre-
ment ſentment and certificat, aſwel of all
and ſinguler the premiſſes, as of the
names, o:̄ ſurnames, of the owners,
fermours, and occupiers of the ſame,
in writing vnder their ſeales, to the
ſaid Commiſſioners, at ſuch day, time
& place, as ſhalbee limitted to thē, by ẏ
Cōmiſſio- ners ſaid Commiſſioners. And ẏ the ſaied
Commiſſioners, after ſuch preſētmēt
thereof had, & made, ſhal cauſe ẏ ſame
Indented preſentments to be engroſſed in parch
ment endented, and ſealed with their
ſeales, wherof the one part ther of ſhal
be deliuered to the foreman of ẏ Jury,
Chauncery and the other part thereof, ſhalbe cer-
tified in the kings court of Chauncery
within two monethes next after ſuch
preſentment ſo had and made. And ẏ
from thence forth, the ſaid preſētments
with conuenient ſpēde, ſhallbe cer-
tified, and ſtreated out, and from the
Eſchequer ſaid court of Chauncery, into ẏ court
of the Eſchequer, there to remayne
of record, among the kings maieſties
records, of ẏ ſame court of Eſchequer
to the intent that this ſtatut ſhallbee
the more diligently, and indifferently
put in execution, according to the true
meaning there of. And bee it &c. that

Commiſſi- oners ſuch Commiſſioners, as ſhall hereaf-
ter be auctho:iſed by vertue of ẏ kingꝭ
Commiſſion, to put this act in execu-
tion, ſhall beefore ſuch time as hee o:̄
they ſhal ſit vpon the ſame commiſſi-
on, take a co:poral othe beefore ẏ lord
Oth L. chaun- celor Chauncellour of England, o:̄ the lord
keeper of the great Seale, for the
time being, o:̄ before ſuch other perſō
o:̄ perſons, as ſhal haue auctho:ity frō
the Lord Chauncelour of Englād, o:̄
the keeper of the great ſeale for ẏ tyme
Dedimus poteſtatem being, by Dedimus poteſtatem, to re-
ceiue, & take his o:̄ their othes truelie,
faithfully, indifferētly, & iuſtly, accor-
ding to the vttermoſt of his o:̄ their
wits, learnings, and cunnings, to en-
deuour themſelues, for and to the true
execution of this ſtatut, and of all, and
euery thyng, conteyned in the ſame,
for the better maintenaunce of Tyl-
lage, and encreaſe of Corne to be had
according to the true meaning of this
act. And be it further enacted &c. that
the ſaied Commiſſioners, o:̄ two of
them at the leaſt, ſhall haue auctho:i-
tie and power, to direct their precept
Precepe Shirife to the ſhirife of the countie, being wi-
in the limittes of their Commiſſion, to
warne ſuch, and as many honeſt men
of his Baillywike, as is aforeſaid, by
whom the truth may beſt be knowen,
Enquire to enquire, & true preſentments make
of all and euery the premiſſes, and to
Fines ſett ſuch reaſonable fines, iſſues, and
amercements vpon ſuch perſones, as
ſhall make default of their apparances
o:̄ making their apparances, ſhal ne-
glect to doe their duities, in and about
the execution of the premiſſes, as to
the ſame Commiſſioners, o:̄ ſower of
them, ſhalbee by their diſcretions,
Amerce- ment thought meete and conuenient, ſo that
the ſame fine o:̄ amerciament, for any
one default, exceede not the ſimme of
twentie ſhillinges. And that the ſame
fines, iſſues, & amerciamentes, ſo by
them tared and ſett, ſhalbee yearelie
well and truely ſtreated, into the ſaid
court

Eschequer

court of the Eschequer, and there to bee leuyed to the kynges vse, as other fines and amerciamentes, haue bene there accustomed and vsed to be leuied Prouided alwaies &c. that the putting of any lands, or tenements hereafter from pasture to Tillage, according to the fourme and effect of this act, shall not in any wise extend to be any cause of breach, or forfaiture of any bond, couenaunt, payment, or condition; made, or hereafter to be made betweene any persoune or persounes, whych in any wise is, or shalbee repugnaunt or contrariaunt to this act, Prouided alwaies &c. this act, ne any thing therin contained, shall not in any wyse extend to any land, conuerted, or to bee conuerted into pasture, that shalbee kept wythout fraud or coun, onely for the maintenaunce of the houses & hospitalitie of any persoune or persones. nor to any land that commonly or vsually, hath lien to pasture, by the space of xl. yeares last past. nor to any waste grounde or heathes, nor to any common downes, fennies, moores or marishes, which haue not been comonly and vsually, for the most part sowen, or put in Tillage, within xl. yeres last past, nor to any land now being lawfull Warren, or now vsed & kept for Connies, nor to any ground stubbed, or wone from wood, bushes, braine, or frees into the kind of pasture, nor to any lands nowe enclosed in any parke, commonly vsed with Deere, and that wythout fraude or coun hath beene vsed for any parke, within iiii. yeares last before thys present session of the parliament, nor to any salt marshes, nor to any marshes that commonlie within tenne yeares hath ben ouerflowen wyth water, nor to any ground enclosed by the licence of our soueraigne lord the king or any of his noble progenitours, nor to any orchard, garden, pale, or pond yard, nor to any medow ground yerely mowen, or to be mowen for haye, nor to any land sett or to bee set to saffron, or wyth hoppes, nor to any land sowen, or to be sowen with hemp, flax woade, or mader, nor to any land without fraud, or coun, sowen, or to bee sowen with acornes, or set, or to bee set with wood, during such time as the same shalbee vsed, or put to the vses & entents before specified. Prouided also y^t this act nor any thing therin contained, shal in any wise extend or be preiudicial or hurtful, to any persoune, or persons which at any time heretofore hath conuerted, or at any time, or times hereafter, shal conuert any arable land to pasture, in any parache, Towne, village hamlet, or other place, or places of this Realme, for the which such persoune, or persounes, haue already, or within one yeare after the feast of Easter next comming, or within one yeare next after any such inquisition hereafter to be found, after such conuerting of arable ground into pasture, hath, or shall tourne, or conuert to tillage and arable ground, as much pasture ground or lesse, wythin y^e same parach, towne, village, or hammelet, or within any of them, where any such land so hath beene, or hereafter shalbe conuerted from Tillage to pasture, and doe suffer the same land so tourned from pasture to tillage, so to continue in tillage, and be arable, without tourning y^e same to pasture againe so long as the landes tourned to pasture as is aforesaid, shalbe vsed in pasture. Any thing in this present act contayned to the contrary hereof in any wise notwithstanding. And it is &c. that all and al Commissioners, Justices of Assise, Justices of Oyer, & determiner, as Justices of the peace in their Sessions, and none other, shall haue full power and authoritie, to enquire of the premisses, and shal certyfie all presentmentes that shalbe had before them, into the court of Chauncery, and from thence to bee streated in conuenyent tyme, into the kings court

Breach of couenant

Pasture for houshold

Pyeres Waste grounds Marishes

Warren Connies Stubbed grounds

Parks

Salt marshes

Licence

Orchard Medow

Saffron Hoppes Hempe Flax Woad Madder Acornes Wood

Conuert arable to pasture

From pasture to tillage

Cõmissioners Justices Just. of p.

Enquire

Chauncery

Eschequer

court of theschequer, and that the party greeued, if he will, may haue and tend his trauerse, according to the lawes of this Realme, in the same court, whether the said lands or tenemẽts so foũden by any such inquisition, be holde of the king immediatly or not. Prouided also, and be it &c. that this act, nor any thing therein contained, shall or may in any wise extẽd, to geue any authoritie to any shirife, vndershirife, or any their officer, bailife, or minister, to enfringe, breake, or enter into any libertie or liberties, for therecution of any precept, or other proces, which shal be hereafter to him or them awarded, by authoritie, and vertue of this act, otherwise then hee or they might haue done, beefore the making of the same, any thing herein contained to the cõtrarie in any wise notwithstanding. Prouided also &c. that if any person or persones offending this act, bee at any time hereafter impeached, or sued, by force of this act, for any offence or offences, committed, or done, or to bee committed or done contrarie to thys act, that then the partie offendyng so sued, shall not bee impeached by the king &c. or by any other for ỹ same offence, by vertue of any lawe, act or actes, statute or statutes, heretofore had or made, for the reformation of anie the articles, or braunches conteyned in this act: Any thing in this act or any other act or acts, had, or made, to the contrarie in anie wyse notwythstanding. Prouyded also &c. ỹ this act or anie thing therein conteynod, shall not extend to charge any persone, or personnes, with anie penaltie, or forfeyture, for or concerning anie offence done, or to be done, contrary to the tenour of this act, vnlesse hee or they so offendyng, be sued, or empeached for the same, within three yeares next after ỹ same offence be found by inquisition as is aforesaid. This act to endure for ten yeres, & from thẽce vnto thend of ỹ next parliament. An. 5. E. 6. ca. 5.

Shirife Bailife

Penaltie

iij. yeres

5 ¶ The said act (s. of An. 4. H. 7. ca. 19. before. 1.) and euery braunche therein, shalbee from henceforth put in due execution, and remaine and continue in force for euermore. And whereas ỹ prouision in ỹ said act, doth onely extend to house or houses, hauing xx. acres of land at the least or more, lying in tillage and husbandrie, vpon the interpretation of which woordes some doubt hath risen. Be it &c. that the said estatute (s. of An. 4. H. 7. ca. 19. before 1.) and the penaltie & purueyaunce of the same, shal from henceforth extend to houses to bee decayed, that haue or hereafter shall haue, twenty acres of ground or more to them lying or beelonging, whether the same or any part thereof, be, hath ben, or shalbee vsed or put in tillage or not, the said xx. acres, to be accompted and measured, after the quantitie, rate, and measure of the statut or ordinãce, called ỹ statut, treatice or ordinãce, de terris mensurandis, & not otherwise. Any vsage, or custõe, or other thyng whatsoeuer, to the contrarie thereof notwithstanding. And for a further prouision, for reedyfying of houses decayed, restoryng of pasture into tillage, and for encrease of corne: Bee it &c. that the king and Queenes highnesse, and theires, and successours of ỹ Queenes maiesty, shall & may at al times hereafter, as oft̃ as to them shal seeme nedeful & cõuenient, award their highnes cõmission or cõmissiõs, vnder the great seale of England to be directed to such persons, as to thẽ shall seeme meete, hable & cõuenient, whereof three at the least shalbee of the Quorum, authorising thẽ thereby, or fower of them at the least, whereof two to be of the Quorũ to execute & see executed this present act according the true intent, effect, & meanyng of the same, the which cõmissioners or fower of thẽ at ỹ least, whereof two to be of ỹ Quorum, by vertue of ỹ said cõmission, & of this present act, shal haue full power & authority, to enquire heare and determyne,

House & xx. acres

Cõmissiõs

Enquire Dier & ter.

Eschequer

court of the Eschequer, and there to bee leuyed to the kynges vse, as other fines and amerciamentes, haue bene there accustomed and vsed to be leuied Prouided alwaies &c. that the putting of any lands, or tenements hereafter from pasture to Tillage, according to the fourme and effect of this act, shall not in any wise extend to be any cause of breach, or forfaiture of any bond, couenaunt, payment, or condition; made, or hereafter to be made betweene any persons or persones, whych in any wise is, or shalbee repugnaunt or contrariaunt to this act, Prouided alwaies &c. y this act, ne any thing therin contained, shall not in any wyse extend to any land, conuerted, or to bee conuerted into pasture, that shalbee kept wythout fraud or coun, onely for the maintenaunce of the houses & hospitalitie of any persons or persones. nor to any land that commonly or usually, hath lien to pasture, by the space of vi. yeares last past, nor to any waste grounds or heathes, nor to any common doluns, fennes, mooses or marishes, which haue not been comonly and vsually, for the most part sowen, nor put to Tillage, within vi. yeres last past, nor to any land now being lawfull Warren, or now vsed & kept for Conies, nor to any ground stubbed, or wone from wood, bushes, braune, or frees into the kind of pasture, nor to any lands now inclosed in any parke, commonly vsed with Deere, and that wythout fraume or coun hath beene vsed for any parke, within iiii. yeares last before this present session of the parliament, nor to any salt marshes, nor to any marshes that commonlie within tenne yeares hath been drouned or surrounded, or ouer flowen wyth water, nor to any ground enclosed by the licence of our soueraigne lord the king or any of his noble progenitours, nor to any orchard, garden, pale, or pond yard, nor to any wood or ground yerely mowen, or to be mowen for haye, nor to any land sett or to bee set to saffron, or wyth hoppes, nor to any land sowen, or to be sowen with hemp, flax woade, or mader, nor to any land wout fraud, or coun, sowen, or to bee sowen with acornes, or set, or to bee set with wood, during such time as the same shalbee vsed, or put to the vses & entents before specified. Prouided also y this act nor any thing therin contayned, shal in any wise extend or be preiudicial or hurtful, to any persone, or persons which at any time heretofore hath conuerted, or at any time, or times hereafter, shal conuert any arable land to pasture, in any parache, Towne, tillage hamlet, or other place, or places of this Realme, for the which such persone, or persones, haue already, or within one yeare after the feast of Easter next comming, or within one yeare next after any such inquisition hereafter to be found, after such conuerting of arable ground into pasture, hath, or shall towne, or conuert to tillage and arable ground, as much pasture ground or lesse, wythin y same parach, towne, village, or hammelet, or within any of them, where and such land so hath bene, or hereafter shalbe conuerted from Tillage to pasture, and doe suffer the same land so tourned from pasture to tillage, so to continue in tillage, and be arable, wythout tonning y same to pasture againe so long as the landes tourned to pasture as is aforesaid, shalbe vsed in pasture. Any thing in this present act contayned to the contrary hereof in any wise notwithstanding. And it is &c. that all and al Commissioners, Justices of Assise, Justices of Oyer, & determiner, as Justices of the peace in their sessions, and none other, shall haue full power and auctoritie, to enquire of the premisses, and shal certyfie all presentmentes that shalbe had before them, into the court of Chauncery, and from thence to bee streated in conuenyent tyme, into the kings court

Breach of couenant

Pasture for houshold

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Cõmissioners Justices Just. of p.

Enquire

Chauncery

Eschequer court of theschequer, and that the party greeued, if he will, may haue and tend his trauerse, according to the lawes of this Realme, in the same court, whether the said lands or tenemẽts so foũden by any such inquisition, be holde of the king immediatly or not. Prouided also, and be it &c. that this act, nor any thing therein contained, shall or may in any wise extẽd, to geue any auctoritie to any shirife, vndershirife, or any their officer, bailife, or minister, to enstringe, breake, or enter into any libertie or liberties, for the execution of any precept, or other proces, which shal be hereafter to him or them awarded, by auctoritie, and vertue of this act, otherwise then hee or they might haue done, before the making of the same, any thing herein contained to the cõtrarie in any wise notwithstanding. Prouided also &c. that if any person or persones offending this act, bee at any time hereafter impeached, or sued, by force of this act, for any offence or offences, committed, or done, or to bee committed or done contrarie to thys act, that then the partie offendyng so sued, shall not bee impeached by the king &c. or by any other for ỳ same offence, by vertue of any lawe, act or actes, statute or statutes, heretofore had or made, for the reformation of anie the articles, or braunches conteyned in this act: Any thing in this act or any other act or acts, had, or made, to the contrarie in anie wyse notwythstanding. Prouyded also &c. ỳ this act or anie thing therein conteyned, shall not extend to charge any personne, or personnes, with anie penaltie, or forfeyture, for or concerning anie offence done, or to be done, contrary to the tenour of this act, vnlesse hee or they so offendyng, be sued, or empeached for the same, within three yeares next after ỳ same offence be found by inquisition as is aforesaid. This act to endure for ten yeres, & from thence vnto thend of ỳ next parliament. An. 5. E. 6. ca. 5.

Shirife Bailife

Penaltie

iij. yeres

5 ¶ The said act (s. of An. 4. H. 7. ca. 19. before. 1.) and euery braunche therein, shalbee from henceforth put in due execution, and remaine and continue in force for euermore. And whereas ỳ proulsion in ỳ said act, doth onely extend to house or houses, hauing xx. acres of land at the least or more, lying in tillage and husbandrie, vpon the interpretation of which woordes some doubt hath risen. Be it &c. that the said estatute (s. of An. 4. H. 7. ca. 19. before 1.) and the penaltie & purueyaunce of the same, shal from henceforth extend to houses to bee decayed, that haue or hereafter shall haue, twenty acres of ground or more to them lying or belonging, whether the same or any part thereof, be, hath ben, or shalbee vsed or put in tillage or not, the said xx. acres, to be accompted and measured, after the quantitie, rate, and measure of the statut or ordinãce, called ỳ statut, treatice or ordinãce, de terris mensurandis, & not otherwise. Any vsage, or custõe, or other thyng whatsoeuer, to the contrarie thereof notwithstanding. And for a further prouision, for reedyfying of houses decayed, restoryng of pasture into tillage, and for encrease of corne: Be it &c. that the king and Queenes highnesse, and theires, and successours of ỳ Queenes maiesty, shall & may at al times hereafter, as oftẽ as to them shal seeme nedeful & cõuenient, award their highnes cõmission or cõmissõs, vnder the great seale of England to be directed to such persons, as to thẽ shall seeme meete, hable & cõuenient, wherof three at the least shalbee of the Quorum, auctorising thẽ therby, or fower of them at the least, wherof two to bee of the Quorũ to execute & see executed this present act according the true intent, effect, & meaning of the same, the which cõmissioners or fower of thẽ at ỳ least, wherof two to be of ỳ Quorum, by vertue of ỳ said cõmission, & of this present act, shal haue full power & auctority, to enquire heare and determyne,

House & xx. acres

Cõmissõs

Enquire Diet & ter.

mine, by the othes of twelue menne, or by information, or other lawfull waies and meanes vsed in other cases, in anie of the king and Quenes highnesse ordinarie courtes of record, all and singuler defaultes and offences, committed or done, since the feast of saint George the martir, in the. xx. yeare of the raigne of the late kyng of famous memory king Henry the eight or hereafter to be committed or done, aswell contraris to the tenour and effect of the said former act, as contrary to one other act made in the parliament holden in the seuenth yere of the raigne of the said late king Henry the eight (s. ca. 1. before. 2.) intituled an act to auoyd lettyng downe of Townes. And also to enquire, heare, order & determine by the sayd waies & meanes, al grounds whatsoeuer, conuerted frō tillage to pasture, since the said feast of saint George the martir, in the said. xx. yere of the said raigne of the sayd king Henry the eight, or hereafter to be cōuerted from tillage to pasture, & also of all ground, in or nere anie Corne field newly vsed, or imployed sithence the said feast, or hereafter newly to bee vsed, imploied or conuerted, to the keping of cunnies, not being lawful warren, & whereby anie corne of anie person or persones, other then the owner of the same cunnies, sithence the sayd feast, hath ben or hereafter shalbe decayed, destroyed, or consumed, and the said commissioners, or fower of them, whereof twoe to bee of the Quorum, shal and may take order and direction, for the reformation of such offences, decayes, and defaultes in manner and fourme following, that is to say, they or fower of them at the least, whereof two to be of the Quorum, shall & may bynd by recognysaunce, in good summes of money, to be knowledged to ỹ vse and beehoofe of our Soueraygne Lord the kyng and soueraygne Ladie the Quene, her heires and successors, which recognisaunce, by thys act, they shalbee enabled to take the persone or persones, first offendyng, and guylty in anie of the foresayd decayes, or defaultes, and then beeing or continuing owner in fee simple, fee tayle, for terme of life, for terme of yeres, or by copie of court rolle, in possession or in reuersion, or remainder after anie estate or estates, for terme of yeares, or for terme of life of such decayed house or houses, and ground thereunto lying, or of ten acres parcell thereof, or of such ground conuerted from tyllage to pasture, or of such ground which is or shalbee vsed or imployed to the keepyng of cunnies as is aforesayd, or anie of them, in such summes of money, as to such Commyssioners shall seeme reasonable for the reedifyyng of such decayed houses, and for the conuerting of such ground so conuerted from tillage to pasture, into tillage againe, and for the diminyshyng and destroyyng of cunnies, within such conuenient time, and in such maner and fourme, as to the same commissyoners or fower of them, whereof two to bee of the Quorum, shall seeme meete and conuenyent, and by their discretyon shall bee sett, lymitted and appointed. And if the offendour or offendours doe dwel in anie other shire, or cannot bee gotten to bee bound by recognisaunce, beefore the sayd Commissioners, as is aforesayd, that then the sayd Commyssioners or fower of them, whereof two to be of the Quorum, shall take such other order, for the reedifyying of the houses, and conuertyng the ground into tillage, and destroying of Cunnies, according to this estatute, as shalbee thought meete by their discretions, and shall cause the same their order to bee entred of record, wythin one moneth after their sayd order made, and shall within the same moneth, delyuer or cause to bee delyuered, the coppie of their sayd order signed and sealed by thē or fower of them, to the tenaunt, farmer, or seruaunt,

Owner

Cunnies

Reedifyng of houses

Tillage

Record

Decaied houses

Order

uaunt, keeping, residing, or inhabiting the ground or place, for the which the order shalbee made, to the intent the same maie bee delyuered ouer, or declared, to the sayd owner or owners, that shall or ought to bee charged by, or wyth the same. And if the place in wyych anie such decayed house or houses, hath been, or shall bee situate, shal bee found in the handes of anie person or personnes, other then such person or persons, as first dyd suffer or make the sayd decay, then the sayd Commissioners or fower of them, whereof two to bee of the Quorum, shall and may order and enioyne all and euerie personne and personnes, hauyng the immediate and present inherytaunce, in the sayd grounds & places, wherein anie of the aforesayd decayes shall bee found, as is aforesayd, to reedyfie and buyld againe, the same decayed house, eyther in ỳ sayd place, where it was decayed, or nerer vnto the same, within the same towne, parish, or hamlett, within such time, and in such sort, as to the said Commissioners or fower of them, whereof two to be of the Quorum, shall seeme reasonable and conuenient. And shal further assesse and tare, al and euery person and personnes, hauing any particuler estate, in the said grounds, belonging to any such house decayed, for terme of life, yeares, or by copie of Court rolle, to bee contributorie towardes the said reedification, & buylding, in such sume or summes of money, to be paied to the foresaid persone hauing the immediate and present inheritaunce, and beeing ordred and enioyned to reedifie the same, as to the said Commissioners or fower of thē, whereof two to bee of the Quorum, shall seeme meete and reasonable, hauing respect and regard to the seuerall estate, and termes of all and euerie the said particuler tenauntes, and to the commodities, profites, and emoluments, thereto seuerally and respectiuely belonging, and also hauyng respect to such conuenaunts, graunts, agreementes and conditions as be, or shalbe conteined in anie lawfull wryting, made concernyng the estate of any of the persons to be charged for ỳ sayd reedification, or for the contributiō of any thing toward the same freehold, estate, remaynder, or reuersion, as is aforesayd, according to their seueral interest, estates, commodities, and profits. And bee it enacted by the authoritie aforesaid, that al & euerie person and persons, bodies politique and corporate, that shal haue anie estate or interest, in any of the said houses, places, or grounds, wherein any of the aforesaid decaies shalbee committed & found, or presented as is beforesayd, from or by any person or personnes, so ordered & enioined as is aforesaid, shal be charged and chargeable, according to his or their estate or estates, cōmodities, & profits in the same, in like sort & maner, as he or they from whom or by whom the same estate or estates, shall be by any meanes derined or cōueied, should or ought to haue been, by force of the said commaundement and iniunction. And also that the person or personnes, that shalbee appoynted or charged by the sayd orders and iniunctions, or by this statute, to reedify anie of the decayed houses beforesaid, & to haue any contributiō, rate or sūme of mony, or other thing of any others, towards the same, shal & may by vertue hereof haue one accion of debt, for the same, against the party or parties, appointed to pay the same, & agaynst their heires, executours or assignes, in any of the king & Quēnes maiesties ordinary courtes of record, or shall sue for ỳ same, by informatiō before ỳ said commissioners, or fower of thē, whereof two to bee of the Quorū. In which suit nor iniunccion, wager of lawe, protection, nor essoine, shalbe allowed for the defendaunt. And if anie partie or partyes, that should or ought to

Decaied houses

Reedifie

Tare

Order

Couenants

Accion of debt

paie or geue anie summe of money, or other thing in contribution, as afore-said, shall vppon a reasonable request thereof to be made, wilfully refuse or delay to pay or geue the same, ẏ then the pleintife vpon his suit to haue & recouer treble damage against the sayd defendaunt. And further bee it &c. that if the said ground or grounds, so conuerted from tillage to pasture, or vsed, or employed to the keping of cunnyes, to the destruccion of corne, as is aboue said, shalbe found in the hands or possessions of anie person or persõs, other then such as did conuert ẏ said grounds from tillage to pasture, or vse or employ the said grounds with cunnyes, as is aforesaid, that then the said commissioners, or fower of them whereof two to be of the Quorum, shall & may order & enioyne ẏ occupiers of the said ground or grounds, so conuerted from tillage to pasture, or so vsed or employed to the keping of cunnies as is aforesaid, to turne the same againe into tillage, or to distroy or diminish the sayd cunnies kept vppon the same ground, within such time, & vppon such paines as by thẽ shalbe limitted & appointed. And bee it &c. ẏ euery such order & iniunction aboue mencioned, shalbe entred of record, & the copy thereof writẽ in parchement, and signed and sealed by the said commissioners or fower of thẽ, whereof two to be of ẏ Quorum, & deliuered to the occupier or occupiers of the ground or places, wherein anie of the aforesaid offences, decaies or defaultes, shalbee found as is aforesaid, to the intent, the same may be deliuered ouer, or declared to all such other persons, as shall or ought to bee bounden or charged by the same. And further bo it &c. that the said commissyoners or fower of them, whereof twoo to bee of the Quorum, shall and may haue power and authoritie by force of the sayd commission, and of this act, to commit euerie persone refusing to be bound by recognisaunce as is afore-sayd, and euerie the sayd particuler tenauntes refusing to declare to the sayd cõmissioners, or fower of thẽ, whereof two to bẽ of the Quorum, how lõg, or what his said particuler estate is, to pryson into the next Gaole in the sayd Countie, there to remayne without baile or mainprise, vntil he shalbe bound in recognisãce as is aforesaid, or shew or declare his or their particuler estats or estate in the premisses to the said cõmissioners or fower of them, whereof two to be of the Quorum, as is aforesayd. And be it &c. ẏ the sheriffes and all other ministers, wiin ẏ coũties where such sessions shalbe appointed, shalbee attendant vpon the said cõmissioners, and shall returne before them all such processe & precepts, as they shall haue in cõmaundement to do, & bee obedient vnto them, as they are bound to bee to the Justices of peace, or of Oyer and determiner, at al times and places, for the execution of the sayd commissyons and of thys act. And the same commissioners or fower of them, whereof two to bee of the Quorum, shall haue power and authoritie to ẽquire, heare & determine as is aforesaid, of, for, and vppon all forfaitures, recognisaunces, and breaches of orders, and iniuncyons that shalbee taken, knowledged, or made before the said commissioners or fower of thẽ, & to assesse such fines & amerciamẽts as to them shall seeme méete and conuenient vpõ the sherife, and other officers and persones whatsoeuer making default, and for contempts and other misdemeanours before thẽ. And shall haue authority to returne all impanelles to be returned before thẽ, as the Justices of peace may do. And further bee it &c. ẏ euerie of the cõmissioners shal haue for euery day hee shall sitte to execute this commission, tenne shillinges, and to the clerke ẏ shall serue and write all proces and other recordes before the said commissioners (for euery day hee shall attend vppon the said commissioners, three

Refuse

3 damages

Cunnyes

Record

Refuse

Impryson

Recognisãs

Shirifes

Proces

Enquire Oier & ter.

Amerce Shirife

Returne impanels

Cõmissioners x.s for euery day

Clerke xij.s.iij.d.

three shillings & sower pence, the same to be paide by the shiriffe or clerke of ẏ court, of the fines, forfaitures, & amerciaments, that shall arise or bee sessed for any matter or default beefore ẏ said commissioners, and the Shirife to bee allowed vpon his accompt for ẏ same, so ẏ the same bee noted & specified in ẏ estreat, signed by ẏ said cõmissioners or fower of thẽ, whereof two to bee of Quorum. Prouided alwaies and bee it enacted &c. that the sayd cõmissioners or ane of them, by vertue of this act, shall not haue power or auctoritie, to do any thing touching ẏ offences ordefaults aforesaid, cõtrary to ẏ ordinãce or purueiãce of any estatut heretofore made, or to the exclusion or taking away of any benefit or libertie permitted or saued, to any maner of persons by any prouisiõ in any of the sayd statutes, or contrary to the effect of any licence heretofore graunted by ẏ king and Queenes highnesse, or the quienes highnesse, or ane of the auncestours or predecessours of ẏ Queenes highnesse, so that the same licence bee shewed to them, or fower of thẽ, vnder Seale, before conuiction of ẏ offece or defaults aforesaid: Any thing afore said to the contrary therof in anywise notwithstanding. And for asmuch as it is lyke to bee that some houses hauing twenty acres of ground or more, to them lying or belonging, bee decayed without anie wylling default in them that had the inheritance or possession therof, as by fire, breaches, and surrounding of waters, or by destruction of enemies, or rebelles, or of such as had particuler estates therin without impeachment of waste, or by such other like meanes or wayes, and that they who by the ordinance aforesayd, should reedifie the same, are of such pouerty that they cannot by al entendment reedifie or build vp all the same houses againe. And for asmuch also as some perchaunce haue erected & builded vp newe houses in some other places vppon the same landes lying to the sayd houses, or vppon some other land neere thereunto, in lieu and place of the house decayed, which are as auayable to the common wealth, as the newe reedyfying of the decaied houses in the old places should bee, in which cases equitie requireth, they should not be punyshed for the said decay. And forasmuch as it is like to bee, that some ground conuerted from tillage into pasture, is deuyded into diuers small parcelles remaynyng and being in diuers and seuerall mens handes, so that anie one part, will not be sufficient to keepe anie plough vppon. And for that some groundes haue been tilled for destroiyng of mosse, bushes, broome, fyres, heath, and not onely to bee continued in tillage, and such like. And that also some demeanes in the absence of the owners, haue been occupyed to sundrie occupiers, who hath tylled the same, not beeyng commonly vsed to tillage, before the said feast of Saint George, & for that diuers other particuler causes may fortune to bee, which the generall purueyance of this estatute cannot remedy, without greater hurt then good to be done by the same. And for that also that in some places of this realme, it is not necessarie, the purueyance of this estatute to extend and to bee fully executed, but in some places and vpon some occassions or causes, it may more conuenientlie be spared then put in vse, and is therefore necessary to referre such thinges with all other circumstãces, to the discretions of the commissioners, who may more perfectly vnderstand the same. Be it therefore ordeined and enacted by auctoritie of this present parliament, that the sayd commissioners, or fower of them at the least, whereof two to bee of the Quorum, shall and may consider the sayd cases, and such other lyke, and vse their discretions, in tempering and qualifying of the sayd generall purueyance of this or ane of the forsayd former



Shirife

Hymbe

Demeanes

Licence shewed

Houses & 20. acres

Fire Surroundyng

Discretion of the commissioners

Poore

New houses

estatutes, and in ordering the said cases and such other like, and to omit the execution and penaltie of this act, and of the other former actes, accordyngly, as to the wisedomes and discretiõs of them or fower of them at the least, whereof two to be of the Quorũ, shalbe thought most necessarie: This act, or the aforesayd former actes in anie wyse notwithstanding. And shal haue power and authoritie to cancel recognisaunces, taken before them, and not appearyng to them forfaited, if it shall seeme to them or fower of thẽ, whereof two to bee of the Quorum, meete and conuenient.

Omit execution

Cancel recognisance

And it is further ordered and enacted &c. that where as any ground by meanes of this act, shall fortune hereafter to be conuerted from pasture into tyllage, according to the entẽt of this act, which ground is chargeable with anie rent reserued, since the tyme that same ground was conuerted from tillage to pasture, and which was reserued and made the greater, in consideratiõ that the same was so conuerted from tyllage into pasture, or stored with cunneys, that all such rentes, if they bee greater then the ground turned into tillage, or the ground by reason of the destruccion of cunnies is worth, shall bee abated and aporeyoned by the said commissioners or fower of thẽ, whereof wee will two of them to bee of the Quorum, according to their discretyons, if they shall thinke the same so meete. Prouyded alwayes and bee it enacted, by the authoritie aforesayd, that the retaynyng or none payment of anie such part or porcyons of anie rentes, that shalbee abated or deducted by the commissioners as is aforesayd, shalbe no breache or forfayture of any bond, penaltie, couenaũt, graunt or cõdition, to be conteyned in any indenture, bond obligatorie, or other wrytyng agreement or promise, whatsoeuer to the contrarie notwithstanding. And further be it enacted by thauthoritie aforesayd, that the sayd commissioners or fower of them, whereof two to be of the Quorum, shal haue power and authoritie by vertue hereof, to make & direct forth preceptes and processes, as well to the Sherife of the countie, as to all other freeholders and persons that ought to attẽd or appeare before the said commissioners, for the tryall aunswerynge, or prouing of anie offence against this estatute, or against any of the aforesaid former estatutes, to appeare before them at any day and time that ẏ said commissioners or fower of thẽ, whereof two to be of ẏ quorum, shal limit or appoint, and vpon that apparaunce of the said personnes to geue day ouer from time to time, as they shal thinke meete. And bee it enacted &c. that if any such person or personnes as presently haue, or hereafter shall haue, any houses builded, or reedified, or to be reedified, or any groundes to bee conuerted to tillage, according to the tenure and effect of this estatut, or any of the aforesaid estatutes, that then the said person or personnes, their heires, or assignes, shall within three yeres next after the ende of this Session of this Parliament, dimise, or lette to ferme the houses alreadie builded or reedified with the twenty acres of ground, which before time did appertaine and lye to the same, or ten acres parcell thereof, if there bee now noe more of the same landes in their handes that hath the houses builded, or reedified, or ought to reedifie the same, or with so much other landes, lying conuenient for the said houses, and shal dimise, and let to ferme, the houses hereafter, to bee reedified within two yers after the same shalbe so reedified, with the twenty acres of landes, or the ten acres parcell thereof, or the like number of acres as is aforesaid. And if any of the said houses and landes shall not be so dimised or letten to ferme as is aforesaid: That then the said cõmissioners or fower of them at the leaste,

Pasture to tillage

Rent

Cunnies

Abate rent

No forf. by deteining of rent

Pzoces Shirife

Appeare

3. yeres

Let to ferme

House & land

whereof

whereof two to bee of the Quorum, shall haue power & auctoritie by vertue of this act, to dymise and let ỳ said house and landes, to any person or persones, hauing no other ferme or tenementes within the same parish, nor hauing any accion or suit at that Parliament against the owner, and requiring the same for seuen yeares, at the most, for such reasonable rent and vpõ such reasonable couenantes, as the said Commissioners shal thinke meete for both parties. So that they take good assurance for the payment of ỳ rentes and performing of the couenantes, to the owner of the same, as they shal thinke conuenient, vpon which lease, the owners of the house and landes, so letten, their executours and assignes, and euery of them for the time being, and also euery such lessee, their executours and assignes, and euery of them shall haue such remedie and actions, ỳ one against the other, as they should or might haue had if they themselues had onely beene prime and parties to the saide leases. And bee it enacted by the auctoritie aforesaid, that if any personne or personns, shalbee condempned or charged, with, or for, any offence that hee or they ought not to bee charged withall by this act, or by any of the aforesaide former estatutes, that then the said partie and parties, shall & may haue his or their traners, and remedie therefore, in the Starre Chamber, beefore the counsell there. And bee it &c. that this estatut shal at ỳ pleasures of the king and Quenes maiesties her heirs & successors, be put in execution, eyther by commissioners to bee appointed according to ỳ tenour of this act, or els by ỳ commissioners to be appointed by their maiesties for the execution of certein statutes thereof made, in this Session of this present Parliament. Prouided alwaies &c. ỳ this acte nor any thing therein contened, shall extend to anie house, or building made or to bee made by any tenants in dower, or other particuler tenant, without ỳ assent of him or them in reuersion or remainder of estate of inheritance, vnlesse the same house or buylding be, or shall bee made & erected according to the intent & purpose of this estature. Any thing in this estatut to the contrary notwithstanding. And be it &c. that if anie person or persones shalbee conuicted or condempned of or for anie offence or forfeyture, of anie recognisaunce, or other matter cõteined & specified in this act, vpon anie information at the suit of anie partie or parties, that then the one moytie of all such forfeytures and summes of money, as shalbee due for the offence or forfayture, conteyned in the informatyon, shalbee to the party or partyes, that shal exhibite and prosecute the same. Anie thing in this act or in any of ỳ aforesayd acts to the cõtrary notwithstanding.

And bee it further enacted &c. that the said commyssioners or fower of them at the least, whereof two of them to bee of the Quorum, shall inrolle, or cause to bee inrolled of record, all such orders, prouisions, paines, penalties, forfaytures, fynes, amercyaments, condempnations, and conuycyons, as shalbee had, made, sett, tared, lost, or forfayted, by reason or occasion of anie matter or thyng conteyned in this act, or in anie of the aforesayd former actes, and the same recordes to bee well obserued and kept in such sort and order as the sayd commyssioners or fower of them, whereof two of them to bee of the Quorum, shall thynke meete and conuenyent. And bee it further enacted &c. that the sayd commissioners or fower of them at the leall, shall by vertue hereof haue auctority to make, or cause to be made proces for the leuying of all such amerciaments, fines, summes of money, and forfaitures, that shalbe due to bee payed, by reason of any presentment, iudgement, recognisance, order,



Demise

7. yeres

Offence

Traners Starre chãber

House

T. in dower

Connict

Moitie

Accions

Inrolle

Proces

insuccion, attestement, default or other matter whatsoever, hadd, made, geuen, or done, according to the purport and intent of this estatute, as Justyces of peace maie doe for anie fynes, or forfeitures before them. And the said cõmissioners or fower of thẽ, whereof twoe to bee of the Quorum, shall yearelie at the feast of Saint Michael tharchaungell, make or cause to bee made estreates indented of al such forfaytures, penalties, fynes, amercyaments and sũmes of money, as shall be due in the yere next before the sayd feast, vppon the forfaiture of anie recognisance, or for any of the causes or offences aboue said, the same estreates to bee subscribed and sealed by the said cõmissioners or fower of them, whereof two to bee of the Quorum, the one part thereof to be sent into the court of the Eschequer at Westminster, within forty dayes after Mychaelmas. And the other part thereof to be deliuered to the Sheriffe of the shire, which shalbee a sufficient warrant to hym and hys deputie, to leuie the same in such sort as hee ought or may leuy the summes contcined in the streates, to the sheriffes directed forth of the court of the Eschequer, and the sheriffe to discharge therewith his accompt. And bee it &c. that if anie offendour shall once be cõdempned, and paie his fyne or forfayture, for any of the offences aforesayd, in anie court before anie Justyces or commissioner, hauing authoritie for ỳ purpose, that then the sayd offendour or offendours, shall not estsones bee charged againe for the offence beeyng passed, but shall and may plead his former payement in barre thereof. And be it further enacted &c. that the clerke or clerkes, that shal write the matters & records before the said cõmissioners, shal take for the entrie of plees & other his doinges, such fees and none other, as shalbe appointed by the sayd commissioners, or fower of them, whereof two to be of the Quorum, and writtẽ on a Table that shalbe fixed openly in ỳ place where the Sessions shalbe kept, vpon payne that the same clerke so offendyng shall lose and forfayt, to the partie greeued, treble the value of that which was so taken, and hee or they that shall embesill anie recognysaunce or record, shall for euerie such offence lose and forfayt fiue poundes, and bee committed to prison, vntill hee shall pay the said summe of fiue pound, and also make such other recompence and satisfaction, as the sayd commyssyoners or fower of them, whereof two to be of the Quorum, shall thinke conuenient. Prouided alwaies & bee it &c. that this act nor any thing therin contained, shal extend to charge any person or personnes that shall keepe anie ground in pasture, for the keepyng of his or their owne houses, kine or other cattel, for the onely victuall to be spent in his or their house or houses. And bee it &c. ỳ this act, nor any thing therein conteyned, shall in any wise extend to reedifie anie chiefe manour, place, nor anie other houses, or buyldinges, but such as shalbee meete and conuenient for the fermours or tenauntes, of anie other fermeholdes, or tenaunts for the maintenaunce of the groundes that be or shalbee assigned or layd to bee occupyed with the sayd houses, buylded or to bee builded, according to the intent of this estatute, by the discretion of the said commissioners or fower of them, whereof two to be of the Quorum, nor shall extend to conuert to tyllage anie ground not exceeding v. acres, which is or shalbee vsed and inclosed for anie garden, orchard, hoppard, rape seede or for coneys, for the onely prouisiõ of any mans house, and to be spent in the same, and not beeyng hurtfull to the corne of any persõ or persõs, other thẽ the owners of ỳ said cunneys, so that the sayd gardeyne, orchard, hoppard, or cunney garth, shal lie adioyning or nygh within one myle to the dwellyng house of the owner thereof, nor

Table

For. 3. damages

Imbesill record

For. Imprison

Satisfaccio

Pasture for houshold

Manour house

For.

Coneys

Garden Orchard

shall

Barren ground
Arable pasture
Other ground
Repealed

shall extend to conuert any ground to tillage, whych is or shalbee left vntilled, and not sowen with Corne, by reason of the sullnesse, barenes, or barennesse of the same, vntill such tyme as the sayed ground shalbee apt & meete for tyllage, and to beare corne againe, as by the sayed Commissioners or iiii. of them, wherof two to be of the Quorum, shalbe thought conuenient, this estatute or any other estatut to the cõtrarye notwithstandynge. And be it &c. that if any persõ or persõs at any time after the session of this present parliament, shal conuert or turne to pasture any ground now beig errable, & kept most commonly in tillage, for ỳ space of twenty yeares last past beefore the Session of thys present Parlyament, and shall not eyre, and breake vp to tyllage as much other ground nowe beeing pasture within the sayed lordshippe, or parish, where ỳ sated ground so conuerted doth lie, within one yere nert after any such conuersion, & shall not keepe the sayd nowe eyred ground continually in Tillage after any such conuersion, vnlesse that for barrennesse thereof, hee or they shall conuert the same to pasture, vppon the like order of eyring so much other ground being pasture within the sayed Lordshippe, where such conuersion shalbee made, shal lose and forfait for euery acre cõuerted into pasture contrarie to the forme of this act yearely v. s. thone halfe therof to the king and Quenes maiesties, and ỳ other to him or them ỳ will sue for ỳ same by bill, plaint &c. wherein &c. This act to endure to the last day of the nert parliament. An. 2. & 3. P. & M. cap. 2. This act was continued. 4. & 5. P. & M. cap. 9. And 1. El. cap. 9. to the end of the nert Parlyament.

Barren ground

Arrable to pasture

Other ground

Forf.

Moitie

6 ¶ The 2. statuts (4. & 5. before) are repealed by the statut nowe following. And yet by a proviso in the last end of this next statut so much of the sayd two statutes is left in force as forbiddeth conuerting of Tyllage to pasture in such cases where the same is not forbydden by thys statut following.

Repealed.

7 ¶ It is therefore ordeined &c. that ỳ said acts & euery of them. (An. 4. H. 7. ca. 9. beefore 1.) (Ann. 7. H. 8. cap. 1. beefore 2.) and euery braunch & article in ỳ same, & euery of thẽ contayned, shall frõhencefoorth bee put in due execution & remaine & continue in force for euermore.

And also where by an act made in ỳ xxvii. yeare of the raygne of our sayd late soueraigne lord Kyng Henry the eight, whereby dyuers and Sundry Relygious houses of Monkes, Chanons and Nunnes which myght not dispend in landes, tenementes, and hereditaments, aboue the clere yearely value of two hundreth pouns were gyuen to the sated late king Henry ỳ eight, hys heires or successours for euer: It is among other thinges enacted and ordeined, that all and singuler persons, & bodies politike and corporat, to whom the sayed late kyng Henry the eight, his heires and successours, after the making of ỳ same act should geue, graunt, let, or dimise any Site or precinct, with ỳ houses there vppon builded together wyth the demenes of any Monasteries, Priories or other religious houses, that should be dissolued or geuen to the sayed late king Henry the eyght by that act, and the heires, successours, or assignes of euery such person, bodies politike and corporat should keepe or cause to bee kept an honest continuall house and houshold in the same site or precinct, and should occupy or cause to be occupied yerely as much of the demeanes in ploughing & Tillage of husbandrie (that is to say) as much of the sayed demeanes which then were commõly vsed to bee kept in Tillage by the Gouernours, Abbottes, or Priours of the same houses, Monasteries, or Priories, or by their fermour or fermours,

Religious houses

Graunts

Demeanes

Houshold

Plough demeanes

Forf.

Iust. of p.

General sessions

Oier & ter.

Estreats

Exchequer

mours occupying the same, within ỳ time of twenty yeares next before ỳ act, vpon paine to forfait to the kings highnesse, for euery moneth so offending fiue pound thyrteene shillinges, and fower pence, to bee recouered to his vse, in any of hys Courtes of Record. And ouer that, by the same statut it is enacted that all Iustyces of peace in euerie shire where any such offence should bee cõmitted and done contrary to the true meaning and intent of that act or Statut, should in euery quarter and general Sessions wᵗ in the limittes of their Commission, enquire of the premisses, and should haue full power & authoritie to heare and determine the same, and to take and assesse no lesse fyne for euery the sayed offences, then is before limitted for the sayed offence and estreates thereof to bee made and certified into the kynges Exchequer, according and at such tyme and fourme, as other estreates of fynes, issues and amercyamentes bee made by the same Iustices, as by the same act more at large doth appeare. Which part of ỳ sayed act concerning keeping of house and houshold in the sayed Sites and precinctes, and occupying of such demeanes of the same in tillage, as is aforesaid, then was and yet is thought very beneficiall to the common welth and most needefull to bee putt in due execution.

Be it therefore enacted by the authoritie aforesaid, that the said braunches and articles of the sayed estatut last aboue mencioned, made in the sayed seuen and twenty yeare of our sayed late Soueraigne Lord kyng Henry the eight, and euery penaltie and thing touching the same, bee also from henceforth put in due execution and shall remaine and contynue in their full force and vertue, according to the good entent and meaning of the same last recyted Statut: And thing in this present act to be hereafter contayned to the contrary notwithstanding.

And for asmuch as there hath bene sithen the making of the saied statute, certaine other lawes and statuts made in the time of our late soueraigne lord king Edward the first, and in ỳ time of our late Soueraigne king Phyllip and Quéene Mary, for the recdifying of decayed houses of husbandry, and for the encrease of Tillage, which being in some partes thereof vnperfect, and in some places to myld & gentle, haue not brought to the decayed state of tillage & of houses of husbandry, ỳ lõg looked for remedy, which was the hoped for.

Be it therfore enacted by thauctho-ritie aforesaid, that the said lawes and Statuts made in the times of the said late king Edward the first, and kyng Phillippe and Quéene Mary, touching and concernyng the decaye of houses of husbandry, and for the encrease of tillage, and euery article and thing in them and euery of them conteined, shalbee from henceforth repealed and made voide to all intents and purposes.

And be it ec. that from and after ỳ feast of the Annunciation of our Lady, whych shalbee in the yere of our Lord God, a thousand fiue hundred three score and fower: all such landes and groundes, or so much in quantitie as in any Towne, village, Hamlett, Lordshippe, place knowen, or parishe within the Realme of England or Wales, haue beene eyred or plowed and put in Tillage in any one peere, and so kept in Tillage by the space of fower yeares, any tyme sithence the feast of S. George the Martir in the twenty yere of the raigne of king Hēry the eyght (other then the sayed demeanes of the sayed late monasteries priories, and Religious houses, geuen as is aboue rehearsed to the sayed late king Henry the eight in the said xxvij. yeare of hys raygne) shalbee eyred,

Decay of houses for husbandrie

Repealed

Lands

Wales

Demeanes of Religious houses

Forf.

Distres

Sue

Do not claime

One yere

Default

T. in remainder

plowed, vsed and kept in Tillage or
cauſed to bes eyred, plowed, vsed and
kept in tillage for euer, according to ẏ
nature of the ſoyle and cuſtome of ẏ
countrie, by the occupier or occupiers
thereof, without fraud or colluſion,
vppon paine that euery offendour con
Forf. trary to thys act, ſhal loſe and forfait
yerely for euery Acre, tenne ſhyllings
whych forfaiture ſhall goe and be in
manner and fourme followyng.

That is to ſay, to ſuch perſonne or
perſonnes as béene next in reuerſion
or remainder thereof, for terme of
life, lues or in taile, their executors
or adminiſtratours. And that by the
auctoritie of this act, it ſhalbe lawful
for him or them to leuy the ſame pe-
naltie and forfaiture of tenne ſhillings
Diſtres for euery acre by diſtreſſe, and to iuſti-
fie or make their auowries or cogny-
ſaunces for the ſame, in ſuch manner
and fourme as any perſon or perſons
may doe for rentes reſerued vpon eſ-
tate, or eſtats made for terme of yeres
of any land or tenementes, or other-
Due wiſe ſhall ẏ may ſue for the ſame pe-
naltie and forfaiture by accion of debt,
bil, plaint, or information in any court
of record of the Quéene our ſoueraign
Lady, her heires or ſucceſſours, where
in no wager of lawe, eſſoine, or pro-
tection, ſhallbee allowed or admytted
for the partie defendaunt. And if they
Do not or any of them do not diſtraine, or o-
claime therwiſe claime or demaund the ſaied
penaltie and forfayture by anie the
One yere waies or meanes aforeſaied, wythin
the ſpace of one whole yere next after
the offence done in forme aboueſayd,
and purſue for the ſame with effect,
without fraud or couin, and doo not
recouer (and myght haue recouered
the ſame) wyth ſuch ſpeede as may
bée by the due order of the law: That
Default then after ſuch default, it ſhalbee
T. in re- lawfull for hym or them to whom
mainder the reuerſion or remainder of the fée
ſimple of the ſayed land ſhall apper-
taine, their executours or adminiſtra-
tours to diſtraine, anow, or make cog- Diſtraine
niſaunce, and iuſtifie, or otherwiſe to
ſue for the ſaid forfayture and paynes
in fourme aforeſayed, at any tyme
within one yeare next enſuing anie One yere
ſuch default. And in hys or their de-
fault, the ſaied penaltie or forfayture, Immediat
to goe and bee to the immediat Lord lord
or Lordes of the fée or fées, of whom
the ſaied lands béene holden, to be re-
couered in manner and fourme afore-
ſaied, ſo that hee or they doe take and
ſue for his or their remedy therein vp
in one yeare next enſuing anie ſuch
default, in manner and fourme afore-
ſaid. And in his and their default, the
ſayd penaltie and forfaiture to go and
be to the Quéens highneſſe, her heirs,
and ſucceſſours, to be recouered by a-
ny of the meanes or remedies afore-
ſayed, at any time or tymes at her or
their willes or pleaſures, or otherwiſe
to any other perſonne or perſons that
wil ſue, as well for ẏ Quéenes maieſ- Queene
tie, her heires and ſucceſſours, as for
him or themſelues, for the ſame paine
and forfaitures. vppon whych ſuyt,
the one moitie ſhalbee, and go to the
Quéenes mateſtie, her heires, or ſuc-
ceſſours, and the other to him or them Moitie
that ſo wil ſue for the ſame, by accion
of debt, bill, plaint, or information, in
any of the Quéenes courts of record,
wherein no eſſoine, protection, or wa-
ger of law, ſhalbe admitted or allowed
for the party defendant.

And be it &c. that if any perſonne or
perſons being an occupier and owner Occupier
of any ſuch landes and grundes as Owner
is aforeſaid, of any eſtate of inhert-
aunce, ſhal offend againſt the fourme
of thys act: That then the ſaid pe-
naltie and forfayture, ſhall goe and Forf.
bee to the next immediat Lord or lor- Immediat
des of the fée or fées therof, his or their lord
executours or adminiſtratours to bée
recouered by ſuch wayes and mea-
nes, as before is limitted and appoin-
ted, ſo that hee or they do purſue and

take

One yere

take their remedie for the same in fourme aforesaied, within one yeare next after such offence cõmitted. And if any such occupier and owner shalbe a copiholder, or accustomary tenaunt, that then the said penalty or forfaiture to goe and bee to the Lord or Lordes of the manour, of whom the same copy or Customary tenementes beene holdē, their executours or administratours, so that he or they do pursue and take their remedy for the same in such manner and fourme, and within the time last before limitted. And in euery such default of the said Lord or Lords of the fee or fees, and of the Lord or Lordes of the saied mannour or mannours as is aforesayd, or of any of the sayd penalties and forfaitures to goe & be to the Queens Maiestie her heirs and successours, or to such other persone or personnes as will sue for the same, as wel for ỹ Queene, her heires or successours, as for him and themselues, in such maner & forme, as beefore is declared. In euery which suyt none essoigne, protection, or wager of lawe shalbee admitted or allowed for the partie defendāt. Prouided alwayes that this act or any thing therein contayned shal not be preiudiciall, ne shall extend to charge any person or persons that hath or shall turne any ground from tillage to pasture, and shal keepe such ground in pasture, whole and not cõuerted to tillage, for the only maintenaunce and keeping of his or their owne Horses, Geldinges, Mares, or draught Oxen, or for the maintenāce or keeping of kyne or other cattell, for the only victualles to bee spent in his or their owne houses, so that the same person or personnes hath, or shall not haue in his or their possession, occupation or disposition, other sufficient pasture ground for that purpose, within v. miles of his or their mansion house. Prouided also &c. that no personne or personnes that shall commonly feede and sell yearely beeues or muttons to a greater number then he or they shal yearely spend in victual, in his or their owne mansiõ house or houses, or that shal bee a common fatter of beeues or muttones, or any of them, as a common grasier or shepemaster, to be cõmonly sold in markets and faires, or to Common Butchers, shalbee taken expounded or vnderstand to bee such person or persones, as by this prouiso last aboue mencioned, may keepe any ground or pasture whole and not cõuerted to Tillage, for the maynteinaunce and keeping of kyne or other cattel for the only victuall to bee spent in his or their owne houses, but beene & shalbe excepted out of the same prouiso: Anie thyng in the same prouiso contained to the contrary notwythstanding. Prouided also &c. ỹ thys act or any thing therein contained shall not extend vnto any lawfull Parke or parkes, or auncient warrens nowe vsed with Deere or Connyes, or anie Parke or Parkes heretofore lawfully vsed as parkes, and beeyng nowe disparked, or to any other groundes that heretofore haue beene by any her highnesse progenitours, or hereafter shal fortune to bee made Parkes or warrens by licence of our soueraigne Lady the Queene, her heirs or successours, with sufficient clause of dispensation for conuerting of Tillage into pasture, and bene or shalbee laide beestowed and imploied to the maintenance and keeping of deere and Connies, wythout fraud or couyn, and not to the feedyng or keeping of any other cattell or beastes, but onelie milche kyne for hym or them selues, or his or their Keeper of such Parke or warren for the prouision of hys or their house or houses, or for keeping of his or their horses, geldynges, mares, coltes, or swyne, ne shall extend to any waste groundes, cõmons, heathes downes, fennes, mores, commonly vsed as common, nor to any heathes fennes, mores, marishes, being nowe vsed

Tillage to pasture

Maintenāce of houshold

Sell beefes & muttons

Grasier

Markets Faires Butchers

Parke warrens

Licence

Milch kyne

Horses Swyne Waste grounds

vsed in seueraltie, and not commonly vsed to be sowen and put in Tillage since the said feast of S. George, in the saied twenty yeare of the raygne of king Henry the eight, nor to anie fresh marshes being surrounded with water within the space of vi. yeares next before the first day of this present Parlyament, nor to anie Orchard, Garden, Poole, or Pondyard, nor to any ground set or sowen with Saffron, Hoppes, Carlyke, Onions, Flare, Woade or Madder, or bering without fraud or guile sowe with Acornes, or sette with anie kynd of young Woodes, nor to anie wood groundes which bee not stubbed, or wherein the wood hath been felled or hereafter shalbee felled, and the roots and stubbes thereof yet remaining vndigged vp, nor any meadowes or other groundes without fraud or couin accustomably vsed to bee mowen for Hay once in the yeare at the least during such time as al & euery the same shalbe vsed or put to the vses & intents beefore specified: Any thyng in this act contained to the contrary notwithstanding. And where in the saied first prouiso it is mencioned that this act or any thing therein contayned shall not extend or bee preiudiciall to anie persone or persones for keping of any ground or pasture or meadowe for the onely maintenaunce or keping of his or their owne horses, mares, geldings or draught Oxen, or for ỹ maintenaunce or keeping of kyne or other cattel for the onely prouision or victuelling of his or their manslon or dwelling house or houses: Be it declared & enacted by authoritie aforesayd, that if it shal fortune any such persone or persons to be absent and not resident at, or vppon his or their vsuall mansion or dwelling house or houses, with his familie or household for and by occasion of seruice or attendaunce to bee done by any such person or persones, by the expresse commaundement of ỹ Quenes Maiestie, her heires or successours vnto the realme or without, or else hauyng two or three mansion or dwelling houses, & shalbee resiant and dwelling with his family but at one of them, or shalbe vnto age: That then during, and for the tyme of such seruice, attendance, minority, and absence (and one yeare next after) from any his saied dwelling houses, or during and for the tyme that he or they shalbee resident and dwellyng wyth his family, but at or vpon one of the, shall and may keepe such grounds in pasture or meadowe belonging or vsually occupyed wyth any of the saied two or three houses and with no mo, nor others in his or their owne hands or occupation, or let it out to any other persone or persons, without incurring of any daunger or forfayture by vertue of this act, so that the same person or persons shall and doo keepe the same mansion and dwelling house or houses vnletten, and in good & sufficient reparations, and meete & conuenient for him or them to repaire and resort vnto at al tymes for his or their dwelling and abode: Any thing in the sayd prouiso, or in any part of this act to the contrary therof in any wise not withstanding.

Prouided alwaies that the repeale of any act or Statut nowe repealled by this present act, nor any other matter or thing therein contained, shal in any wise extend, or be interpreted, iudged or expounded, to hinder, hurt, or take away any suit, information, or informations exhibited, and nowe depending in the Quenes Maiesties Court of Eschequer, or in any other Court of Record, for, or in any wise concerning the decaie of anie houses or tenementes of husbandry, or for the conuerting of any Landes or tenementes from Tillage into pasture contrary to the fourme and effect of any Statut or Statutes heretofore made: Vnt that all and euerie such

suits

Fresh marsh

Orchard Garden Saffron Hoppes

Acornes

wood grounds

Meadowes

Horses Draught oxen

For houshold

R. seruice

Mansion house

within age

Mansion house

Repaire

Suit

Eschequer Court

Inforꝛmation

suites and inforꝛmations shall stand, remaine and bee of as good force and effect in the lawe, to all intentes constructions and purposes, as the same and euery of them were before ẏ making of this act. And that the sayed actes and Statutes nowe by this present act repealed shall for and in respect only of the said inforꝛmations and suits, and euery of them, so now depending, stand, remaine, and bee in such like force and effect, as they and euery of them were beefore the making of this act. Any thing herein contained to the cõtrary therof notwithstanding.

Remains in force

And whereas some doubt and question hath heretofore risen and beene moued vpon certaine wordes contained in the sayed statut made in ẏ sayd fowerth yere of the raigne of our late king Henry the seuenth, that is to say vppon these wordes: house or houses letten to ferme, with twenty acres of land at the least, or more, lying in Tillage and husbandry, whether the same twenty acres of land or more, should be accompted and taken to bee all eprable land, and wholly putte in tillage or not, and also what quantytie and measure euery acre should bee of, & containe.

Houses let to ferme 20. acres

Eprable

Measure

For a plaine and perfect declaration and interpretation whereof: Bee it enacted & declared by the authority of this present Parliament, that the saied Statut is, and shallbee expounded and taken, to extend to house or houses, that nowe haue, or hath, or at any time heretofore, sithence the first yere of ẏ raigne of the saied late king Henry the seuenth haue or hath had or that hereafter shal haue, twenty acres of ground to the same house or houses lying or belonging, or with the same commonly occupyed or vsed, although the same ground hath not ben, is, or shalbee all wholly vsed as eprable land, and put in tillage, but onely some part therof, and that the content of euery acre, shalbee taken and rated after the rate and measure lymitted and appointed in the ordinaunce or treatice, De terris mensurandis: Anie ambiguytie, doubt, or thing whatsoeuer to the contrary thereof notwithstanding.

Exposition

20 Acres

De terris mẽsurãdis

Prouided alwaies &c. that if any persõne or persons hath, or at any tyme hereafter shall sustaine any penaltie, forfayture, or lesse, for, or by reason of any offence committed or done cõtrary to the tenor or effect of this act, or any other of the actes beefore recited and confirmed: That then he or they shal not bee effsones sued, vexed, or impeched for the same offence: Any thing in this act, or in any other of the actes aforesaied, had or made to the contrary thereof notwithstanding.

And be it enacted that the lord chaũcellour or Lorde keeper of the great seale of England for the tyme being, shall haue full power and authoritie by vertue of thys act, from tyme to tyme to award and direct a commission or Commissions vnder the great Seale of England, into euery Shire or Countie within this Realme and Wales to such persõnes as by hys wisdome & discretion shalbee thought most meete and conuenyent, authorising them, or fower of them, at the least, by vertue therof, and of this act to enquire and search out wythin euery Towne, Village, parishe, and hamlet, within their Commission, by the othes of fyre lawefull and indifferent persons or otherwise, according to their good discretions, of the offences committed or done against this statute, or any other the statutes beefore mencioned, and by thys act confirmed, and whether anie persõne or persõnes to whom any penaltie or forfayture is gyuen, lymitted or appointed by the same, for any of them, haue taken the benefit or aduauntage of the sayd forfaitures and payines, or not according to the same lawes and statuts.

L. chãcelor L. Keeper

Cõmissiõs

Wales

Enquire Townes

Others

3. moneths statuts. And that within three moneths next after euery such enquirie & serch, ẏ saied commissioners or fower of them at ẏ least, shal make certificat thereof, & of their doinges by vertue of the said cõmission, vnder their handes & seales, into the high court of Chauncery vpon paine of forfaiture of euery such Commissioner xx. li. sterling to the Quenes Maiestie, her heires and successors. And that the same commissioners, or two of them at the least, shal haue auctority & power by vertu of this act, to direct their precepts to the shiriues of the countie, being vẏn the limits of their cõmissiõ, to warne as many honest men of his bailiwike as the said cõmissioners shal appoint, by whom ẏ truth in ẏ premisses may be best knowen, to enquire & true presentment make of all & euerie offences committed or done contrary to ẏ said actes or any of them, & to set such reasonable fynes, and amerciamentes vpon such persõnes as shal make default of their apparances, or makyng their apparances shall neglect to doo their duties in & about ẏ execution of the premisses, as to the same cõmissioners or fower of thẽ shalbee by their discretions thought meete and conuenient, so that the same fines or amerciaments for any one default exceede not the summe of xx. s. and that the same fines and amerciamentes so by them tared and set, shalbe yerely well and truely estreated into the court of Eschequer, and there to bee leuyed to the vse of our Soueraigne Lady the Quéene, her heires and successours, as other fines and amerciamentes haue bene there accustomed and vsed to bee leuied. And that if the shirife to whom such precept, shalbe awarded, shallbee remisse or negligent in seruing of the precept & returning of ẏ same at the time & place appointed & prefixed in ẏ same precept, that then the saied commissioners or fower of them shall for euery such default, assesse and tare vpon the said shirife x. li. & shal estreate the same into the said court of Eschequer, to bo leuied to the Queenes maiesties vse, her heires & successours, as is aforesaid. Prouided alwaies that it shall not be lawfull to any shirife, vndershirife, or shirifes deputie, to infringe or enter into any liberties, or franchises, for the execution of any such precept: But shall make his Mãdatum to the Bailife of the franchyse or libertie, for the executing & seruing of the same, and that the bailife of euery such franchise & libertie shall serue and execute the said precept, according to the tenour therof, in such like maner and fourme, as the Shirife should or ought to haue done, if it had bene vẏn his bailywike, vpon paine of forfaiture of v. li. to be estreated & leuied as is aforesaid. Prouided also &c. that putting of any lands or tenements hereafter from pasture to tillage according to the tenour & effect of this act, shall not in any wise extend to be any cause of breach or forfaiture of any bond couenaunt payment or condition made, or hereafter to be made betwene any person or persones, bodies politike or corporat which in any wyse is or shall bee repugnant or contrariant to thys act. Prouided alwaies that this act or any thing therin contained, shall not extend to geeue any benefit, aduauntage or libertie to any persone or persõs which at any time sithence ẏ sayd feast of S. George the Martire, hath conuerted or employed, or hereafter shall conuert or employe any more ground to the keping of Conyes not being lawful warren, then fiue acres at the most, and the same to bee vẏn one myle of hys dwelling house, and also not noysome or hurtfull to the corne of any person or persones other then of the owner of the same groũd, so that hee or they put & keye in tillage as much or as many acres of his own proper ground, lying within the sayed mannour, Lordship, or parish, as the sayd

Certifie

Chauncerie Forf.

Precepts Shirife

Enquire

Inquere

Fines

Exceede not xx. s.

Estreted Eschequer

Shirife

Negligent

Commissioners Tare

Eschequer

Shirife Liberties

Mandats

Bailife

Forf.

Pasture to tillage

Conynes v. Acres Dwelling house

sayed Compgrey shall contayne aboue ỳ said number of fiue acres, that hath not heretofore bene lyable to bee continued in tillage by force of any lawe or statut: Any thyng in thys act before mencioned to the contrary hereof notwithstanding. Bee it therefore enacted, that no person or personnes whatsoeuer hauing or that hereafter shall haue any such house or houses of husbandry to xx. acres of land or more belonging or lying thereunto, or with the same commonly occupied, vsed, or demised, shal from and after the first day of this present parliament, seuer or deuide the sayd xx. acres of land or more, nor any part thereof from any of the said house or houses, whilst the same be kept in tillage or otherwyse for the profit of husbandry according to the nature of the ground or according to the custome of the manours where the same land shal so bee, vpon the paines and forfaitures contayned in the saied statut of Henry the seuenth, to be taken in such fourme as by the same statut appeareth, except hee or they shall lay & assigne to ỳ sayd house or houses, or to any other house or houses being within the same parish or lordshyp, or within two miles of the sayed houses, beeing also not bound to be maintained & vpholden by fourme of the sayd statut of kyng Henry the seuenth, as much other land within the same parish, or lordshyp within two myles as is aboue said, for and in lieu of such or so much of the former land, as ought to haue continued by force of the saied statut, wyth the former house, & cannot conueniently be returned to the said former house.

Deuide xx. acres

Other land

And bee it &c. that if any such house or houses of husbandry, & land be deuided or seuered thone from thother by reason of any lease or leases, for terme of life liues, or for terme of yeres, made or graũted before the first day of thys present parliament, that then whensoeuer the said lease or leases shal end or determine by any maner of means so as the same house or houses, & lãdes thereunto belonging shalbe discharged of al such leases, the same house & houses & landes so demised, shal not afterwardes bee seuered or deuyded thone from thother but shal go, be kept, and occupied together at all times after, according to the declaration beefore mencioned, vpon the paines & forfaytures last before specified, & to be take also as in the said statut is mencioned. Except by the returning, or restituting of the same lãd to the said house, there shal or may grow any manifest decay of any other houses newly edified, or of any other farmes that hath bene by meanes of distribution or seueraunce of the land or lands, or any part thereof made or assigned, to bee signed to be seuerall tenementes or holdes. And where in the said statut made in the said seuenth yeare of the raigne of the said king Henry the eight, among other thinges in the same, it is enacted that if sithence the first day of the same parliament any lands which at the same first day, or sithence the same first day were commonly vsed in tillage, were inclosed, or frõ thenceforth should be inclosed & tourned onely to pasture, whereby any house of husbandry then was or hereafter should bee decayed, that then all such landes should bee by the owner or owners thereof, their heires, successors, or assignes, or other for them within one yere next ensuing the same decaye, put in Tillage, and exercised vsed and occupied in husbandry and Tillage as they were the first day of the same parlyament, or at any time sithence, and after the maner and vsage of the countrey where such landes did lie, as by the said act more plainely may appeare. And for as much as vppon the said part of ỳ sayd statut diuers doubtes and questions haue beene moued heretofore: Bee it therefore enacted and declared by authoritie aforesayed, that if at any time sithence

Decay of other houses

Enclosed

Lease

ſtthente the making of the ſaid act, and
before the ſaid feaſt of S. George, in
the ſaid xx. yere of the raigne of ỹ ſayd
late king Henrie the eight, any landes
belonging to any ſuch houſe of huſban-
drie, as is aforeſaid, haue beene turned
from tillage to paſture by any perſō or
perſones, ỹ then the ſame landes or ſo
much other landes, being within the
ſame pariſh, lordſhip, or manour, that
heretofore was not liable or bound by
any law or ſtatut to be kept in tillage,
ſhalbe turned againe into tillage with-
in one yeare next after the ſeſſions of
this preſent Parliament, & kept in til-
lage for euer, according to the cuſtome
of the countrey, & nature of the ſoyle,
whether the ſaid houſe whereunto the
ſaid landes did belong, be decayed or no,
or whether the ſame landes were in-
cloſed or not incloſed, or whether ſome
part thereof and not the whole, were
kept in tillage or not, vpon the paines
contained in the ſame Statute, made
in the ſaid ſeuenth yeare of the raygne
of the ſayd late king Henry the eight.
Prouided that if any perſonne or per-
ſonnes whatſoeuer hauyng anie paſ-
ture, heathe, waſt, or barrein ground
which hath not been heretofore com-
monlie vſed to bee eared or tylled for
corne, & yet neuertheleſſe ỹ ſame per-
ſon or perſons to the entent to better &
amend the ſayd grounde, and not to vſe
the ſame for tyllage, haue or hath at
anie time heretofore turned or put the
ſame into tillage, or at anie time here-
after ſhall turne or put the ſame into
tyllage, and hath or ſhall keepe the
ſame ground for that cauſe only in til-
lage by the ſpace of fower yeres toge-
thers, that this act or anie thing therin
conteyned ſhall not compell anie ſuch
perſonne or perſonnes to continue or
putt in tillage the ſayd paſture, heath,
barren or waſt ground ſo eared: Anie
thyng beefore expreſſed in thys act to
the contrary therof notwithſtandyng.
Prouided alwaies that this act or any
proviſion, clauſe, or article therein
conteyned, ſhall not be vnderſtand or
expounded to extend or bee in anie
wiſe prejudicial to thoſe partes or por-
cions of grounde wherein anie Oore of Leade, Tinne, Iron or Coles, com-
monlie called Sea cole, ſtone cole, or
Moore cole, haue been, are, or hereaf-
ter ſhalbee vſually gotten, by meanes
whereof the ſame grounde cannot
conueniētly be put and kept in tillage:
Thys acte, or anie other lawe, vſage
or cuſtome to the contrary in any wiſe
notwithſtanding.
Prouided alſo that this act nor anie
thing therein contained, ſhall extend
to compell anie perſon or perſonnes to
put in tillage anie landes or grounde
within anie forreſt or chaſe, except the
forreſt of Dowden in Northwales, o-
therwiſe then before the making of
this ſtatute, hee or they ought, or were
bound to do. This act to endure to the
end of the next Seſſion of parliament.
Prouided alway that thys ſtatut or a-
nie thyng therein conteyned, ſhal not
extend to compell anie inhabitaunt of
the Countyes of Northumberland,
Weſtmerland, or Cumberland, to re-
edifie, maynteine, or to keepe in ma-
turante any houſe or ground that ſhal
bee ouerthrowen, burned, deſtroied,
waſted or decayed by enemies, or by
anie occaſion of warres or inuaſions,
during the warres, or within fower
yeares after ỹ concluſion of peace next
following ſuch ouerthrowing, bur-
ning, deſtruction or waſting: Anie
thyng in this preſent act to the contra-
rie notwithſtandyng. And for almuch
as this act ſhal continue but to the end
of the next Seſſion of Parliament:
Be it therefore enacted &c. that no
perſonne or perſones that from hence-
forth conuert from tyllage to paſture
any ground which was in tillage the
firſt day of this Parliament, other
then ſuch as they might lawfully haue
conuerted from tillage to paſture bee-
fore the making of thys act: Anie
thyng conteined in thys act to the con-
trarie

Tillage to paſture

within one yere

Paſture
Waſt grounds
Barren grounds

4. yeres tillage

Lead
Tine
Iron
Cole

Foreſt
Foreſt of Dowden

Northumberland
weſtmerland
Cūberland

Decaied by enemies warres

4. yeres peace

trary not withstanding. Anno 5. Eliz. cap. 2. This was discontinued 8. El. & 13. El. cap. 25. renued & continued to the end of the next Parliament, and 14. Eliz. cap. 11. this statut of 5. of El. was continued to the end of the next parliament.

Continued

¶ *Idemptitate nominis.*

FOr the great mischieles which oftē haue happened, and dayly doe come of that the eschetours, sherifes, and other the kynges ministers do seyse the landes, goodes and cattailes of many, surmysing that they bee outlawed, where they bee not outlawed, because that they beare such names as those which bee outlawed for default of good declaration of the surname: It is ordeyned, that if anie complayne hym in such case, hee shall haue a writte of Idemptitate nominis, in the manner as hath bēene vsed in the tymes past. And if any mans landes, goodes, or cattailes, bee seysed in such case by Eschetour, sherife, or other minister, hee shall fynd suertie before the myniſter, which hath the warraunt to seyse, to answere to the king of the valour of such landes, goods and cattails, in case that hee may not discharge him without taking any thing of the party. And if such minister doe not the same, and thereof bee attainted, the partie shall haue the suit agaynst such mynyster, and recouer his double damages, and neuertheleſſe hee shalbe grieuouſlie amerced towardes the kyng. Anno. 37. Edwardi tertij cap. 2.

Eschetours
Sherifes
Suertie
Attaint
ij. damages
Amerce

2 ¶ A writ of Idemptate nominis may be graunted and geuen, good and maintenable for the executours of euerie testatour as well of the same effect as the same accion of Idēptitate nominis was maintenable before this parliament for anie persoune him selfe which was or might haue been molested or grieued by cause or colour of anie such outlagarie. And this ordynaunce haue relation and force by anethorītie aforesayd for the executours of euerie testatour, aswell of euerie outlagarie pronounced in anie persoune at anie time before this parliament, as of al maner of outlagaries to be pronoūced in anie persoune in time to come. Anno. 9. H. 6. cap. 4.

Executors

¶ *Ieofayle.*

IF anie verdict of twelue men or more shalbe hereafter geuen in anie accion, suit, bill, playnt, or demaund, in any Court of recorde, the iudgement thereupon shall not bee stayed or reuersed, by reason of anie default in fourme, or lacke of fourme, touchyng false latin, or variaunce from the Register, or other defaultes in fourme in any writ originall or iudiciall, count, declaration, playnt, byll, suit, or demaund, or for want of anie writ originall or iudiciall, or by reason of anie imperfect or insufficiēt returne of anie sherife, or other officer, or for want of any attourney, or by reaſō of any manner of default in processe, vppon or after any ayd, prier or voucher, nor anie such record or iudgement after verdict to be geuen hereafter, shalbe reuersed for any the defects or causes aforesaid: anie lawe, statute, or vsage to the contrary notwithstanding.

Verdict
Fourme
Faile latin
Variance writ originall
Returne of Shirifes
Warrant of atturney
Iyd prier Voucher
Reuerse

Prouided alwaies, and bee it further enacted by the auctheritie aforesayd, that this Act, or any thing therein contepned, shall not extend to anie writ, declaration, or suit of appeale of felony, or murder, nor to any Idictmēt or preſētmēt of felony, murder, treaſō, or other matter, nor to any proces vpō anie of thē, nor to anie writ, bil, accīō, or information, vpon anie populer or penall statut: any thing aforesaied to the contrary, notwithstanding.

Appeale
Indictmēt of felony.
Murder
Treason
Proces

Prouyded also, and bee it enacted by the auctheritie aforesayd, that all attourneys in anie suit or accion in anie court of record, shall deliuer in ỳ warraunt of attourneys in such accion or suit,

Atturneis warrant

suit, wherein they bee named attourneys, to bee entred or spied of recorde, in such manner and forme, as heretofore by the lawe or statutes in that behalfe made they should or ought to haue done, vppon payne to forfayt tenne pound, for eurrie such offence: the one moytie thereof to bee to the Queenes Maiestie, her heires and successours, and the other moytie to such officer or officers, to whō or in whose office the same warrant should bee deliuered, entred, or spied, and to suffer imprysonment by the discretyon of the Justices of the court for the tyme beeyng, where anie such default shall fortune to bee hadd or made, the sayd tenne pound to bee recouered by accyon of debt, bill, or information, in which no essoine, protection, nor wager of lawe shalbee allowed. Anno. 18. Eliz. cap. 10. 14.

Forf.

Moitie

Imprison

## ¶ Isle of wight.

NO maner of personne of what estate, degree or condition hee is or shalbee, take anie seuerall fermes more then one of anie maners, landes and tenementes, personages or tythes within the sayd Isle of Wight, whereof the ferme of them altogether shall exceede the summe of ten markes pereile. And if any seuerall leases afore this time haue ben made to anie persōne or persōnes of diuers sundrie fermeholdes ouer the sayd yearely value of ten marke, then the persōne or persōnes that nowe hold the same, to chose one or mo of ꝑ said fermeholdes at his pleasure. So that the ferme of them also chosen, be not abone ꝑ pereile value of ten mark, to hold after the fourme of his lease, and the remnante from the feast of saynt Michaell that chaungeth which shalbee in the yeare of our Lord. M. CCCC. xc. to cease and be vtterlie void. And the occupier and fermer of them from thence to be discharged against his lessour of the rent reserued vppon the same leases. And if anie persōne do hereafter the contrarie of this act, that then the lessee, in that behalfe forfait to the king for euerie such taking tenne pound. Prouided alwaies ꝑ they which haue payd anie fines or made anie buylding, or done great reparatiō vpon any such ferme, and be put from the said ferme by reason of this act shalbe recompenced for such building or reparation as ryght and good conscience requires, that recompence to bee adiudged by the discretion of the Captayne of the sayd Isle for the tyme being or hys lieutenaunt of the same in his absence. Anno quarto. 27. cap. 16.

Fermes

Leases

2. Yeares

Lloyd

Lesse Forf.

Fines Buylding

Captaine of thisle

## ¶ Incontinencie of priestes.

IT shalbe lawfull to all Archbishops & Bishops, and other ordinaries hauing Episcopall iurisdiction to punish & chastise such prelates, clerkes, and religious men being within the bondes of their iurisdiction as shalbee conuicted afore them by examination and other lawfull proofe requisite by the law of the Church of aduoltry, fornication & incest, or any other fleshly incontinencie by committing them to ward in prison, there to abyde for such time as shalbe thought to their discretions conuenient for the qualitie and quantity of their trespasse. And that none of the said Archbishops and Bishoppes or other ordinaries aforesaid, bee thereof chargeable of, to, or vpon any accion of false or wrongfull imprisonment, but that he be vtterly thereof discharged in any of the cases aforesaid by vertue of this act. Art. 1. H. 7. ca. 4.

Archbishops Bishops Punish

Conuicted

Aduowtry Fornication Incest Imprison

¶ Anno 31. H. 8. ca. 13. it was enacted, that if a priest did carnally vse a woman to whom he had bene maried or contracted or openlie kept company or familiaritie to her, it should bee felonie in him & the woman. And that if any priest kept a concubine as by paying for her bande, maintaining her &

Felony

Concubine

money, araye, or other gifts or meanes to the evil example of other perſõs, he ſhould forfait all his goodes, cattels, and ſpiritual promotions, & bee in perſon. And for the ſecond offences thereof ſhould bee felony, & the womã to haue lyke punyſhement, but theſe clauſes were repealed by 32. H. 8. ca. 10. And then it is enacted that if anie ſuch offendour as is above wrytten hereafter ſhall happen to bee duelie conuicted or attainted, by the lawes mencyoned in the foreſayd act, or of or vppon anie of the crymes or offences afore written, that then euery ſuch offendour ſo being conuicted or attainted, ſhal from henceforth vpõ his firſt conuiction or attainder only forfait & lole to ỹ kyng all his goodes, cattels & debtes. And if the ſame offender at the tyme of that his firſt conuiction or attayndet haue anie mae benefices or eccleſiaſticall dignities or promotions, then one, then the ſame offender ſo conuicted or attainted, ſhal forfait and lole for terme of his lyfe all iſſues, reuenues, & profits of all his ſaid benefyces, or other eccleſiaſticall dignities or promotions (except one of the ſame benefyces or other eccleſiaſticall dygnityes or promotions.) And if it ſhall fortune anie ſuch offender or offenders at any time after the ſayd firſt conuiction or attayndet to commit, doe or perpetrate anie of the ſaid offences before rehearſed, and be thereof eftſoones duely conuicted or attainted by the lawes aforeſaid, that then euery ſuch offender ſhal onely lole and forfayt to the kyng, all his goodes, cattelles, and debtes, and alſo durying hys life all the iſſues and profites of all his landes eccleſiaſticall dignities, benefices, offices, and promotions to bee hadd, leuyed, perceyued and taken to the kynges vſe. And if it ſhall fortune anie ſuch offender or offenders, at anie time after his ſayd ſecond conuiciõ or attayndet to commit, do or perpetrate anie of the offences before written, and be thereof duelie conuicted or attainted by the lawes aforeſayd, that then euerie ſuch offender ſhall onelie forfayt and lole to the kyng, all his goodes, cattelles and debtes, and alſo during his life all the iſſues and profites of all his lands and tenementes, & of all his eccleſiaſticall dignyties, benefyces, offices, and promotions, to bee had, leuyed, perceyued, and taken, to the kynges vſe, and alſo ſhall ſuffer and ſuffer continuall impriſonment of his bodie during his lyfe. And euery woman being ſole and vnmaried with whom anie prieſt ſhall ſo offend in anie of the offences aboue wrytten, ſhall forfayt for their firſt conuiction or attayndet, of, or vppon anie of the crymes or offences aforeſayd, all her goods, cattals, and debtes. And for her ſecond conuiction or attayndet, of, or vppon anie of the crymes or offences aforeſayd, all her goodes, cattals, and debts, and alſo the one halfe of all the iſſues, reuenues and profits of al her lands, tenements, and hereditaments, by al the terme of her life. And for her third conuiciõ or attainder, of, or vppon anie of the crimes or offences aforeſaid, ſhe ſhal forfayt all her goodes, cattels and debtes, and alſo durying her lyfe all the iſſues, and profits of all her landes and tenemẽts, and alſo ſhall further ſuffer impriſonment of her bodie by al ỹ terme of her life. And if the woman vñ whõ anie prieſt ſhall ſo offend in anie of the offences aboueſaid be maried, that thẽ for euery her conuiction or attayndet, of, or vpon anie of the crimes or offences aforeſaid, ſhal haue and ſuffer imꝑiſonmẽt of her body by all the terme of her life at the kings will & pleaſure. Anie thing contained in this ſayd former act to the contrarie of the ſayd penalties in thys act mencyoned in anie wiſe notwithſtanding. Sauing to all and ſingular perſon & perſons, bodyes politique and corporat, their heirs, ſucceſſours and aſſignes, and to ỹ heires, ſucceſſors and aſſignes of euery of thẽ (other

Forf.

ij. Offence Felony

Repealed

Connict

First conuiction

Forf. goods

Forf. benefice

ij. Offence Forf.

ij. Offence Forf.

Impriſon

woman

Forf.

ij. Offence

iij. Offence

Impriſon

Maried woman

Impriſon

Bodies politike

(other then such persons that shal here after fortune to offend contrary to the tenor of this act) al such right, title, interest, possession, entre, accion, cõditiõ, rents, remainders, reuercions, annuities, fees, commons, leases, liberties, & cõmodities, which they or any of thẽ haue, shal or ought to haue at the tyme of any such offence committed or done by any of the said offenders cõtrary to the tenour of this act, in as large and ample maner and forme, to al intents constructions & purposes as if this act had neuer ben had ne made, any thing in this act cõteined to the contrary not withstanding. Ann. 32. H. 8. cap. 10.

Quere. quere if this statute be repealed by 1. & 2. P. & M. cap. 8. by ỹ generall words ỹ repealed al statuts made against the Popes supremacy.

¶ *Incumbentes.*

THe said statuts, (that is to say. An. 25. E. 3. par. clero ca. 3. which is in Anno 1350.) be firmly holden & kept, and moreouer our soueraigne lord the king, for the reuerence of God and holy church wyll and graunteth, that if he present to any benefice that is ful of any incumbent, that the presentee of the king shal not bee receyued by ỹ ordinarie to such benefice, till ỹ king hath recouered hys presentment by proces of the lawe in his owne court, and if any presentee of the king be otherwise receyued, and the incumbent put out without due proceffe, as afore is sayd, the sayd incumbent shall begynne hys suit within a yeare after the inducey-on of the kynges presentee at ỹ least. An. 13. R. 2. cap. 1.

Presentee
Incũbent
Proces

2. ¶ As it was ordeyned by the statute made the 7. yeare of kyng Edward, graundfather to our soueraigne Lord the kyng, that if the kyng make collation or presentment to anie benefyce in an others ryght: that the title, whereupon hee groundeth him, should bee well examyned, that it be true, and at what soeuer time before iudgement geeuen, the title bee found by good information vntrue and vniust, the collation or presentment thereof made, shalbe repealed & adnulled. And moreouer in a statute made afterward in the tyme of kyng Rychard, it was ordeyned, and stablished, that if the king present to any benefice that is ful of a-rie incumbent, that the kynges presentee shall not be receyued by the ordinarie, till the kyng hath recouered hys presentment by proceffe of the lawe in his owne court, & if anie presentee of the kyng bee otherwise receyued, and the encumbent out wythout due proceffe as afore is sayd, the same incumbent shall commence hys suit within a yeare after the induction of the kynges presentee. Our soueraygne Lord the kyng considering the great mischiefe of the incumbent in this behalfe, hath ordeyned and stablished by the assent aforesayd, that if anie such incumbent bee out of hys benefice without due proceffe in the maner aforesayd, that the sayd incumbent so out without proces, may be at large and sue for his remedie by the sayd statute, and beginne his suit in thys case at what time shal please him within the yeare, or after at hys wyll and that as well for the time past as for the time to come, notwithstãdyng the terme so lymitted by the sayd statut. An. 4. H. 4. cap. 22.

Collation
Examine title

R. presente
Recouer by proces
Incũbent
Suit

¶ *Indicauit.*

FOr as much also as pleas in court spirituall hath heretofore had many times vnreasonable delayes, by reaſõ that our writ that is called Indicauit, was many times brought before the Iudges of such matters when they were begon: and thereupon our chiefe Iustices could not proceede lawfullie nor in due maner to award a writt of consultatiõ vpon such maner of proces, is agreed that such a writ of Indicauit

Pleas.
Consultation

shall not be graunted from henceforth to any man, before the matter hāgyng in the spiritual court betwene the parties be recorded, & that our chauncellor shalbe certified thereupon vpon ỳ sight & suspeccion of a libell. An. 34. E. 1.

Chancelor

¶ *Indictamentes.*

Shirifes

FOr as much also as sheryffes fayning manie times certeyn persons to be indicted before them in their turnes of felonies and other trespasses do take diuers persones that are not culpable nor lawfully indicted, and imprison them, to the intent that they maie eract money frō them, where as they were not lawfullie indicted by twelue men. It is ordeyned, that Sheriffes in their tournes, & in other places where they haue power to enquire of trespasses by the kynges precept or by office, shall cause such enquestes to bee taken by lawfull men, and by twelue at the least, which shall put their seales to such inquisitions, and such as shall bee found culpable by such enquestes, they shall take and imprison as they haue vsed afore times to do. And if they do imprison other then such as haue been indicted by inquest: the parties imprysoned, shall haue their accion by a writ of false imprisonment against the sheriffes, as they should haue against anie other personne that should imprison them without warrāt. And as it hath been sayd of sheriffes, so shal it bee obserued against the bayliffes of any frāchise. W. 2. cap. 14.

Felony

Turnes

Enquestes

Imprison

Accion False imprison

Bailifes

2 ¶ Sheriffes and bayliffes of fraūchises, and all other that make endictmentes in their turnes, or els where, where as they ought to be made: shall take such endictment by roll indented, whereof the one part shall remayne with ỳ endictours, and the other part with him that taketh thenquest. So that the endictments shall not be embesilled as they haue bēne in tymes past. And so that one of the enquest may shewe the one part of the indenture to the Justices, when they come to make deliuerāce. Anno primo Edwardi. 3. cap. 16.

Shirifes Bailifes

Rolle indented

Enquest

3 ¶ After any man bee endicted of felonie before the Justices in their sessions to heare & determine, it shalbee commaunded to the sheriffe, to attache his body by writte or by precept which is called a Capias, & if the sheriffe returne in the said writ or precept that ỳ body is not foūd, an other writ or precept of Capias shalbee incontinentlie made, returnable at iij. weekes after, & in the same writte or precept it shalbe comprised, that the sheriffe shal do to be seised his cattalles, & safely to kepe thē til the day of the writ or precept returned. And if the sheriffe returne, that ỳ body is not found, and the endictē cōmeth not, the exigend shalbe awarded, and the cattalles shalbe forfayt, as the lawe of the crowne demaundeth. But if hee come and yeld him, or bee taken by the sheriffe, or by other minister, before the returne of the second Capias, then the goodes and cattals shalbee saued. An. 25. E. 3. cap. 14.

Felony

Shirife

Capias

Seise cattalle

Returne

Exigent

Forf.

4 ¶ Because that notwelate enquestes were taken at Westminster of persōnes named by the Justyces, without due retourne of the sherife, of which personnes some were outlawed before the said Justices of record, and some fled to sainctuarie for treason, & some for felonie, there to haue refuge, by whom aswel manie false offenders were endicted, as other lawfull lyege people of the king not guiltie, by conspiracie, abatement, ymagination of other personnes, for their speyall aduauntage and singuler lucre, agaynst the course of the common lawe vsed and accustomed before this time: Our soueraigne lord the kyng, for the great ease and quietnes of his people, wyll and graunteth, that the same endyctment so made, with all the appurtenāces to the same, be reuoked, and annulled for euer, voyd and holden for none.

Enquestes

Returne

Sanctuarie

Conspiracy

Voyd

none. And that from hēceforth no enditment be made by any such persōs, but by enquestes of the kinges lawfull liege people, in the maner as was vsed in time of his noble progenitours, returned by the sherifes or bayllifes of fraunchises, without anie denomination to the sheriffes or bayllifs of fraūchises before made by anie person of ẏ names which by him should be empanelled, except it bee by the ministers of the said sherifes or bayllifes of fraunchises knowne and knowen to make ẏ same, and other ministers to whom it perteineth to make ẏ sāe according to ẏ lawe of England. And if any enditment be made hereafter in any poynt to the contrary: that the same endyetmēt be also void, revoked, and for ever holden for none. An. 11. H. 4. cap. 9.

Enquests

Sherifes Bailifs.

Void

Iust. of p.

5 ¶ The Justices of ẏ peace of euerie shire of this realme for the time being, may do to take by their discretyon an enquest whereof eueric man shall haue landes and tenementes to the yearely value of forty shillings, at the least, to enquire of the concealements of other enquestes taken afore them & afore other, of such matters and offences as are to be enquired and presented afore Justices of peace, whereof complaint shalbe made, by bill or by billes, as well within fraunchise as without. And if any such concealement be foūd of any ēquest as is afore rehersed, had or made vōm the yeare after that same cōcealement, euery person of the same enquest to be amerced for ẏ same concealementes by discretion of the same Justices of ẏ peace, the said amerryaments to bee lefted in plaine sessions. An. 3. H. 7. cap. 1.

Enquest

Enquire.

Concealment

Amerces

6 ¶ From the feast of the Natiuity of our lord God nert cōming, these wordes, vi & armis, videlicet, cum baculis, cultellis, arcubus & sagittis, or such other like shall not of necessitie bee put or cōprised in any inquisition or indictament, nor that the partie or parties being hereafter indicted of any office, shall haue or take anie aduantage by writ or writts of error, plee, or otherwyse to annul or auoid any such inquisitiō or indictment, for ẏ ẏ said wordes vi & armis, videlicet baculis & cultellis arcubus, & sagittis, or anie of the same or like wordes, shal not bee put or comprised in the said inquisitions or indictaments, but that the same inquisitiōs or indictments, and euery of them lacking the said wordes, vi & armis, videlicet, baculis, cultellis, arcub⁹ & sagittis, or any of them, shal from thencefor̄th by the auctoritie afore said, bee taken, deemed, & adiudged to al intents, constructiōs & purposes, as good & effectuall in the lawe, as the same inquisitiōs & indictments, hauing the said wordes vi & armis, videlicet baculis, cultellis, arcubus & sagittis, compised and put in euerie of the same inquisitions and indictments, were or heretofore haue been taken, deemed, or adiudged, anie lawe, vsage, or custome heertofore had and vsed to the contrarie notwithstanding. An. 37. H. 8. cap. 8.

Vi & armis

Errour

¶ *Infeccions.*

PRoclamation shalbe made, as well in the Citie of London as in other cyties, boroughs and townes as afore, that none of what condition so euer he be, do to be set or throwen from hencefor̄th anie such annoyaunces, issues, dong, intrailes nor none other ordure in the ditches, riuers, waters & other places afore said, and if any do, he shalbe called by writ beefore the chauncellor at his suit that will complaine, & if he be found guilty he shalbee punished after ẏ discretion of the chauncellour. An. 12. R. 2. cap. 13.

Proclamation London

Annoyances Donge Riuers waters

writ Chancelor

¶ *Informers.*

FOr redressing of diuers disorders in cōmō Informers, & for better executiō of penal lawes: be it enacted, ẏ euery informer vpō any penal statt, shal exhibit his suit in proper persō, & pursue ẏ same only by him selfe, or by his attorney in court, and that none shalbee

Proper person

admytted or receiued to purſue againſt any perſonne or perſonnes vppon any penall ſtatute, but by way of infor-
Informa-tion
mation, or
Originall action
originall accion, and not other wyſe, nor ſhall haue ne vſe anie deputy or deputies at all, and that vpon euerie ſuch infor-
A note of the day
mation which ſhalbe exhibited, a ſpecial note bee made of the very day, moneth, and yeare of the exhibiting thereof into anie office, or to any officer, which lawfullie maie receyue the ſame, without anie manner of antedate thereof to bee made, and that the ſame informatiõ be accompted and taken to bee of record from that time forward, and not before.

And be it lykewyſe enacted for the conſideration aforeſayd, that noe proceſſe be ſued out vpõ any ſuch infor-
Proces Indorſe
mation, vntyll the information be exhibited in forme aforeſaid, and that vpon euerie ſuch proceſſe, ſhalbee indorſed as well the partyes name that purſueth the ſame proceſſe, as alſo the
Statut
ſtatute vppon which the information in that behalfe made, is grounded. And
Clerke
that euerie Clerke making out proceſſe contrarie to the tenor and proui-ſion of this Act, ſhall forfayt and loſe
Fork. Mollis
fortie ſhillings for euerie ſuch offence, the one halfe to bee to the Queenes maieſtie, her heires, and ſucceſſours, and the other halfe to the party againſt whom anie ſuch defective proces ſhalbee awarded, to bee recouered in anie court of record by accyon of debt or information, in which no eſſoyne, pro-tection, iniunccion, or wager of lawe, ſhalbe permitted or allowed.

And be it further enacted, ỹ no
Iurie
Jury ſhalbe compelled to appeare in anie of the Queenes Mateſtyes Courtes at Weſtminſter, for the tryall of anie iſſue in anie ſuch ſuit vppon anie penall lawe, for anie offence committed, a-
30. miles Atturney generall
boue .xxx. miles from the citie of weſt-minſter, except in caſe where the At-tourney generall for the time beyng, for ſome reaſonable cauſe in that be-halfe to bee ſhewed, ſhall require the ſame to bee tryed at the barre, in anie of the Courtes of the Queenes Ma-ieſtye, her heires or ſucceſſours, at Weſtminſter aforeſayd: which re-queſt ſhalbee noted on the backſide of the writt of diſtringas thereuppon a-warded, to the end the Sheriffe or hys Shiriffe Bayllifo may & ſhal ſignifie ỹ ſame to ỹ Jurie ỹ are in ſuch caſe impanelled.

And bee it further enacted, that noe ſuch Informer or plaintyfe, ſhall or may compound or agree wyth anie perſonne or perſonnes, that ſhall of-Compoũ fend or ſhalbee ſurmyſed to offend a-gainſt anie penal ſtatut, for ſuch offece committed, or pretended to bee com-mitted, but after anſwere made in court vnto the informatyon or ſuit in that behalfe exhybyted or proſecuted, nor after anſwere, but by the order Conſent of the court or conſent of the court in wheych the ſame informatyon or ſuit ſhalbe de-pending, vppon the paynes and penal-tyes hereafter in this preſent act ſett downe and declared. And that if anie ſuch Informer or playntyfe as afore-ſayd, ſhall willinglie delay his ſuit, or Delay Diſcõtinu Nonſuit ſhal diſcontinue, or bee non ſuit in the ſame, or ſhal haue the tryal or matter paſt againſt him therein by verdyct or iudgement of lawe: that then in eue-rie ſuch caſe the ſame Informer or playntyfe, ſhall yelde, ſatiſfie, and pay vnto the partie defendant, his coſtes, Coſts Damages charges, and dammages, to bee aſſig-ned by the Court in which the ſame ſuit ſhalbee attempted: For the reco-uerie and execution whereof, euerie ſuch defendaunt, ſhal immediatlie vp-Defendant pon the ſame coſtes, charges, and da-mages aſſigned, haue his capias ad ſa-Capias ad ſatisfaciẽdũ tisfaciendum, fieri facias or Elegit, to Fieri fac. be awarded vnto him out of the ſame Elegit court in which ỹ ſame ſhalbee ſo aſſig-ned, as is aforeſaid, as in other cauſes of execution.

And bee it alſo enacted, that if anie perſonne or perſonnes (except the Clerke of the court Clerkes of the Court only, for making out of proces otherwyſe then is aboue

appointed)

Suing of proces
Cõpoūding

appointed) shall offend in suing out of proces, making of cõposition, or other misdemeanour, contrary to the true intent and meaning of this statut, or shall by colour or pretence of proces, or without proces, vppon colour or pretence of any matter of offence against any penal lawe, make any cõposition, or take any money, reward, or promise of reward for him selfe, or to ỳ vse of any other, without order or consēt of some of her Maiesties courts at Westminster: that then he or they so offending, beeing thereof lawfully conuicted, shal stand on the pillorie in some market Towne next adioyning where the same offence shalbee committed, in the open market time, and there remaine by the space of ii. howres, and shall from and after such cõuiction, for euer bee disabled to pursue, or be plaintife, or informer in any suit or information vppon any statut populer or penal: and shall also for euery such offence forfayt and lose x. pounds of lawefull English money, the one halfe thereof to the Quenes maiestie, her heires and successours, and ỳ other halfe to the partie greeued thereby, to bee recouered in any Court of record, by accion of debt, or information, in which no essoigne, protection, iniunccion, or wager of lawe, shalbee permitted or allowed. And ỳ Iustices of Oyer and Terminer, Iustyces of Assise in their circuites, and Iustyces of peace in their quarter sessions, shall haue full power and authoritie, to heare and determine all offences to bee committed or done contrarie to the true intent and meanyng of thys present act.

Reward
Conuict Pillorie
Disabled
Fyne.
Moitie
Iust. of oier & ter.
Iust. of ass.
Iust. of p. Quarter sessions
Oier & ter.

Prouided alwaies, and neuerthelesse bee it enacted, that it shall & may bee lawful to & for any person or persons greeued by meanes of any manner of maintenance, champerty, buying of titles, or imbracerie, to pursue vppon any the statutes prouided and set forth against maintenãce, chãperty buying of titles, or imbracerie, as he or they might haue done before ỳ making of this act: any thing in this act contayned to the cõtrary in any wise, notwithstanding.

Maintenãz
Chãpertie
Buying of titles
Imbracery

Prouided also, that this act shal not extend to any suit already depending, nor shal restraine any certaine person body politike or corporat, to whom or to whose vse any forfaiture, penaltie, or fuyt, is or shallbee specially limitted or graunted by vertue of any statut, and not generally to any persons that will sue, but that euery such certaine person, body politike or corporat, which might sue or informe, as yf this act were not made, may in such case, sue, informe, and pursue, as he or they might haue done, if thys act were neuer had nor made.

Body politike

And prouided also that neither this act, nor any thing therein contayned, shall in any wyse extend to any such officer of record, as haue in respect of their offices heretofore lawfully vsed to exhibite informations, or sue vppon penall lawes, nor to any officers informing or pursuing for matters only concerning his or their offices, but that they, and euery of them, may informe and pursue in that behalfe, as they might haue done before the making of this act: any thing in this act contained to the contrary in any wise, notwithstanding.

Officer of record

This act to take force and effect frõ the feast of Easter next cõming, and from thencefoorth to endure vnto the end of the first Sessiõ of the next parliament. An. 18. El. ca. 5.

## ¶ *Inrolments.*

That al inrolmentes of deedes and other minimentes in the rolles of the Chauncerie of either bench, and ỳ Eschequer of our soueraigne lord the king before thys time enrolled, and afterward by traitours to the kyng & hys realme in the insurreccyon late made

Eschequer
Chaūcery

made within the same realme seditiously moued, toorne and rent, or otherwise imbesiled, shalbee in a due forme exemplified vnder ỹ kinges great seale without fee of the seale thereof to bee payd, & ỹ the same open exemplifications so had, bee of the same effect and strength in al things as the sãe deedes and muniments should haue beene, if they were had whole & vnhurt. Anno. 6. H. 2. ca. 4.

Exemplified

Exemplification

2 ¶ Be it enacted &c. that from ỹ last day of July, which shalbe in ỹ yeare of our lord God. 1536. no maners, lands, tenemenets, or other hereditamentes shall passe, alter or chaunge frõ one to an other, whereby any estate of enheritaunce or frehold shalbee made, or take effect in any person or persons. or any vse thereof to be made by reason onely of any bargaine and sale therof, except the same bargaine and sale bee made by writing indented, sealed, and inrolled, in one of the kinges Courtes of record at Westminster, or else vin the same Countie or coũties where the same manners, landes, or tenements so bargained and sold, lye or be before Custos Rotulorum, and two Justices of the peace, and the clerke of the peace of the same County or coũties, or two of them at the least, whereof the Clerke of the peace to bee one, and the same enrolment to bee hadde and made within vi. monethes next after the date of the same writynges indented, the same Custos Rotulorũ, or Justices of the peace, and clarke taking for the inrolment of euery such writing indented before them, where the land comprised in the sãe writing exceed not the yerely value of xl. s. ii. s. ỹ is to say. xii. d. to the Justices, & xii. d. to the clarke. And for the inrolment of euery such writing indented before them, wherein the land comprised exceede the summe of xl. s. in yearely value v. s. that is to say, ii. s. vi. d. to ỹ iustices, & ii. s. vi. d. to the clerke for the inrolling of the same. And that ỹ clerke of the peace for the time being within euery such county shal sufficiently enrol & engrosse in parchment the same deedes or writinges indented as is aforesaid, and the rols thereof at thend of euery yeare shal deliuer into ỹ said Custos Rotulorum of ỹ same Countie for the time being, there to remaine in the custody of the sayd Custos Rotulorum for the tyme being, amongst other records of euery of the same counties where any such inrolments shalbee so made, to the intent that euery party that hath to do therwith, may resort and see the effect and tenour of euery such writyng so enrolled.

Custos rotulorum

Just. of p.

Clerk of p.

vi. monethes

Fee

Clerk of p.

Engross

Inheritãce Frehold

Sale

Courts of record

Prouided alwaies that this act nor any thing therein contained, extend to any maner, lands, tenemẽts, or hereditaments, lying or being within any city, borough, or towne corporat vẽin this realme, wherein the Maires, Recorders, Chamberlains, Bailifes, or other officer or officers, haue auctoritie, or haue lawefullie vsed to enrolle any endẽces, deedes or other writings within their precinct or limittes, any thing in this act conteined to the contrary notwithstanding. Ann. 27. H. 8. cap. 16.

Maior Recorder Chãberlain Bailifes

Maiors Aldermen Recorder London

3 ¶ Where in the parliament holden in the xxvii. yere of king Henry the 8. (s. c. 28. which is in leales. 2.) It was enacted by auctority of ỹ said parliament amongst other, ỹ no fine, feoffement or other act or acts, hereafter to be made suffred or done by ỹ husband only of maners, lands, tenements, or hereditaments, being ỹ inheritaunce or ỹ frehold of his wife during the couerture beetwene them, shall in any wise be or make any discontinuaunce thereof, or be prejudiciall or hurtful to the same wife or to the heires, or to such as shal haue right title, or interest by the same by the death of such wife or wiues, but ỹ same wife & her heirs & such other to whom such right shall appertaine after her decease shall and may

Fines Feoffemẽts

Husband

Wife Couerture

Enter

may then lawfully enter into all such maners landes, tenementes, & hereditamentes, according to ỳ rights & titles therin, Any such fine, feoffemẽt, or other act to the contrary notwithstandig. Sithẽce the making of wlych act diuers doubts questions & ambiguyties haue risen, that is to say whether ỳ recoueries & dedes enrolled, wlych be in nature of fines & whereupõ women

Recoueries

women couert

couert haue ben vsed to be examined, takẽ, had, or knowledged, aswell wỏin the citie of London as in many other cities, boroughs, and townes wythin ỳ Realme of England should bynd all such women couert, that should happẽ to be examined vpon the same recoueries and dedes enrolled. In auoyding therfore of al such ambiguities & doubtes. Be it &c. that al recoueries, deedes enrolled and releasles hertofore knowledged or taken, or at any time hereafter to be taken & knowledged, before the Maior, Aldermen, Recorders, Chamberlaines or other head officer or officers, as wel of the city of London, as of any other citie, Borough, or towne corporat within the realme of England hauing power and auctoritie to take and receiue the same according to the lawdable vsage and Customes of the said cities boroughes and townes, & euery of them, shalbe, stand and remaine of like force, strength and effect, to al intentes and purposes, as they or any of them were before ỳ making of the saied act, in the sayed arrierere of ỳ said king. Any thing in ỳ sãe act to the contrary in any wise notwithstanding. An. 34. H. 8. ca. 22.

Recoueries
Releases

Maior
Aldermen
Recorder
London

## Intrusion.

When any (that holdeth of the king in chefe) dieth & hys heire entreth into the land that his auncestors held of the king the day ỳ he dyed, before that he hath done homage to the king and receiued seysin of the lyng, hee shall gaine no freehold thereby, and if he die seysed during that time, his wife shal not be indowed of the same land, as it came late in vre by Maud daughter to the Earle of Herford, wyfe of Paumsel the Marshal, which after the death of William marshal of Englãd his brother toke his seysin of ỳ Castel and manner of Scrogoill and died in the same Castel before he had entred by the king and before he had done homage to him. Whereupon it was agreed that his wife should not bee indowed, because ỳ her husband had not entred by the king but rather by intrusion, how bee it this statut dooth not meane of socage and other smal tenures. Prerog. regis. An. 17. E. 2. ca. 13.

Chiefe

Indowe

## ¶ Ipswich.

For that it is very conuenient & necessary for the towne of Ipswich, in the countie of Suffolke, that ỳ pauements of the stretes there be repaired and newe made, according to the necessitie thereof, the inhabitauntes of the sayed towne humbly pray, that it may be enacted by our soueraigne lady the Quéene, the lords spiritual, and temporal, and commons of thys present Parliament assembled, and by ỳ auctoritie of the same, that all & singuler persons, their heires and successours nowe being, or which hereafter shalbee immediat owners, landlordes or terretenaunts of any houses, landes, or tenements within the said towne, or the suburbs of ỳ same, of any estate or estates, in fee simple, fee tayle, for life, or yeres, shall from time to time, & at al times from & after the last day of this present Session of parliament, at the assignement or appointment of the bailifes of the said towne for the time being, aswel paue, or cause to be paued wỏ good pauing stones, alõg frõ stones & against his or their houses, landes, & tenements adioining to the strete, so much of the said strete in length, as his or their sayed houses, landes, or tenements

Suffolke
Pauements

Fee simple
Fee taile

Bailifes

Paue

tenementes ſo adioyning extendeth vnto, and in breadth during al the ſaid length to the chanel, or to ſuch place as the chanel there, ſhalbee by the layed bailifes for the tyme being appointed to, vpon payne to loſe or forfeyt for euery yard ſquare, not ſufficiently paued in fourme aforeſaied within two monethes after warning therof geuen to the bayliffes for the tyme being, the ſame being preſented before the bailifes of ỹ ſaid Towne for the time being, by the twelue headboroughes of ỹ ſame Towne vii. ſ. of lawfull money of England: and that the ſaid owners landlordes, or terretenants, and all & euery perſone and perſonnes, hauyng or which hereafter ſhal haue any houſe, houſes, landes or tenementes, in fee ſimple, fee taile, or for terme of life, or yeres adioyning to any of the ſtreetes within the ſaid towne or ſuburbes, their heires and ſucceſſors, ſhal from the ſaid laſt day of this preſent ſeſſion ſufficyently from time to time, maintaine & repaire as often as it ſhalbee neceſſarie, the pauement of the layed ſtreete and ſtreetes ſo adioyning, with like ſtone, againſt all and euery their landes, and tenementes, in ſuch and like maner as aboue is declared, vpon payne of forfaiture for euery yard ſquare of the ſame not ſufficiently repaired and amended, and preſentes in maner & forme aforeſaid. viii. ſ. of like money. And where any neede ſhalbe of pauement of any of the ſaid ſtreetes adioyning to any Churches or Churchyardes, within the ſaied Towne or ſuburbes of the ſame: Be it alſo enacted by the authoritie aforeſaid, that the ſame ſtreete ſhalbe paued and repayred euery from time to time, at ỹ charges of the pariſhioners of euery ſuch Church and Churchyard, ỹ charges thereof to bee indifferently rated by the vii. headboroughes aforeſaid, or the more part of them, and the ſame to be leuied in ſuch maniere as the forfaitures by this act are to bee leuyed.

And that al the ſaid forfaitures aboue mencioned, ſhalbee to the vſes of the Bailifs, burgeſſes, and communaltes of the ſaid towne of Ipſwich, & their ſucceſſours, to and for the amendmẽt of the hauẽ there, at and by the diſcretion of the ſayd Bailifes, and of the pauement of the ſaid towne, or of the more part of them. And be it further enacted by the aucthoritie aforeſaid, ỹ the Bayliffes for the time beeing, and their ſucceſſours, ſhal haue full power and aucthoritie once euery quarter of a yeare, after the laſt day of thys preſent Seſſion, within the ſaid Towne, to inquire by the othes of the ſaid vii. headboroughes for the tyme beeing, of euery ſuch default of pauing, or of not repayring or amending of ỹ ſayd pauemẽts, and for euery default ſo be fore thẽ preſented by the ſayd twelue headboroughes, ſhall haue alſo power and aucthoritie to leuie or cauſe to bee leuyed, by diſtreſſe or lawfull meanes within or vpon the ſaid houſes, landes or tenementes, the ſaid ſeuerall forfaitures and ſummes of money aſſeſſed, and that the ſaid Bailifes, ſhal & may make ſuch like auowry, cognizaunce, or iuſtification for the ſame as may be made for arrerages of rent charge, by the common lawes of this Realme, & ſhall haue like iudgment of & for coſts, damages, & retourne.

Prouided alwaies, that if the leſſees for yeares, or at will, of the layed houſes, landes, or tenementes, or of the houſes, landes, or tenementes, within the layed Towne of Ipſwich, or ſuburbes of the ſame, doo ſufficiently pane or repaire the ſtreetes before the manſiõs or dwelling places in fourme aforeſaid: ỹ thẽ they & euery of thẽ ſhal & may defalke, abate, & retaine in his & their owne hãdy, as much of their rẽtes due to their leſſours, or others to whom the immediat reuerciõ of their ſaid houſe, landes, or tenementes doo belong, as they ſhall duely proue to haue beene expended by them vpon the

Foꝛf.

Owners Terretenants

Stretes

Repaire pauements

Foꝛf.

Churches Churchyardes

Pariſhioners

Vſes

Hauen

Bailifes

Enquire

Default Headboroughes

Diſtres

Bailifes

Arrerages Rent charge

Leſſees

Defalke rent

the

Paroch churches

Miniſter

Bailifes

Churchwardens

Tyze

Miniſter Repayring of churche

Paper booke

the ſame paying, and ſo much defaulked, ſhalbee to al intentes accompted as payd to their leſſour, in ſuch ſourme as by their leſſees, is appointed to be paide: and the ſaied leſſours, or they to whom ſuch rent ſhalbee due, to haue no accion or title of reentrie, for or by reaſon of ẏ non paiment of ſo much of ẏ ſame rẽt as ſhalbe defaulked, except the ſayed leſſees haue otherwiſe couenaunted to make the ſaied pauement at their owne coſtes and charges, or beare harmeleſſe theire leſſours of all charges, paiments, or duties iſſuyng out of, or to bee impoſed vppon ſuch their houſes, lands, or tenements.

Paroch churches

And where alſo there are wythin the ſayed Towne of Ipſwich, and the ſuburbes of the ſame, dyuers pariſhe Churches, eyther nothyng or very poorely indowed, and inſufficient to maintaine conuenient mynyſters:

Miniſters

Bee it therefore enacted by ẏ Queene our ſouereigne Lady, and the Lordes ſpirituall & temporall, & by ẏ commons of this preſent parliament aſſembled, and by the auctoritie of ẏ ſame, that the Bayliffes of the ſayd Towne of Ipſwich, wyth the port men there, or the more part of thẽ, for the time beeing, calling to thẽ the Churchwardẽs, & foure other of euery of the ſaid ſeuerall pariſhes, ſhall haue full power and auctoritie to take and aſſeſſe vpõ euerie houſe, groſſe, and tenement, frée or copie, ſituate & beeing within the ſayd ſeuerall pariſhes, ſuch reaſonable ſumme & ſummes of money to be yerely paid, as wel for & towardes the finding and maintayning of a cõuenient ſtipẽdarie miniſter within euery of the ſaid Pariſhes, as to and for the reparations of the ſaid ſeuerall churches & chauncelles as they ſhal thinke meete. And alſo ſhal limit & appoint the time & times when the ſeuerall pariſhioners ſhall pay the ſame, & ſhall enter the ſame, with the ſeuerall names & ſummes paiable by euery perſon, into a paper booke, which ſhal remaine with the ſayd Bayliffes, for the time being: And alſo ſhall appoint the ſayd churchwardens, to collect and receaue the ſame, from yere to yeare, to whom a copy of the ſayd booke ſhalbee deliuered by the ſayed Bayliffes, and euery ſuch Churchwarden ſo appointed, to doo the beſt of his endeuour to collect and gather ẏ ſaid ſeuerall ſummes: and ſhall haue full power & auctoritie by vertue of thys act, to diſtraine the goodes or cattels of any of the ſaid ſeuerall pariſhioners making default to and for ẏ payment of the ſayd rates, at the time & tymes limitted for the ſame, wyn the charge of their collection: And the diſtreſſe ſo taken, ſhal and may awow or iuſtifie, in ſuch maner and ſourme, as is vſed for rent charge beeing vnpaied, at the commen la we. And bee it alſo further enacted by the auctoritie aforeſayed, that euery ſuch Churchwarden, hys executours, and adminiſtratours, ſhal bee accomptable of and for his collection and receipt, beefore the Churchwardens of the ſaid ſeuerall pariſhes, which ſhal ſucceede them, and beefore the inhabitaunts, or the more part of them, of the ſame pariſh if they will bee preſent there, when and where ſo euer hee or they ſhalbe thereunto required. And ſhal preſently vppon the determination of his or their accompt pay all ſuch ſummes of money, as it ſhall appeare that he or they bee charged with, to the handes of ſuch other Churchwardens as then ſhal ſucceed. Anno. 13. El. ca. 24.

Bayliffes

Churchwardens

Tax

Collect

Diſtraine

Accompt

Miniſter Repayring of churches

Payer booke

## ¶ Ireland.

IN the booke of Magna carta is an ordinance for Irelãd cõcerning dyuers matters entituled Ordinatio pro ſtatu terre Hibernie.

2 ¶ An. 17. E. 3. a ſta conteining fiue artycles was made concerning Ireland.

3 ¶ All merchaunts as well alyens as denizens may come into Ireland

Merchãts Aliens Denizens

land with their marchandiles, & from thence freely to returne to their marchandiles and victails without fine or raunsome to be taken of them, saving alwaies to the king his auncient customes & other duties, Anno. 34. E. 3. cap. 17.

Customs

4 ¶ People of England as well religious as others which haue their heritage, and possessions in Ireland, may bring their corne beastes and other victailes to the said land of Irelād and from thence to recary their goods and marchandiles into England freely without impeachmēt, paying their customs & their duties to ỳ king, An. 34. E. 3. ca. 18.

Corne Cattell

5 ¶ Ann. 1. H. 5. cap. 8. it was enacted that al Irish persons should void the Realme within a time, except certaine there expressed, and that they ỳ had benefices or offyce in Ireland should dwell vppon them for defence of Ireland.

6 ¶ Where as it was ordayned in the time of the kinges noble progenitours by a statut made of the lād of Ireland that none of the Irish nation should be chosen by electiō to an Archbyshoppe, Byshoppe, Abbot, or Prior, nor in none other maner receiued nor accepted to any dignitie or benefice wythin the same land, and nowe late many such Irish people by force of certaine letters of lycence to them made by the kynges lyeutenauntes there, to accept and receyue such dygnities and benefices, bee promoted and aduaunced to Archebyshops, and Bishoppes wythin the sayed land, which also make their collations to Irish clerkes of the dignities and benefices there agaynst the fourme and effect of the sayed statut: And where as they bee sayed peeres of the parliament in the same land, they bring to them to the Parliamentes and counselles holden there, Irish seruaunts, whereby the priuities of the Englyshmen within the same land haue beene and bee dayly discovered to the Irish people, rebels to the king, to the great peril and mischiefe of the kings lawfull liege people in the same land: Our Soueraigne Lord the king that nowe is, desiring for the same to prouide remedy, for the suertie of hys faythful Subiectes by the assent of the Lords aforesayed, and at the request of ỳ said commons, will and graunteth, that the sayed statute shall stand in hys whole force, & well and duely be kept, and fully executed vppon his greeuous indignation. And moreouer hee hath ordeyned and stablished, by the assent and request aforesayd, that if any such Archbishoppes, Bishoppes, Abbotes, or Priours, of the Irish nation, rebels to the king, haue in tymes past made, or fromhenceforth shal make any collations or presentmentes to benefices of holy church in the sayed lād of Ireland, agaynst the forme of ỳ same statut or bring with them anie Irish rebels amongst the Englishmen to the parliaments, counsels, or other assembles within the same land, to knowe ỳ priuities and states of the sayed Englishmen, and the same to discouer to the sayd rebels, that then afterward from time to time al their temporalties shal bee seyzed into the kings hands, there to remaine til they haue made fines to the king in this partie. And also that al the lieutenauntes of the kyng and of his heires in the sayed land of Ireland be vtterly defended and restrained frō henceforth, to haue any maner power to geue or to graunt any such benefices or pardōs in the case to Irish persons not English. And that al such licences not executed made and graūted by the kinges lieutenauntes in ỳ same land before this tyme, and also to bee graunted by them hereafter, shall bee void and of no force nor valour. Ann. 4. H. 5. ca. 6.

Benefice

Licence

Archbishops Bishops

Peeres

Collations

Seisertemporalties

Fine

Lieutenāts

Licence

Void

7 ¶ An. 1. H. 6. cap. 3. an act was made to auoid Irish men out of Englād except certen persōs, & they to find suertie

Oxford Cãbridge

Testimonial

Chaūcelor of the vniuersitie Oxford Cãbridge Quarties

Chaūcery Iust. of p. Peace

English iron

Fyne.

Labourers

Statute Ed. 1. de Iudaismo.

Vsuries

Chaūcerie K. bench Common bench Eschequer Iustices

Chaūcelor Treasorer Iustices

Record

fuertie of good abering. And that from the sayed feast of saint John forward no personnes borne in Ireland shall enter the realme of England to dwell in the sayed vniuersities of Oxenford or of Cambridge, or else where within the Realme of England, vnlesse he bring to ỹ sayd chauncelor of Englãd such letters testimonials, vpon paine to bee punished as a rebel to our Soueraigne Lorde the kyng. Anno. 1. H. 6. cap. 3.

8 ¶ That the chauncellours of the vniuersities of Oxenford, and Cambridge for the time being, euery of thē within his iurisdiccion shall take the fuerties, to bee taken of scholers within the same vniuersities, and certyfie the same into the kinges Chauncery. And that the Iustices of peace within the Counties, and Haires, and Baylyes within Cities and Borroughes enfraunchised, haue power to take before them such maner fuertie of good abearing, and to do execution against them which shal abide or doo agaynst the saied ordinaunce fromhencefoorth. An. 2. H. 6. ca. 8.

¶ *Iron.*

IRon made in England, and Iron brought into Englãd and there sold, shall not be brought out of the realme of Englãd vpon paine of forfaiture of the double to ỹ king, & the Iustices assigned shall haue power to enquire of labourers. And the other Iustices whō the king wil thereto assigne, shal haue power to enquire of them that sell the yron at to dere a price, and to punish them, after the quantitie of ỹ trespas. An. 28. E. 3. ca. 5.

¶ *Iewes.*

STatuto Ed. 1. de Iudaismo, is ordeined ỹ no vsury shall runne from thencefoorth, and diuers matters bee there against vsury taken by Iewes & concerning debtes to Iewes & stolen good in Iewes handes, & where they should dwel, & what signe they should beare, and what they should pay to ỹ king, & what they might or might not buy & sell, & purchase, and diuers other matters cõcerning Iewes, and they were taken vnto ỹ kings protection.

*Iudgment.*

ITem because diuers mischiefs haue happened, of that that in diuers places, as well in the Chauncerie, as of ỹ kinges bench, the common bench, and in the Eschequer, the Iustices assigned and other Iustices to heare and determine deputed, the iudgementes haue bene delayed, sometime by difficulty, and sometime by diuers opinions of ỹ iudges, and sometime for some other cause: It is assented, established and accorded, that from hencefoorth at euerie Parliament shalbe chosen a Prelate, ij. Earles, ij. Barons, which shal haue commission and power of the king, to heare by peticiõ deliuered vnto them, the complaints of those that will complaine them of such delaies or greuances made, and they shall haue power to do come before them at Westminster or els where, where the places or any of them shalbe, the tenour of Records and processes of such iudgemẽts so delated, and to cause the same Iustices to come before them which shalbe then presently to heare their cause & reasons of such delaies, which cause & reason so herde, by good aduise of thē selfe, ỹ chauncelor, treasorer, the Iustices of the one bench & of ỹ other, & other of ỹ kings counsaile, as many, & such as shal seme conuenient, shal proceede to take a good record & make a good iudgmẽt. And according to the sae record so taken, ỹ tenour of ỹ said record, togeth̄er wt̄ ỹ iudgmẽt, which shalbe accorded shalbe remaunded before the Iustices before whō ỹ plea did depend. And ỹ they shal geue iudgmẽt, according to ỹ sae record. And in case it seme to thē ỹ ỹ difficultie be so great, ỹ it may not well

wel be determined, without assent of the parliament, that the said tenour or tenours shalbee by the sayed prelates, Earles, and barons, in the next parliament, and there shalbee a finall accord taken, what iudgement aught to bee geuen in this case. And according to this accord it shalbee commaunded to the iudges, before whom the plea did depend, that they shall proceede to geeue iudgment without delay. Ann. 14. E. 3. ca. 5.

Attaint Errour

After iudgment geuen in ỹ courts of our soueraigne Lord the king that ỹ parties and their heires shalbe therof in peace till the iudgment bee vndone by attaint or by errour, if there be errour, as hath bene vsed by the lawes in the time of the kinges progenitours, An. 4. H. 4. ca. 23.

¶ *Iurisdiccion.*

Court spirituall Spiritual Iudge Appeale

IF any cause or matter, the knowledge whereof belongeth to a court spiritual, & be definitiuely determined before a spirituall iudge, so ỹ it passe into a iudgement, nor was not in suspence by reason of any appeale, and afterward vppon the same thing a case is moued before a temporal iudge and betweene the same parties, and it bee proued by witnes or instrumentes.

Excepcion

The exception shall not bee admitted in a temporall court. The answere, That any one case is debated before iudges spirituall and temporall as aboue appeareth vppon ỹ case of laying violent hãds on a clerke: It is thought that notwithstanding the spirituall iudgment, the kings court shal discusse the same matter, as the party shall thinke most expedient to him selfe. Articuli cleri. 1. ca. 3. An. 9. E. 2.

Where as ỹ sayed prelats haue sheued and prayed remedy, vppon that that the said secular Iustices do vsurpe and accroch to them cognisance of boy rance of benefices or ryght, whych cognisaunce & the vsurping therof appertaineth to ỹ iudges of holy church: and not the lay iudge: The king wyll & graunteth, that the said Iustyces shal from henceforth receiue such chalenges made or to bee made by any prelate of holy church in this behalfe, and more ouer thereof shall do right & reason. An. 25. E. 3. pro clero. ca. 8.

Secular Iustices

Challenge

*Iuris vtrum*

IN like manner as a writte is to bee granted whether a tenement be the franchalmoigne of a Church, or ỹ lay fee, so herafter there shalbe made such a writte, whether it bee the franchalmoigne of such a Church, or of another church, in case where the franchalmoigne of one Church, is translated into the possession of another church. W. 2. ca. 25.

Lay fee Frankalmoigne

Amerce

¶ *Iurours.*

Exemcion

COncerning charters of exemcion and liberties, that the purchasors shall not be impanelled in assises, Assises Enquests

Attaints

ruries, and enquests: It is prouided, that if their othes be so requisite, that without them, Iustice cannot be ministred, as in great assises, perambulations, & in deedes, or writtinges of couenants, (where they be named for witnesses) or in attaintes, and in other cases like, they shalbe compelled to sweare. Sauing to thẽ at an other time their fore said liberty and exemcion. Marleb. ca. 14. An. 52. H. 3.

Old men Sicke men

2 ¶ From henceforth in one assise no mor shalbee somoned then .xviii. And old men aboue lx. yeares, being continually sicke, or being diseased at ỹ time of the somons, or not dwelling in the countrey, shal not bee put in iuries or petty assises, nor also shalbe put in assises and iuries, though soe ought to be taken in their owne shire, ỹ may dispend lesse then xl. s. yearely. And if such assises and iuries be taken out of the shire, none shall passe in them, but that

that may dispend .li.s. yerely at ỳ least except such as be witnesses in dedes or other writings, whose presence is necessarie, so that they bee able to trauail. Neither shall this statute extende to great assises, in which it behoueth many times knightes to passe, not resident in the countrey, for the scarcitie of knightes, so that they haue landes in the shire. And if the shirife, or his vnderbailifes, or bailiffes of liberties, offend in any point of this statute, and thereuppon bee conuict, damages shall be awarded to the parties greeued, & shall neuertheleſſe bee amerced to the king. And iuſtices aſſigned to take aſſises, when they come into the shire, shall haue power to heare the plaints of all complaints, as to the articles conteined in this statute, and to minister iuſtice in forme aforeſaid, Wal. 2. ca. 37. An. 13. E. 1.

3 ¶ No Shirife, vnder shirife, or other bailifes, nor bailifes of liberties, shal from hencefoorth put in any recognisance aboue .xl.li. that shall paſſe out of their proper counties, or bailiwicches, except they haue lands and tenements to the yerely value of an C.s. at ỳ leſt. And the king intendeth not by this statut to reſtraine the laſt statut of Weſtminſter, wherein mention is made of recognisours to be put in iuries and aſſises, but of ſuch onely as ought to paſſe in aſſises, iuries, and recognisaces triable out of their proper counties, ſo ỳ within the counte before Iuſtices of our ſouereigne Lord the king aſſigned to the taking of any ſuch inquelles, iuries, or other recognisaces none ſhalbe impanelled, except he haue landes and tenements to the yerely value of .xl.s. And likewiſe ſauing that before iuſtices errant that hold common pleas in their circuit, & alſo in cities, boroughes & other market townes where recognisances, aſſiſes, & iuries do paſſe vpõ any matter touching ỳ ſaid cyties, boroughs & other townes, a writ ſhalbee made like as it hath been accuſtomed in times paſſed. An. 21. E. 1.

4 ¶ No ſheriffe nor bayliffe, ſhal impanel inquelles & iuryes ouer manie parſſes, nor otherwiſe thẽ it is ordeined by the ſtatute, and that they ſhall put in the iury ſuch as be next neighbours, moſt ſufficient, & leaſt ſuſpitious. And he ỳ otherwiſe doth, & is attainted therupon, ſhall pay vnto the plaintife hys damages double, & ſhalbe greeuouſly amerced vnto the king. Articuli ſuper charras. cap. 9. An. 28. E. 1.

5 ¶ If any iuror, in aſſiſes, iuries, or enquelles, hold with the one partie or with the other, and be thereof duely attainted, that hereafter he ſhall not be put in any aſſiſes, iuries or enquelles, and neuertheleſſe he ſhalbe commaunded to priſon, and further raunſomed at the kinges will. And the iuſtices before whom ſuch aſſiſes, iuries, and enquelles ſhal paſſe, ſhall haue power to enquire and determine, according to this ſtatute. An. 5. E. 3. cap. 10.

6 ¶ No Indictour ſhalbe put in enquelles vppon the deliuerances of ỳ indictees of felony or treſpas, if he bee chalenged for the ſame cauſe by him which is ſo indicted, An. 25. E. 3. cap. 3. ſtatute. 5.

7 ¶ Panells ſhalbe made of ỳ next people which ſhall not bee ſuſpect nor procured. And that the ſhirifes, coroners and other miniſters, which doth againſt the ſame, ſhalbe puniſhed before that the iuſtices take the ſaid enqueſt, according to the quantie of their treſpas, aſwell againſt the king as againſt the partie for the quantitie of ỳ damage which hee hath ſuffred in ſuch maner. An. 34. E. 3. cap. 4.

8 ¶ In euery plea, whereof the enqueſt or aſſiſe doth paſſe, if any of ỳ parties put ſue againſt any of ỳ iurors that they haue taken of his aduerſary or of him, for to late their verdict, hee ſhalbe heard, and ſhall haue his plaint by bill preſently before the iuſtices, afore whom they did ſweare, & ỳ the iuror be put to anſwere without any



pl.s. land
Graũd aſſ.
Knights Shirife
Bailife Damages
Amerce
Shirife Bailife
Recognisance
C.s. land
Enqueſts
pl.s. land
Iuſt. errãt
Shirife Bailife
Attaint
ỹ damages
Parcial
Attaint
Impriſon
Fine
Oier & ter.
Indictor
Panels
Shirifes Coroners
Take reward

delay, and if they plede to the countrey, the enquest shalbe take forthwith. And if any man other then the partie wyll sue for the king against the iurrour, it shalbe heard and determined as afore is said: And if the iurrour bee attaited at the suit of other then the partie and maketh fine: the partie that sueth shal haue halfe the fine. And that the parties to the plea, shall recouer their dāmages by taring of the enquest. And that the iurrour so attainted haue imprisonment of one yeare which imprisonment the king graunteth, ẏ it shall not be pardoned for no fine. And if the party will sue by writ before other iustices, he shal haue the suit in ẏ fourme aforesaid. Anno 34. Edwardi. 3. ca. 8. See the like statut in Decim tertiū. 1.

Attaint

Mottie

Damages

Imprison

9 ¶ No person shalbee admitted to passe in any enquest vpon trial of the death of a man, nor in any enquest betwixt partie and partie in plee real nor in plee personall, where of the debt and damages declared, amount to xl. marks, if the same person haue no landes or tenements of the yearely valour of xl.s. aboue all charges of the same, so that it be challenged by the party, that any such personne so impanelled in the sāe cases haue not lands or tenements of the yearelie value of forty .s. aboue the charges as aforesayd. Anno secundo Henrici quinti cap. 7.

Murder

Real

Personal

xl.s.land

10 ¶ For asmuch as our sayd soueraigne lord the king at the greeuous complaint to him made by his said cōmons in the same parlyamēt hath cōceiued, that diuers persons of great powertie, without conscience and of euill gouernaunce, now of late dwelling in a place suspect called the Stewes in the borough of Southwarke, in ẏ cōtie of Surrey, as well by receypt of cōmon women thēues māquellers, and auowtrers as by murderers and many robberies, as well by them selfe as by many other there herberged without pitie, loyalitie, & good conscience there done, haue sodeinly cōe to great riches by ẏ which they haue purchased great liuinges of landes and tenementes to great yearely values, and because of their sufficiency of freehold so purchased they haue ben returned by the sherife of the sayd countie and other bayliffes in enquestes aswell for felony & trespasse betweene the king & the partie, and partie and party, as in assyses and other pleas of land before the kinges Justices in his courts, and before the Steiwardes and marshall of hys house, whereby diuers disheritaunces and wrongfull condēpnations of many lawful lieges of our soueraigne lord the king haue been had, & many murderers and notorious thēues haue ben saued, great murders and robberyes concealed and not punished, And how the sāe persons suspect inhabite thē in cōmon hosteries & tauernes in ẏ hygh way of ẏ same borough there receiuig thēues, common women, and other mysdoers, in like manner as they dyd in the sayd suspect place of the Stewes: Our soueraigne lord the king considering the premisses and that such people without conscience be defamed & may not of reason bee entendyng to beare witnesse of trouth, there where trouth should be enquired, hath ordeyned and stablished, that if anie such person bee returned by anie sherife, bayliyfe, or other minister of our sayd Soueraigne lord the kyng in the sayd countie of Surrey or by anie officer before ẏ Steiward and marshall of our soueraygne Lord the kynges house aswell for the kyng as for the partie, at all tymes frō henceforth hee shalbee challenged, and the challēge in that partie allowed for the cause before sayd. And also for to auoid murders, robberies, and auowtries that might by likelyhood happen, It is ordeined, ẏ no such person, which also hath dwelled at the said Stewes, be suffred to hold anie common hosterie nor tauerne in other place within the sayd borough of Southwarke, but only at the sayd Stewes. And that the

Stewes Southwarke

Surrey

Challenge

Hostrie

Tauernes

Iustices

Iust. of p. Enquiry

Impzison

Iustices of peace in the same countie shall haue power to enquire of al them that hold hotteries and tauernes, and them to punish by fine and raunsome, and by imprisonment of their bodyes after the discretion of the said iustices. An. 11. H. 6. cap. 1.

11 ¶ Euery iurrour cõ the feast of the blessed Trinitie nert cõming, that shalbee empanelled & returned within the sayd countie of Middlesex in anie of the sayd courtes, in anie of the sayd accyons, at euery fowrtly day of the retourne thereof shalbee demaunded and called. And that all personnes impanelled in anie of those courts that doth appeare at the same day, their apparance shalbee recorded & there entred by the court, and they shall not be amerced nor lose anie issues the same day in that suit. And it is ordeined by ỳ same auctority, that euery default, essoine, and euery other delay of anie personne plaintife or defendaunt in anie such personall accion by the lawe heretofore vsed, by this ordinance shal not bee prejudiced nor taken awaỳn anỳ maner, but to bee abridged adiurned and allowed in as ample and large formes, as they were before ỳ making of this statute. This ordinaunce notwithstandyng. Anno octauo Edwardi 4. capitulo 3.

Apparance

Defaute Essoins

Bailife

12 ¶ No baylyfe nor none other officer from henceforth, shal retourne in any panel any such persõ in any such shire within this realme, to bee taken or put in, or vpon, any such inquiry in anie of the said tournes, but such as bee of good name and fame, and hauyng landes or tenementes of free hold within the same countyes, to the peareley value of twentie shillings at the least, or else landes, & tenementes holden by cuttis me of the maner commonly called copyhold within the said countyes, to ỳ yerly value of. xxvi. s. viii. d. aboue al charges at the least. And if any baylife or other officer within ỳ sayd countyes, do hereafter retourne or empanell any person contrary to this statute, he shal lose for euery person so empanelled & returned, not being of ỳ sufficiencie afore said, at euery time ỳ he offendeth xl. s. and the said sheriffe other. xl. s. the one halfe thereof to the king our soueraigne lord, and the other halfe to the partie that will sue in this behalfe. And euerie man that will sue for the same, shall haue their seuerall accions of debt for the same at the common lawe, as well against the sheriffe as the said baylife; and that such and like proces bee had and vsed in euerie of the same accions, as is had and vsed in other accions at the cõmon lawe. And that noe protection nor essoyne bee allowed in the same. And that euerie such enditment before anie such sheriffe in his tourne otherwise take be voyd and of none effect. This act to take effect at the first day of the said parliamẽt and not before. Anno. 1. R. 3. capitulo. 4. This act was altered in part for the shires of South. Surr & Sussex. an. 11. H. 7. ca. 26. & An. 19. H. 7. ca. 16. But both these statuts be expired, as appeareth nert following.

Iurrours

Freehold

Copyhold

Returns

Sheriffe Moitie

Proces

Indictmẽt

Void

13 ¶ An. 11. H. 7. ca. 26. was an act made to endure to the nert parlement that shirifs in their turnes in ỳ shires of South. Surr, and Sussex myght returne iurrours of x. s. freehold, or xiii. s. iiij. d. copphold, and for lacke of such other of no land. And after Anno 12. Henry 7. capitulo. 16. this Acte was continued to endure to the next Parliament.

Sheriffes Turnes

x. s. land

14 ¶ The shirifes of London for ỳ tyme being, haue full auctority and power to returne in panels or arraies of all actions and suites now depending, or that shall depend in any of the said Courts of Exchequer, persons being Citizens, hauing goodes to the value of a hundred markes or aboue, to trie the issues joyned, or to bee joyned in euery such accion or suit. And the personnes so returned, hauinge goods to the value of a hondred marks,

Sheriffe of London Returns panels

Exchequer

C. Marke goods

or above, shalbe sworne and doe in all such iuries in like wise in every thyng, as other personnes shall doe hauyng landes and tenementes at the yearelie value of xl. shillinges over al charges. And over that be it et. that the sheriffs of the said Citie, for the tyme beeyng, shal returne vppon the first distresse in euerie such accion or suit vppon euerie of the iuries empanelled to trie the issues thet for twenty pence. And vpon the second distresse, vppon euerie of the same iurrours fortie pence. And vppon euerie distresse after that vpon euerie of the same Iurrours the double, till full iuries in euerie such accyon and suit shall appeare and bee sworne to trie the issues ioyned in the same. And that the sheriffes that shall make anie returne vppon such distresse contrary to the fourme aforesaid, shal forfait for euery such default x. pound, the one halfe thereof to be to the king, and the other halfe thereof to the partie y^t will sue therefore. And that the defendaunt in anie such accion be not admitted to wage his lawe nor protection therin for him allowed. Anno. 4. Henrici 8. cap. 3.

First distres xx. d.

Second iij. s. iiij. d.

Forf. Moitie

15 ¶ The said act bee expounded, interpreted and taken, that the sheriffes for the tyme beeing bee bound to returne at euerie first distresse of Nisi prius to be had at the said S. Martins in euerie such accion or suit, vpō euerie of the Iurrours impanelled to trie the issues therein et al. and vpon the second distresse of Nisi prius, vpon euerie of the same iurrours x. l. d. And vpon euerie distresse of Nisi prius after y^t euery of the same, iurrours the double, tyl a full iury in euerie such accyon and suit shal appeare and be sworne to trie the issue ioyned in the same.

Sheriffes

Nisi prius

xx. d.

iij. s. iiij. d.

And that no sheriffe of the said citie or any other thing forfayt by force or colour of the said estatute, for anie returne to be made except only vpon returnes to be made cōtrarie to y^e forme declaration, interpretation & oppositis of this estatut, y^t is to say, vpō writts of distresses before Justices or Justice of Nisi prius within the said citie, & that vpon al other writs & processes y^t bee & shalbee awarded out of y^e sayd courts or Eschequer, it shalbee lawfull to the sheriffes for the time beeyng to make their returnes according to the order of the lawe as the sheriffes of London were wont to doe before the making of the said statute, without any losse or forfaiture. An. 5. H. 8. cap. 5.

Returnes

16 ¶ Euerie person and personnes beeing the kinges naturall subiect borne, which eyther by name of a Citizen or of a free man or anie other name doth enioy & vse the liberties & prauledges of anie citie, borough or towne corporate where he dwelleth & maketh hys above, beeing worth in moueable goods and substance to the cleare value of xl. li. be from henceforth admitted in tryall of murders and felonies in euery sessions & gailes of delinerie to bee kept & holden in and for the libertie of such cities, boroughes, or towne corporate, albeit they haue no freehold, anie act, statute, vse, custome, or ordinaunce to the contrarie hereof notwithstanding. Prouyded alwaie that this act do not extend in anie manner of wise to anie knight or esquier dwelling, abyding, resorting in or to any such citie or borough corporate, any thing in y^e same act mencyoned or declared to the contrarie hereof notwithstanding. Anno 23. H. 8. cap. 13.

Citizen

Trial of murder Felony

No freehold

Knight Esquier

17 ¶ In euerie case, where such persons as should passe vpon the tryall of anie issue ioyned in any of the kynges courts of records, commonly holden at Westminster ought by the lawe to dispend xl. s. by the yere, of free holde for terme of lyfe, that the writtes of Venire fac. which from & after the first daie of Aprill next comming shalbee awarded & directed for the empanelling of such personnes as shall trie the same issue shalbee in this fourme.

40. s. freehold

Venire fac.

Rex &c. Precipimus &c. quod venire facias

fac. coram &c. xij. liberos & legales homines de visn. de 15. quorum quilibet habeat quadraginta solidorum terre tenementorum vel reddituum per annũ ad minus, per quos rei veritas melius sciri poterit. Et qui nec &c. And so forth the residue of the sayd writt after the auncient fourme. And in euery case where it is not requisite, that the personnes that shall passe vppon the tryall of anie issue ioyned in any of the kinges courtes aforesaid shall dispend forty shillings, by the yere of frehold, that then the writts of Venire facias, that shalbee awarded after the said first day of Aprill shalbee made after the fourme aforesaid, omitting this clause, quorum quilibet habeat quadraginta solidorum terre ten. vel reddituum, per annum ad minus. And that vpon euerie such writte and writtes of Venire facias they shall haue the sayd clause.

Shirife. Quorũ quilibet &c. the sherife or other minister or ministers, to whom the making of the panell shall appertaine, shall not returne in anie such panell anie person, vnlesse hee may dyspend xl.s. by the yere at the least of estate of frechold out of auncient demeane within the county, where the issue is to be tryed. And also shall retourne in euery such panell vppon the same venire facias, sixe sufficient hundredours at the least, if there be so many hundredours within the said hundred where the benew lyeth vppon paine to forfayt for euery person, beeing returned in anie such panel, that cannot dispend xl.s. by the yeare, as is aforesaid, xx.s. And for euery hundredour, that shalbe omitted in such returne of the nũber aforesaid, xx.s. And in euery writt of venire facias wherein the said clause, Quorũ quilibet &c. shalbee omitted, the sherife or other minister or ministers to whom the making of the panell shall appertayne, shal not returne in any such panel anie person, vnlesse hee may dyspend some landes or tenements of estate of fre ohold out of auncit demesne, within the county where the issue is to be tried. And also shal retourne in euerie such panell vppon the same Venire facias, sixe sufficient hundredours at ỹ least, if there be so many hundredours within the said hundred where the benew lieth, vpon like paine as is aforesayd. And furthermore bee it &c. that vppon euerie first writt of Habeas corpora or Distringas with a Nisi prius, deliuered of record to the sherife or other minister or ministers, to whom the makyng of the retourne shall appertaine the said sherife and other minister and ministers shal from and after the sayd first day of Aprill, retorne in issues vppon euerie person impanelled and returned vppon any such writ at the least. v.s. And at the secõd writt of Habeas corpora or distringas, with a Nisi prius, vppon euery person impanelled and retourned, vpon any such writt. x.s. at the least. And at the third writt of Habeas corpora or distringas, with a Nisi prius, that shalbee further awarded vppon euery personne impanelled and retourned vppon such writ xliij.s. iiij.d. And vpõ euery writt ỹ shal bee further awarded to trie anie such issues, to double the issue last afore specified vntill a full iurie bee sworne, or ỹ proces otherwise ceased or determyned, vppon paine to forfayt for euerie retourne to be made contrarie to the fourme aforesayd. xl.li. And for a more spẽdie trial of issues to be tried by the verdict of xij. men hereafter to be had. Bee it further &c. that in euerie such writt of Habeas corpora or distringas with a Nisi prius, where a full Iurie shall not appeare before the Iustices of assise or Nisi prius, or els after apparance of a full iurie by challenge of anie of the parties, the iurie is lyke to remaine vntakẽ for default of Iurors, that then the same Iustices vppon request made by the partie playntife or demaundant, shall haue authoritie by vertue of this act to commaund the sherife or other minister or ministers

Hundredors. vi. Hundredors

Habeas corpora Distringas

Issues

v.s.

x.s.

xliij.s. iiij.d.

Forf.

Auncien demeane.

Iust.

to whom the making of ỳ ſaid returne ſhal appertaine to name & appoynt as oftē as neede ſhal require ſo many of ſuch other able perſons of the ſaid coũty then preſent at the ſaid aſſiſes or Niſi prius, as ſhal make vp a full Iury, which perſons ſo to bee named and impanelled by ſuch Sheriffe or other mynister or ministers, ſhalbee added to the former panell and their names annered to the ſame. And that euerie of the parties ſhall and may haue his or their challenge to the Iurrours ſo named, added, and annered to the ſayd former panell by the ſayd Sherife or other mynister or ministers in ſuch wyſe as if they had beene empanelled vppon the Venire facias awarded to trie the ſayd iſſue. And that the ſayd Iuſtices ſhal and may proceede to the trial of euerie ſuch iſſue with thoſe perſonnes that were beefore impanelled and returned, and with thoſe newlie added & annered to the ſayd former panel by vertue of this act in ſuch wiſe as they myght or ought to haue done, if all the ſayd iurrours had ben returned, vpon the writ of venire facias, awarded to trie ỳ ſayd iſſue. And ỳ al & euerie ſuch tryall had after the firſt daie of Aprill, ſhalbee as good and effectuall in the lawe, to all intentes, conſtruccions and purpoſes, as if ſuch tryall had beene had and tryed by twelue of the Iurrours impanelled and returned vppon the writ of venire facias awarded to trie ſuch iſſue. And in caſe ſuch perſonnes as the ſayd Sherife, miniſter or ministers ſhall name and appoynt as is aforeſaid or anie of them after they ſhalbe called, be preſent and do not appeare, or after his or their apparance, do wilfully withdraw him or themſelues from the preſence of the court, that then ſuch Iuſtices ſhal and may ſet ſuch fine vpon euerie ſuch iurrour making default, or wilfully withdrawing himſelfe as is aforeſaid, as they ſhall thynk good by their diſcretion, the ſayd fine to bee leuied in ſuch manor and forme as iſſues forfaited & loſt by iurrours for default of their apparaunce at the common lawe, haue ben accuſtomed to bee leuied. And be it further &c. that where anie iurie ſhalbe returned by the Sherife or other miniſter or ministers ſhall bee made full by the commaundement of the ſayd Iuſtices by vertue of this preſent act, that yet neuertheleſſe ſuch perſonnes as were returned in the ſayd panell by the Sherife or miniſter or other miniſters to trie anie ſuch iſſue that ſhal not appeare, but make default, ſhall loſe the iſſues vppon them returned in ſuch wyſe as though the ſame Iurie hadd remayned for default of Iurrours.

Prouided alway and bee it enacted that vppon a reaſonable excuſe for the default of apparaunce of anie iurrour or iurrours, ſufficiently proued before the iuſtices of aſſiſe of Niſi prius at the day of their apparance by the othes of two lawful and honeſt witneſſes, that the ſame Iuſtices ſhal haue authority by their diſcretions to diſcharge euery ſuch Iurrour of euery ſuch forfeyture of iſſues vppon him returned. And that the Sherife and Sherifes or other mynister or mynisters, hauing commaundement by the ſaid Iuſtices to omit the returning of ſuch iſſues as is aforeſaid, vpon ſuch iurrour or iurrours, ſhalbe therein diſcharged of the penalties aforeſaid, for the non returnyng of the ſayd iſſues, and that yet notwithſtanding the ſaid returne to be good & effectual in the lawe, any lawe vſage, or cuſtome to the contrary notwithſtanding.

Prouided alſo that if the ſaid iuſtices, afore whom any ſuch iurie ſhould appeare in the comtie where ſuch iſſue is to bee tryed by vertue of a writte of Niſi prius, doe not come at the daie and place appointed, but that the aſſiſe or Niſi prius for that time ſhalbee diſcontinued for not commyng of the ſaid Iuſtices, or for anie other occaſyon,

other

Tales

Challenge

Default
Iſſues

Excuſe

Witneſſes

Diſcharge

Sheriffs

Iuſtices

Appeare

Depart without licence

Fine

other then by default and lacke of iurrours, that then euery one of the same iurrours shalbee discharged for forfeyting of anie issues vppon him returned in the same writ. And the sheryfe or other minister or ministers shalbee like wise discharged of the penalties of this statut for ỳ nõ returning of such issues, as are before limitted in this act any article or sẽtence herein conteined to the cõtrary notwithstanding. And be it &c. that if vpon any such writte of Habeas corpora or distringas, with a Nisi prius, issues be returned vpõ any hundredours, iurrour or iurrours by ỳ sheryfe or other minister or ministers to whom the execution of ỳ same writ or writs shal appertaine, where as the same hundredors & iurrors shal not be lawfully sũmoned warned or distrayned in that behalfe: ỳ then euerie such sheryfe or other minister or mynisters aforesaid shal lose for euery such offẽce committed double so much as the sayd issues returned vpon such hundredours or iurrours not lawfullie sũmmoned warned or distreined, shal amoũt vnto, the moitie of all which forfeytures cõteined in this present act, other then the issues to be returned vpon the iurrors as is aforesaid, shalbe to the king, & the other half to him that wil sue for the same by accion of debt &c. in which &c. Saving to al maner of persõnes & bodies politique & corporat, their heirs & successors, hauing lawful ryght, title, & interest, to haue such issues, to be before any such Justices of assise or Nisi prius at anie time or times hereafter lost, forfaited al such right, title, & interest as they or anie of them should or might haue had to such issues to be lost & forfayted as though this act had neuer ben had or made. Prouided also ỳ this act nor any thing therin cõteined shall not extend to anie citie or towne corporat or any sheriff, minister or ministers in ỳ same, for ỳ retourne of anie inquest or panel to be made & returned of persõs inhabitig in ỳ said cities or townes corporat, but ỳ they & euery of thẽ shal & may returne such persons in euery such inquest or panel as before this time they might & haue ben accustomed to do, and as this act had neuer ben had or made, so ỳ the same sherife minister or ministers return vpõ such persõs as shalbe impanelled like issues as are mẽcioned in this act, any thing in ỳ same to ỳ cõtrary notwithstanding. This act to endure to ỳ end of ỳ next parliamẽt. An. 35. H. 8. ca. 6. This act is continued. 37. H. 8. ca. 22. & after. 2. E. 6. ca. 32. is made perpetuall.

18 ¶ Be it enacted &c. ỳ frõ & after ỳ first day of June next cõming ỳ Justices of assise & nisi prius before whom any trial shalbe made by vertue of any writ of habeas corpora or distrigas wt a nisi prius where a ful Jury shall not appeare, or after apperãce of a ful iury by challenge ỳ iury is like to remayne vntaken, for default of iurrours shall haue aucthoritie by vertue of this act, vpõ requeste made for ỳ king & Quene or her heirs or successors, by anie aucthorised thereunto, or assigned by the iustices of the court before whom ỳ sayd enquest shalbe taken, or vpon requeste to be made by ỳ party ỳ followeth aswell for the king & quene, her heires & successors, as for him selfe vpõ any penal statut, or his or their atturney, to cõmaũd the sherife, or other minister or ministers, to whõ ỳ making of the said returne shal appertaine to name & appoint as often as nede shall require so many of such either habile persones of the sayd county then present at the said assises, or nisi prius, & to add & annex ỳ names to ỳ former panel as shal make a ful iury of. xij. mẽ for ỳ trial of euery such issue, & ỳ al & euery el iuste lẽtẽce, article & prouiso cõpiled in ỳ sayd former act (s. ỳ act in Ann. 35. H. 8.) shalbe take & interpreted & expoũded to geue ỳ like & ỳ same aduãtage & commodity to ỳ king & quenes maiesties, her heires & successors, & al & such persõ and persons as shal pursue any act or



Discharge of iurr.
Sheriffe
Habeas corpora
Distringas
Issues
Sheriffe
Forf.
Not sum-moned
Moitie
Bodies politike
Citie
Returne
Iust. of all.
Habeas corpora
Distringas
Full iury
Challenge
Penal statut
Sheriffe
Tales

bil, plaint, or information for the king & Quenes maieſties her heires & ſucceſſors onely, or for them, & the partie plauntife in any other accion ſhould or might haue by vertue of the ſaid act, in forme & condition to all intents & purpoles, as if ſuch accions or ſuites for the king had bẽn ſpeciallie & particularlie mencioned and declared in the ſaid act An. 4. & 5. P & M. ca. 7.

Wales

County pa.

Challenge

Tales

Iuſtices

Excuſe

Witneſſes

Venire fac.

Appeare

Diſcharge

Depart without licence

Fine

Iuſtices not come

19 ¶ Be it enacted that in euery of ỹ ſhires of Wales, ỹ is to ſay, Pembroke, Karmarthin, Cardigã, Brecknocke, Radnor, Glamorgan, Mountgomery, Denbigh, Flint, Merioneth, Angleſey, Carnaruan, & in the county palantine of Cheſter, & in the ſaid cõtie palantine of Durham, & in the ſaid county palantine of Lancaſter, where a full iury ſhall not appeare before the Iuſtices of the great ſeſſion in any of ỹ ſaid ſhires or county palantines, or their deputies there, or els after appearance of a full Iurie, by challenge of anie of the partie the iurie is like to remaine vntaken, for the default of Iurrours: that then the ſame Iuſtices, in euerie of the ſame ſhires, & county palantines for the time being, or their deputie or deputies, vpon requeſt made by ỹ party plaintife or demaũdant ſhal haue full authoritie by vertue of thys act, to commaund the ſherife or other miniſter or miniſters to whom ỹ making of the ſaid retourne ſhall appertaine, to name and appoint, as often as nede ſhall require, ſo many of ſuch other able perſonnes of the ſaid coũties then preſent at the ſaid great ſeſſion as ſhall make vp a full iury, which perſõs ſo to bee named & impanelled, by ſuch ſherife or other miniſter or miniſters, ſhalbe added to the former panell and their names annexed to the ſame. And that euerie of the parties ſhal and may haue his or their challenge to the Iurrours ſo named, added and annexed to the ſayd former panel, by the ſaid ſherife or other miniſter or myniſters in ſuch wiſe as if they hadd beene impanelled vppon the Venire facias, awarded to trie the ſaid iſſue. And that the ſaid iuſtices and euery of them, & their deputie or deputies, ſhal and may proceede to the triall of euery ſuch iſſue to thoſe perſons that were before impanelled & returned, and with thoſe new lie added and annexed to the ſayd former panell, by vertue of this act, in ſuch wiſe as they myght or ought to haue done, if all the ſayd iurrours had ben returned vpon the writt of Venire fac. awarded to trie the ſaid iſſue. And that all and euery ſuch triall had, ſhall bee as good and effectuall in the lawe to all intentes, conſtruccions and purpoles as if ſuch trial had ben had & tryed by xij. of the iurrours impanelled & retourned vppon the writts of Venire facias, awarded to trie ſuch iſſue. And in caſe ſuch perſons as the ſaid ſherife miniſter or miniſters, ſhal name and appoint as is aforeſaid, or any of thẽ, after they ſhalbee called, bee preſent, and doe not appeare, or after hys or their apparaunce, doe wilfullie withdrawe him or thẽſelues from the preſence of the court, that then ſuch Iuſtices or their deputies ſhall and may ſett ſuch fyne vppon euerie ſuch Iurrour making default or wilfullie withdrawyng hym ſelfe as aforeſayd, as they ſhall thynke good by their diſcretion, the ſayd fyne to bee leuyed in ſuch maner and fourme as iſſues forfayted, and loſt by iurrours for default of their apparaunce, as is prouided by the lawe & cuſtome of the ſayd countries of Wales, and counties Palantynes aforeſayd where ſuch iſſues are forfaited. And be it further enacted by the authority aforeſaid, that where any iurie that ſhal bee returned by the ſherife or their miniſter or miniſters, ſhalbe made full by the cõmaundment of the ſaid iuſtices or other deputies, by vertue of this preſent act, that yet neuertheleſſe ſuch perſõs as were returned in the ſaid panel, by the ſherife, or other miniſter or miniſters, to trie any

ſuch

such issue, that shall not appeare, but make default, shal lose the issue vppon them returned, in such wise as though ỳ same iury had remained for default of Iurrours.

Excuse

Prouided alwayes & bee it further enacted, that vpō a reasonable excuse, for the default of appearaunce of anie iurrour or iurrours, sufficiently prooued before the Iustyces of the great Sessions, or their deputies in the coũtries and Counties Palantines afore sayd, at the day of their appearance by the othes of two lawefull and honest witnesses, that the same Iustices shal

Witnesses

haue authoritie by their discretiõs to discharge euery such Iurrour of euery such forfaiture of issues vppon him returned, and that the sayd Shirife, or Shirifes, or other minister or ministers, hauing commaundement by the saied Iustyces to omit the retourning of such issues, as is aforesaied vppon such Iurour or Iurours, shalbe therin

Discharge

discharged of the penalties aforesayd, for the none retourning of the sayd issues, and that yet notwithstanding ỳ said returne to bee good, and effectual in the lawe, any law, vsage, ordinance or custome to the contrary notwythstanding.

Prouided also, & bee it enacted by ỳ authoritie aforesayed, that if the said Iustices or deputies, afore whom any such Iury should appeare in ỳ shyres or Counties Palantines where such

Iustices do not come

issues to bee tried, doo not come at ỳ day & place appointed: that thē euerie one of that same Iurrors shalbee discharged, for forfaiting of any issues vpon him returned in ỳ sãe writ. And ỳ shirif or other minister or ministers shalbee likewise discharged of the penalties of this statut, for the none retourning of such issues, as are beefore limitted in this act. Any article or sẽtence herin contained to the contrary notwithstanding.

And also bee it further enacted by the authoritie aforesaid, that if vpon any such writte of Habeas corpora or distringas issues bee retourned vppon anie hundredours, Iurrour or Iurrours by the Shirife or other minister or ministers, to whom the execution of the same writt or writts shal appertaine, where as the same hundredours and Iurrours shall not bee lawfully summoned, warned or distrayned in that beehalfe, that then euery such shirife or other minister or ministers afore-sayed, shall lose for euery such offence so committed, double so much as the sayd issues retourned vppon such hundredours or Iurrours not lawefully summoned, warned, or distrained shal amount vnto, the moitie of all which forfaitures contayned in this present act, other then the issues to be retourned vpon ỳ iurrors as is aforesaid, shal be to the Quẽne our soueraigne lady, her heirrs and successours, and the other halfe to him that will sue for the same by action of debt, bill, plaint, or information, in ỳ Quẽne her graces great court within the sayed countie where such forfaiture shall happen to be before the said Iustices, his or their deputie or deputies, in which no wager of law, essoine or protection shalbe allowed nor admitted. Saving to all

Habeas corpora

Not warned

Shirife

Moitie

Bodies politike

maner of persons and bodies politike and corporat, their heires and successours, hauing lawefull right title, and interest to haue such issues to be before any such Iustices or their deputies at any tyme or times hereafter lost and forfayted, al such right title, & interest as they or any of thē should or ought to haue had to such issues to bee lost & forfaited, as though this act had neuer ben had or made. Prouided also ỳ this act nor any thing therein contayned shall not extend to any citie or towne corporat, or to any shirife, minister or ministers in the same, for the returne of any inquest, or panci, to bee made & retourned of persounes inhabiting in the sayed Cities or Townes corporat but that they and euery of them, shall

Citie

and

and may returne such persons in euery such inquest or panel, as before this time they might and haue beene accustomed to do, and as if this act hadd neuer ben had or made, so that ỳ same shrife, minister or ministers returne vpon such persons as shalbe impanelled, such like and reasonable issues as they ought to returne, any thyng in the same contained to the cõtrary not withstanding. An. 5. El. ca. 25.

See trial. 4. 12. what straungers shal & may be Iurrours.

For the auoiding of great and chargeable delayes oftentimes happening vnto tenaunts, & defendaunts: Be it enacted, that in al cases whereas the partie plaintife or demaundant, by any statut herretofore made, may haue vpon his or their request made vnto ỳ Iustices of Nisi prius within this Realme of England, or to the Iustices of oire, or of assises, of the twelue shires of Wales, & the counties Palãtines of Lancaster, Chester, and Durham, a Tales de circumstantibus, that in al and euery such case and cases, the partie and parties, tenaunts, actours, auowaunts, and defendaunts (if the plaintifes or demaundants shall vpon the calling of the principall pannell or Iury, forbeare or refuse to pay the sãe) shal and may vpõ his or their request or desire, haue vppon the same record, and by the same Iustices, the tales or talesses vnto them graunted in lyke maner, forme, and degree, to all respects and purposes as the plaintife or demaundaunt in any suit or accyon may haue the same, by any statut or ordinaunce heretofore made, or sette forth, and the rather for the speedy triall of the issue & issues ioyned or hereafter to bee ioyned in any plee, suit, or accion: any law custome, or vsage heretofore vsed to ỳ contrary therof in any wise, notwithstanding.

Wales
County pa.
Tales de circumstãtibus

Tales

Prouided also & be it further enacted by the authoritie aforesaid, that al popular accions, informations, bylles or suites, cõmenced or had or hereafter to bee commenced or hadd in any the Quenes Maiesties Courts of record, vppon any penal lawes or Statutes wherein any person doth, or shall sue, or prosecute, or inkourme, as well for the Quaenes Maiestie, her heires and successours, as for him selfe, whereupon issue is or shalbe ioyned to be tried by the Countrey, that therin the partie defendaunt, or defendants, shalbee admitted to pray & haue a tales de circumstantibus, as in other cases aforesaid. An. 14. El. ca. 9.

Popular accions

Tales

## ¶ *Iustice & right & Iustices.*

That it shal not be commaunded by the great seale nor the little seale, to disturbe or delay cõmon right. And though such commaundementes doo come: the Iustices shall not therefore cealle to do right in any point. Anno. 2. E. 3. ca. 8.

Commaundement.

2 ¶ Ye shal swere, that wel and lawfully ye shal serue our soueraign lord ỳ king, & his people in ỳ office of iustice, and ỳ lawfully yee shall counsaile the king in his businesse, and that ye shall not counsaile, nor assent to any thyng, which may tourne him in damage or disherison, by any maner way or colour. And ỳ ye shal not know ỳ dammage or disherison of him whereof ye shall not do him to be warned by your selfe or by other, & ỳ ye shall do euen law & execution of right, to al his subiectes, rich & pore, wtout hauing regard to any person. And ỳ ye take not by your selfe or by other priuily nor apertly, gift nor reward of gold nor siluer, nor of any other thing which may tourne to your profit, vnlesse it bee meate or drinke, & ỳ of smal value, of any man ỳ shal haue any plea or proces hanging before you, as long as the same proces shall so be hanging, nor after the same cause: And that ye take no fee, as long as ye shalbe Iustice, nor robes of any man great or small but of ỳ king him selfe. And that yee geeue none aduise, nor

Othe

nor coũſaile, to no mã great nor ſmal, in no caſe where the king is partie.

And in caſe ẏ any, of what eſtate or condiciõs they be, cõe before you in your ſeſſiõs, wᵗ force & armes, or other wiſe againſt the peace, or againſt ẏ fourme of the ſtat. thereof made to diſtourbe execution of the common lawe, or to manace ẏ people, that they may not purſue the lawe, that ye ſhal doo theyr bodies to be arreſted, & put in prẏſon: And in caſe they be ſuch, that ye may not arreſt them, that ye certifie ẏ king of their names, and of their miſpriſion haſtely, ſo that he may therof ordeine a conenable remedy: And that yée by your ſelfe, nor by other priuily nor appertly, maintaine any plea or quarell hanging in ẏ kings court or elſe where in the countrey: And that ye deny to no mã cõmon right, by ẏ kinges letters, nor none other mãs, nor for none other cauſe, and in caſe any letters cõe to you contrary to the lawe, that ye do nothing by ſuch letters, but certifie ẏ king thereof, & go forth to do the lawe, notwithſtãding the ſame letters. And that ye ſhall do and procure the profit of the king, and of his crowne, wyth all thinges where ye may reaſonably doe the ſame. And in caſe ye bee from henceforth found in default in any of the points aforeſaid, ye ſhalbee at the kinges will of body, lands and goods, thereof to be done as ſhall pleaſe him, as God you helpe & al ſaints. An. 18. E. 3. ſtat. 3.

3 ¶ We greatly moued of conſcience in this matter, and for this cauſe deſiring as much for the pleaſure of God & quietneſſe of our ſubiects, as to ſaue our conſcience, and for to ſaue & keepe our ſaid oth, by the aſſent of the great men, and other wiſe men of our coũſaile, we haue commaũded al our Iuſtices, that they ſhall from henceforth do euen lawe & execution of right to all our ſubiectes rich & poore, without hauing regard to any perſon, & wᵗout letting to do right for any letters or cõmaundement, which may come to thẽ from vs or frõ any other, or by any other cauſe. And in ẏ any letters, writs or cõmaũdements, come to the Iuſtices, or to other deputed to doo lawe and right according to the vſage of the Realme, in diſturbaunce of the lawe, or of the execution of the ſame, or of right to the parties, the Iuſtyces, and other aforeſayd ſhal proceede and hold their courtes and proceſſes where the pleas and matters bee depending before them, as if no ſuch letters writs or commaundements were commen to them. And they ſhal certifie vs and our counſaile of ſuch cõmaundements which be contrary to the lawe, as afore is ſaid. And to the intent ẏ our iuſtices ſhould do euen right to al people in the maner aforeſaid without more fauour ſhewing to one more thẽ to an other, we haue done our ſaid Iuſtyces to bee ſworne, that they ſhal not from hence forth, as long as they ſhallbe in office of iuſtice, take fee nor robe of any mã, but of our ſelfe. And they ſhal take no gift nor reward by them ſelfe nor by other priuily nor appertly of any man that hath to do before thẽ by any way, except meate and drinke, and that of ſmal value, & ẏ they ſhal geue no coũſell to great manne nor ſmall in caſe where wee bee partie, or which doe or may touch vs in any point, vppon paine to bee at our wil body landes & goodes, to doe thereof as ſhall pleaſe vs, in caſe they doe contrary. And for this cauſe wee haue encreaſed the fées of the ſame our Iuſtices, in ſuch maner that it ought reaſonably to ſuffice them. An. 20. E. 3. ca. 1. Letters

4 ¶ In the right of the barons of the Eſchequer, wee haue expreſſely charged thẽ in our preſence, that they ſhall do right and reaſon to al our ſubiectes great and ſmal. And that they ſhal deliuer the people reaſonably and without delay of the buſines whych they haue to do beefore them, wᵗout vndue tarying, as hath beene done in tymes paſt. An. 20. E. 3. ca. 2. Barons of the Eſchequer

5 ¶ Item

Item we haue ordeined, that all they which shalbee iustices assigned by cõmission, to heare & determine, & such as shalbe associat to them, & also Iustices of assises to bee taken in ỳ countrey, and of gaiole deliuery, and such as shalbe assigned and associat to thẽ, shal make first such an othe in certain pointes, according as to them shalbe enioyned by our counsaile or our chaūcery, before that any Commission be to them deliuered. Ann. 20. E. 3. ca. 3.

Oth

¶ *Iustices in eire.*

Iusticers in eire from hẽceforth shal not amerce Townelhippes in their Circuites, because al being xii. yeares old, came not afore the shirifes & Coroners, to make enquiry of robberies, burninges of houses, or other thinges pertaining to the Crowne, so ỳ there come sufficient out of those Townes, by whom such enquests may be made full, except enquestes for the death of man, whereat al, being twelue yeres of age, ought to appeare, vnlesse they haue reasonable cause of ablẽce. Parl. 6. ca. 24. An. 52. H. 3.

Amerce townshipps

Shirifes Enquire

Enquests

xii yeres old

2 ¶ For as much as the commũne and amerciament of the whole countie in eire of the iusticers for false iudgments, or for other trespassers, is vniustly assessed by shirifes and extorcioners in the shires so ỳ the same is many times encreased, and the parcels other wise assessed thẽ they ought to bee, to the dammage of the people which be many times paied to ỳ shirifes and extorcioners, which doo not acquit the payers, It is prouided and the king wil, that from hẽceforth such summes shalbe assessed before ỳ Iusticers in eire afore their departure by the othe of knyghtes and other honest men vpon al such as ought to pay. And the Iustices shall cause ỳ parcels to bee put in their estreets which shall bee deliuered vp into the Escheqer

Amerce

False iudgments.

Shirifes Extorcioners

Knights

Estreets Eschequer

An. 3. E. 1.

3 ¶ Where as in the circuit of Iusticers, it was proclaimed, that al such as would deliuer writs, should deliuer them within a certaine tyme, after which no writt should be receiued: many trusting vpon the same, and tarying vntil the sayed tyme, and no writte serued vpon them, departed by licence of the sayd Iusticers, after whose departure their aduersaries perceyuing their absence, deliuered their writtes in ware, which many tymes by fauour, and sometimes for reward bee receiued of the Shirife, and they ỳ thought to haue departed quite, lese their Landes. For the remedy of such fraud, from henceforth the king hath ordeined, that the Iusticers in their circuits, shal appoint a time of fiftene dayes, or a moneth, or a tyme more or lesse (after as the Countie shal happen to be more or lesse) within which time it shalbe openly proclaimed, ỳ al such as wil deliuer their writtes, shal deliuer them before the same tyme. And when the tyme commeth, the Shirife shall certifie the Chappters before the Iusticers in eire, how many writtes hee hath and what, and that no writte bee receiued after the same time: and if it bee receiued, the procesle issuing thereuppon shalbee of none effect, but onely that a writt abated, any time during the circuit shal bee amended. Also writtes of dower of men that died within the somons of the circuit, assises of darreine presẽtment, Quare impedit, of Churches vacant, wythin the forsayed summons, shalbee receiued at any tyme before the departure of the Iusticers. Also writtes of nouel disseisin shalbee receyued in ỳ circuit of Iusticers. Wi. 2. ca. 10.

writs

Licence

Fraude

xv. dayes

Proclamation

Knights

Shirife Certifie

writ abated

Amend

Dower

Darrein presentmẽt

Quare impedit

Nouel diss.

4 ¶ At the beginning of the Iustices circuit about the othe, thou shalt know that in the first comming of ỳ Iusticers in their circuit the writ shall bee read in the open court, by ỳ which their

Oth

writ

Oth

their authoritie is graunted vnto thē. Moreouer it shalbe commaunded that nothing shalbe done in the Towne, or in the Countie, vnlesse it bee before the Iustices, or in the citie by reason of their comming. Also that no Faires neither Markets bee kept, but that the countie be holden only to doe profers, but no plee shalbee pleaded therein but a writ of right, and appeale of ẏ death of a man. Moreouer it shalbee commaunded that no hosterie be hyred, but be graunted freely to them that come.

Faires
County
writ of right
Appeale
Hostris

The othe of the Shiriues & other officers. This oth shalbe made by the shirifes & vndershirifes. This heare you Iustices that I shall lawfully do thoffice which is belonging to my countie, & to me, as to a shirife, & ẏ I will not leaue for rich nor for poore, neither for loue, nor for gaine, but that I wyl lawfully do it, so God me helpe & hys saintes. This oth shalbe made by the ministers of the Shiriues when they shal elect two knights. This heare you Iustices that I shall lawfully Choose two knightes and two other honest men of the hundred of N. whych are not Appealors nor Appellees, nor mainteinors of plees which touch the corone & which best know & will do ẏ which shalbe commaunded them on ẏ kinges behalfe, & will not leaue that which to my knowledge I ought lawfully to do, so god mee helpe and hys saints. This othe shalbe made by the knights chosē by ẏ foresaid ministers. This heare you Iustices that we shal lawfully chose as well of our selues as of other honest men of our hundred, which shall best know and wil, & may say the truith of that which shalbe demaunded thē on ẏ kings behalfe, and which are not appealors nor appealers, nor mainteinors of plees which touch the Corone, and will not leaue for any thing which I ought lawfully to do, so god me helpe & his saints. This othe shalbe made by ẏ xii. knightes, when they are chosen by vs. This heare you Iustices that I shal lawfully say, and lawfully do that which shalbe demaūded of me on ẏ kings behalfe, and shal kepe secrete your counsels, & shal not for any thig leaue to do ẏ which to my knowledge I ought to do, so god mee helpe and his saints. This oth shalbee made by all bailifes otherwise then first. This heare you Iustices that I shall lawfully doe that whych belongeth to mine office, & shal kepe secrete your Counselles, neither shal I greue any man for enuie, nor helpe him for fauour, so god me helpe & his Saints.

Knights
Othe
Othe
Othe
Bailifes

Then all the articles of euery hundred shalbee deliuered to the xii. Iourrours of the Countie, and thentyme shalbe appointed them to geeue their verdictes, vppon payne of the kings merry. And if they geue not their verdictes they shallbee amerced, as the Iustices shall seeme best. Articles and othes of the kinges ministers in the Iustices circuit.

Articles
Verdict
Amerce

5 ¶ See in the new printed booke commonly called Magna Carta late printed by Rychard Tottell. Anno Domini. 1556. fo 150. in a Chapter intituled capit. itineris, what thinges bee inquirable beefore Iustyces in eire, and diuers matters concernyng the eires.

## ¶ *Iustices of assises.*

FRomhencefoorth there shalbe assigned eight circumspect and discrete Iustices, to take Assises, Iuries & certificates thorough the whole Realme, that is to say, two in the Counties of Yorke, Northumberland, Wermerl. Cumberland, Lancaster, Nottinghā, & Derby, & two in ẏ counties of Lincolne, Leicest. Warwick, Staff. Salopp, North, Roti. Glouc. Herford, & Wigorne. And two in the counties of Cornewal, Deuon, Somerset, Dorset, Wilt. South, Dron. Berke. Sussex, and Surrey. And two in the counties of Kent. Essex, Staff. North. Chaut. Hunt,

Hunt, Bed, & Buck, & the Assises Juries and Enquestes of the Countie of Mydd, shalbe taken beefore ỳ Iustyces of the Bench, which sayd viii. Iustices assigned to take the assises, & certificates as aforesaid, shal specially attend, & dayly thorough the whole yere that is to saye in the places where they thinke best and most to the ease of the people. And the terme of the Statut last made at Westm. of taking of assises, in no wise shalbe obserued. Nor no writtes of assise, Juries or recognisaunces shalbe graunted to bee taken beefore any other Iustyces, then beefore the forsaid Iustices assigned, except it bee of the sperpall grace of the kyng, Statut of the Iustyces of Assyses.

Mydd.

Assise Certificat

Enquest

2 ¶ The Iustices assigned to take assises, shal haue commissions sufficyent of such thinges, to enquire. And ỳ they shal enquire in their Sessions of shiriffes eschetors, bailifs of fraunchises, & their vnder ministers, and all other, and also of maintainours, common embraceours, and surrours in the coũtrey. s. of the giftes, rewards, & other profits, which the sayd ministers doo take of the people to do their office, & that, that pertaineth to their office, & for arraying of panels, putting in the same suspect iurours and of euil fame. And of that that ỳ mainteinours, embraceors, and iurours in the countrey do take giftes, rewardes, and wages of the parties, whereby great greefe commeth dayly to the people, in subuersion of the lawe, and disturbaunce of common right. And to punish al thẽ which therof shalbe found guilty according as lawe & reason requireth, as wel at our suit as at the parties. Anno. 20. E. 3. cap. 6.

Cõmissiõs

Enquirie Shiriffes Eschetors Bailifes Maintenors Embraceors Iurrors

3 ¶ The Iustices assigned & to bee assigned, to take assises and delyuer the gaoles, shal from henceforth hold their sessions in ỳ principal & chiefe townes of the counties, where the shire courts of ỳ same coũties be holden, & hereafter shalbe holden. An. 6. R. 2. ca. 5.

Gaole deliuerie Chiefe townes

4 ¶ Item it is ordained & assented, ỳ no man of the law shalbee frõ henceforth Iustice of assises, or of the common deliuerãce of gayles in his owne countrey. And that the chiefe Iustyce of the common bench bee assigned amongest other to take such assises and delyuer gailes, but as to the chief Iustice of the kinges bench it shalbee as for the most part of an. C. yeares last past was wont to bee done. Anno. 8. R. 2. ca. 2. See here folowing. ii.

Lawers

His owne countrey

Chiefe iust. of the common bẽch

Chiefe iust. of ỳ K. bẽch

5 ¶ The Chaunceiour of England for the time being, shal haue power to order and redresse by the aduise of the Iustices, from tyme to tyme when neede shalbee, notwythstandyng the Statut aforesayed, that is to say of An. 6. R. 2. cap. 5. beefore. 5. Anno. 1. R. 2. cap. 22.

Chaūceloz

6 ¶ No lord nor other of the coũtrey litle nor great, shall sytte vppon the bench wt ỳ Iustyces to take assyses in their sessions in ỳ coũties of England vppon great forfaiture to the king, & hath charged his sayd Iustices. ỳ they shal not suffer the contrary to be done. An. 20. R. 2. ca. 3.

Lord

7 ¶ The Iustices assigned and to be assigned, to take assises by commission of our soueraigne lord the king in the counties of therealme, frõ henceforth shall do to be deliuered fully in ỳ kings treasorie al the records of assises of No. disseisyn, of Mortwauncestor, & of Certifications, with all the appurtenaunces and appendaunces beefore them determined euery second yeare, that the plee thereof bee determyned and iudgement geuen without more delay, and that the records & processe of plees reall and personall, & of assyses of Nouell disseisin, or Mortwauncestor, and certifications, and of other, whereof Iudgement is geuen and enrolled with things touching the same, shall in no wise bee amended nor empayred by newe entring of the clerks, or by the record of thing surmyssed in

Cõmission

Treasorie Records Nouel diss. Mortdaūc. Certificats

Plees real Personall

Clerk of all.

Iustices

wytnesse or commaundement of any Iustice in any thing after that such iudgment or such plees be gyuen and enrolled, An. 11. H. 4. ca. 3.

8 ¶ An. 13. H. 4. ca. 2. it was enacted to endure at the kings pleasure, ꝑ the sta. of An. 8. R. 2. c. 2. should be kept, & ꝑ no chiefe Iustice of the kings bench should be Iustice of allyse but in the county of Lancaster.

Chiefe iust. of ꝑ K. bēch Lancaster

9 ¶ The Session of the Iustices to take assises and to deliuer gailes in the County of Cumberland, be holde in time of peace and of truce in ꝑ saied citie of Karlyle, & in none other place wᵗin the same countie as it hath beene vsed and accustomed of old time, An. 14. H. 6. ca. 3.

Gaioles Cūberland

Karlile

10 ¶ An. 11. H. 7. ca. 3. an act was made auctorising Iustices of allise & Iustices of peace, to here & determine al offences done against many statuts but it is repealed by 1. H. 8. ca. 6.

Iust. of p.

Repealed

11 ¶ That no Iustice nor other mā learned in the lawes of this Realme, shall at any time from or after ꝑ feast of Ester next comming, vse nor exercise the office of Iustice of allise within any countie where the said Iustice was borne or doth inhabite, vpō paine to forfait for euery offence done contrarie to the fourme of thys present act, one hundred pounde, the moytie whereof to be to the king, and ꝑ other moitie thereof to be to the partie that will sue for the same, in any of ꝑ kings courts, by bill &c. in the which &c. Prouided alway and be it &c. that this act, or any thing therin contained shal not extend, be construed, or interpretated, to touch or cōcerne any person or persons that now are, or hereafter shalbee clerke or clerkes of assises and shallbe associat to any Iustices of allise, of, or in any countie, citie or towne within this realme of England wherein the same person or persons, clerk or clerks so associat do dwel, or were borne, but ꝑ al & euery clerk & clerkes of assises, which nowe do exercise or occupie, or hereafter shal exercise or occupie any office of clerkship of assises, shal & may exercise & occupy ꝑ same in any cōty, citie or towne wherin the same clerke or clerkes of assises do dwel or weare born, any thing in this act cōtained to ꝑ contrary notwithstanding. Prouyded also ꝑ these termes, iustices of assises, or other persōs learned in the lawes of the realme, shal not extend or in any wise be interpretated to any Mairs shirifes, recorders, stewards, bailifes, iuters, or other officers beyng borne or dwelling within any citie, borough or towne wᵗin this realme of England, but ꝑ they may be Iustices of allise, of fresh force, or of other assises in ꝑ sāe citie, borough or towne, where hee or they do or shal dwel, or were borne, or they or any of thē beefore thys tyme haue or might haue ben to al intents & purposes any thig in this act cōtained to the cōtrary notwithstanding. Prouided alwaies ꝑ this act nor any thing therein contained shalbe prēiudicial to any iustice or Iustices of ꝑ one bench or the other, for taking, hearing, or termining assises in the layed courtes in thone bench or thother, nor to any iustice that shal take any assise by or vpon adiournement for difficulty of ꝑ same. Prouided alway & be it &c. ꝑ any clerk of assise, during thonly tyme of the sessiō of or for any assise or allyses, or of, or for any Nisi prius, shall not be of counsell wᵗh any person or persons wythin any circuit whereof hee shalbe clerke of assise otherwise, thē to ꝑ office only appertaineth vpon paine to forfait for euery tyme offendyng contrary to this statut. r. li. thone moitie thereof to be to the king, & thother moitie to the partie greued &c. In which suit &c. Prouided also & be it &c. ꝑ this act or any thing therein contained, extend not vnto Iustices, iustice, clerk or clerks of assises wᵗin the duchy & county palantine of Lancaster, nor to any of thē ꝑ nowe bee, or hereafter shalbe, but ꝑ ꝑ same iustice or Iustices clerke

Maior Shirifes Recorders Stewards Bailifes

Fresh force

Iust. of both B.

Clerk of assi.

Nisi prius Counsel

Forf.

Moitie

Iust clerks

County pa.

clerke and clerkes, and euery of them, shal and may execute their offices and euery of them, in such maner and fourme as they or any of them haue vsed to do before the making of this present act, this act or any thing therin contayned to the contrary therof notwithstanding, An. 32. H. 8. c. 34. See before. 4.

12 ¶ See nisi prius. 1. of making of Iustic. of all. & their auctoritie wyth allotiation.

*Iustices of both benches.*

IT is prouided also, and commaunded by the king, that the Iustices of the kinges bench at Westminster frō henceforth shall decide all pleas determinable at one day, before any matter be attainted, or plea commenced ỳ day folowyng, Sauing that their essoines shalbee entred, iudged and allowed, yet by reason hereof lette none presume to absent him selfe, but lette him come at the day to him limitted, W. 1. ca. 45. An. 3. E. 1.

Essoines

2 ¶ No Iustice of ỳ kinges bench nor of the common bench, nor none of the barons of the Eschequer, as long as they shalbee in the office of Iustyce or barons, shal take from henceforth robe fee pencion gift nor reward of any but of the king, except reward of meat and drinck, which shalbe of no great valour. And that from henceforth they shall geue no Counsaile to any great or small in thinges of affaires wherein the king is partie, or which in any wise touch the king, and ỳ they be not of any mannes Counsaile in any cause, plea or quarell, hanging the plea before them or in other of ỳ kings courts or places, vpon paine of losse of their office, and making of the king fine and raunsome. Anno. 8. R. 2. cap. 3. But this statut is repealed in An. 9. R. 2. ca. 1.

B. of thes-chequer

Reward Meat and drinke Counsaile

Losse of office Fine

Repealed

3 ¶ Ann. 20. R. 2. cap. 6. was enacted that Bellknap, Holt, & Burgh, ỳ had ben Iustices, & were by An. 12. R. 2. banisht into Ireland, should returne & be enabled as the kings subiects.

4 ¶ The Iustices, seriants and ỳ atturney of the king shalbee paide in hand their wages by the Treasourer of England for ỳ tyme being at Easter and Michelmas by euen portions without any other suit, Ann. 10. H. 6. statut per se. This is not in ỳ printed booke of statuts.

Seriеants K. atturney wages Treasorer

*¶ Iustices of gaole deliuery.*

BEcause that the Iustices of gaiole deliuery, and of oier and terminer, haue beene procured by great men against the fourme of the statut made in the xxvii. yere of the raigne of kyng Edward graundfather to our Souereigne Lord the king that nowe is. Wherein is contained, that Iustyces assigned to take assises, if they be late men, shal make deliueraunce. And if the one bee a clerke, and the other a lay man: that the lay iudge with an other of the countrey associat to him, shall deliuer the gayles: wherefore it is enacted, that such Iustices shall not bee made against the fourme of the sayd statut. And that the assises, attaintes & Certifications bee taken before the Iustices commonly assigned, which be good men and lawfull, hauing knowledge of the law, and none other, after the fourme of an other statut made in the time of the said king Edward the first. And that the oiers and terminers shal not be graunted, but before Iustices of the one bench or the other, or the Iustices errauntes, and that for great hurt or horrible trespasses, and of the kinges especial grace, after the fourme of the statut thereof ordeyned in the tyme of the sayd graundfather and none other wyse. Anno. 2. E. 3. capitulo. 2.

Oier & ter.

Lay men

Attaints Certifications

Iust. errāt

2 ¶ Good and discrete personnes other then of the places, if they may be found sufficient, shalbe assigned in all the shires of England to take assises, iuries and certifications, and to deliuer

shall take the assises, iuries and certifi-
cations, and to deliuer the iailes at the
least three times a yere, and more of-
ten if neede be. Also there shalbe assig-
ned good and lawfull men in euerie
countie to keepe the peace. And at the
time of the assignementes, mencyon
shalbe made that such as shalbee endic-
ted, or taken by the said wardens shall
not be let to mainprise by the sheriffes,
nor by none other ministers if they be
not mainpernable by the lawe. And
that such as shalbe endicted shall not be de-
liuered but at the common lawe. And
the iustices assigned, to deliuer the iailes,
shall haue power to deliuer the same
iayles of those that shalbe endicted be-
fore the wardes of the place. And that
the said wardeins shal send their endict-
mentes beefore the iustices, and they
shal haue power to enquire vpon she-
rifes, iailours, & other, in whose ward
such endicted persones shall bee, if they
make deliuerance or let to mainprise
any so edicted, which be not mainper-
nable and to punish the said shirifs, iai-
lours, & other, doing agaynst this act.
An. 4. E. 3. cap. 2.

3 ¶ In euery commission of the
peace through the realme, where neede
shalbe, iij. men of lawe of the same coū-
tie where such cōmission shalbe made,
shalbe assigned to go and proceede to
deliuerance of such theeues & felonies,
as often as they shall thinke it expedi-
ent. An. 17. R. 2. cap. 9.

3. times yerly
Iustice of peace
wardens.
Mainprise.
Sheriffs
Indicted
Indictments
Enquire
Punishe
Commission of the peace.
1. lawyers

## ¶ *Iustices of peace.*

FOr the better kepyng and mainte-
naunce of the peace: The kyng will
that in euerie coūty, good men & law-
full, which bee no maynteners of euil,
nor barrettors in the countrey, shalbee
assigned to kepe the peace. An. 1. E. 3.
capitulo. 15.

2 ¶ Two or iij. the best of reputati-
on in the counties, shalbe assigned kee-
pers of the peace by the kings cōmissi-
on. And at what time mede shalbe, the
same with other wyse & learned in the
lawe, shalbe assigned by the kinges cō-
mission, to heare and determine felo-
nies and trespasses done agaynst the
peace in the same counties. And to doo
punyshment reasonably according to
lawe and reason, and the manner of
the deede. Anno. 18. Edwardi tertij.
cap. 2. stat. 2.

No barrettours
Best of reputation
Cōmission
Oier & ter.

3 ¶ In euery countie of England
shalbe assigned for kéeping of the
peace, one lord, and with him iij. or iiij.
of the most valiaunt men in the coun-
ty, with some learned in the lawe, and
they shall haue power to restraine the
offenders, ryotours, and all other ba-
ratours, and to pursue, arrest, take
and chastise them according to their
trespas and offence. And do to be im-
prisoned and duely punished according
to the lawe and customes of the re-
alme, and according to that that to
them shal seeme best to do by their dis-
cretions, and good auisement: and also
to enquire of all
those that haue been pillours and rob-
bers in the parties beyond the sea: and
be nowe come againe, and goeth wā-
dering and will not labour as they
were wont in times past, and to take
and arrest all those, that they may find
by endictment or by suspection, and to
put them in prison, and to take of all
them that bee not of good fame, where
they shalbe found sufficient suerty and
mayntayne of their good bearing to-
wardes the king and his people, and
the other duely to punish, to the intent
that the people be not by such riotours
or rebelles troubled nor endamaged,
nor the peace blemished, nor mar-
chauntes nor other passyng by the high
wayes of the realme disturbed, nor put
in the perill which may happen of such
offendours. (This article concernyng
vacabōds is repealed by 3. of E. 6. ca.
16. which is in vacabondes. f.) And
also to heare & determine at the kinges
suit, all maner of felonies and trespas
done in the same countie according

Lord iij. most valiant Lawyers
Imprison
Punish
Enquiry
Robbers beyond sea
Vagabonds
Arrest
Imprison
Suertie of good abearing
Repealed
Oier & ter. Felonies

to the lawes and customes aforesayd. And that writtes of Oyer and determiner be graunted according to ỳ statutes thereof made, but that the iustyces, which shalbe thereto assigned, be named by the court, and not by ỳ parte. And the king will, that all generall enquiries beefore this time graunted within any seigniories for the mischeiues and oppressyons which haue been done to the people, by such enquiries shall cease openly & bee repealed.

Wages 4. s. the day
Clerks of the p. 2. s.

Shyrifs. Lords of franchises

Steward

Fines

And that fines which bee to bee made before iustices for a trespas doe by any person, be reasonable & iust hauing regard to the quantitie of the trespas, & ỳ causes whereupon they be made. Ann. 34. E. 3. cap. 1.

Iust. of either bench
Sergeants at law

Commissions

4 ¶ In the cõmissions of iustices of the peace, & of labourers, expresse mencion bee made, that the same iustices make their sessions iiii. times by the yeare, that is to say, one session within the octas of the Epyphanie, the second within the second weeke of Lent, the third betwixt the feastes of Pentecost & of saint John Baptist, the iiij. within ỳ viii. daies of S. Michael. An. 36. E. 3. capitulo. 12.

Sessions 4. times yerely

Cõmission

5 ¶ In euery cõmission of ỳ iustices of peace, there shalbes assigned but fiue iustices, wt the iustices of assises, & that the said fiue iustices, shal hold their sessions in euery quarter of the yere at ỳ least, & by thre daies if nede be, upon paine to be punished after the aduise of the kinges counsaile, at the suit of euerie man that wil complaine: and they shall enquire diligently among other things, touching their offices, if ỳ sayd Maiors, baylifs, stewards, constables, & gaolers, haue duely done execution of the said ordinances, of seruauntes & labourers, beggers & vagabonds, & shall punish them that be punishable, by the said paine of an hundred shillings, & they that be found in default, & which be not punishable by the same peine, shal bee punished by their discretion. And euery of the said iustices shal take for their wages fower shillings the day, for the time of their said sessiõs, & their clerke iii. s. of the fines & amerciaments, rysing & comming of the same sessions, by the hands of the sherifes. And that the lordes of franchises, shalbe contributory to the said wages, after ỳ rate of their part of fines & amerciaments aforesaid. And that no steward, of anie lord be assigned, in any of the said commissions. And that no association shall be made with the iustices of the peace, after their first commission. And it is not the entent of this statut, that ỳ iustices of the one Bench, or of the other, nor the Seriauntes of the lawe in case that they shalbe named in the said cõmissions, shalbe bound by force of this statute, to hold the said sessions fower times in the yere, as the other cõmissioners, ỳ which be continually dwelling in the countrey, but that they shall doe it, when they may best attend it. An. 12. R. 2. cap. 10.

Maiors
Baylifs
Stewards
Constables
Iaylors
Vagabonds
Punishe

Enquiry

6 ¶ As it is conteyned in the statute late made at Cãterburie (s. An. 12. R. 2. cap. 10. before. 5.) that no steward of any Lord shalbee assygned in the commission of the iustice of peace, neuertheless for certaine causes shewed in this parliament, It is accorded and assented, that Iustices of peace shalbee made of newe in all the counties of Englande, of the moste sufficient knightes, esquyers and gentlemen of the lawe of the sayd countyes, notwithstandyng the said statut, And that the said iustices be sworne to kepe & put in execution al the statuts & ordinances touching their offices. An. 13. R. 2. capitulo. 7.

Lords steward

Sufficient

Othe

7 ¶ That in euery county be assigned viii. iustices of peace as is conteined in ỳ statute of Cãterbury, euer ỳ lordes assigned in this parliamẽt. And that ỳ estretes of the said iustices be doubled, & the one part deliuered by the said iustices to the sherife, to leuy the money thereof rysing, & thereof to pay to the Iustices their wages by the hands of the

viii. Iust.

Estrets

Shyrifs

wages

Indenture

the said sherife by indenture betwyxt hym thereof to be made. And ỳ the sherifes haue allowance in their accompt in the eschequer by ỳ same indenture. And that no duke, earle, baron nor baronet, albeit they bee assigned iustices of the peace, & hold their sessions wyth the other viii. iustices, shall take anie wages for the said office. And that the Iustices put their names in the estrets together with the number of ỳ dayes of their sessions, to the intent that the sherifes may knowe to whom to paie wages, and to whom not, and the barons of the eschequer, to whom to allowe, and to whom not, and ỳ the seales be made for the seruauntes and deliuered into the keeping of some good man of the countrey after the purport of the sayd statute of Cauntorburie, which statute with the modificatyon of the same made at ỳ last parliament, & the statut of weightes & measures, & al other good statutes and ordinaunces made heretofore and not repealed, shal be holden & kept, & put in due executiõ. An. 14. R. 2. cap. 11.

Allowãce
Accompt
Eschequer
Duke
Earle
Baron

Barons of the eschequer

Seales

weightes & measures

8 ¶ Iustices of the peace frõ hẽceforth to be made within the countyes of England, shalbee made of the most sufficient persons dwelling in ỳ same counties, by the aduise of the Chauncellor and of the kinges counsell, without taking other persons dwellyng in forein counties to occupie such office, except the lordes & the iustices of assyses now named & to bee named by the kyng and his counsell. And except also the kings chiefe stewards of the lands & seigniouries of the duchie of Lancaster in the North parts & in the South, for the time being, An. 2. H. 5. ca. 1.

Most sufficient pions Chauncelor

Iust. of ass.

Chiefe steward Lancaster

9 ¶ The Iustices of peace, which now be and al other frõ hence forth for the time being in ỳ said coũty of Middlesex, shalbe clerely discharged of the said paine (s. by An. 12. R. 2. before 5.) by auctho̅rite of the same parliament, from henceforth the court of ỳ kinges bench being set in ỳ coũty of Middlesex

Middlesex

Prouided alwaies that the said iustyces of peace of the said coũty of Middlesex for the time being, kepe, obserue & execute the court of the sessiõs of the peace. iij. times in the yere at the least & more often if nede be, for any ryot or forcible entre made wiñ the same coũtie of Middlesex, & ỳ vppon the payne & forfaiture of such summes as bee for ỳ ordeined by any lawe made before this time to the intent ỳ the said cõmons & inhabitants of the said county of Middlesex be not constrained nor cõpelled to appeare before the iustices of peace of the sãe coũty for ỳ time being, but ỳ such time which shal seme by the discretiõs of ỳ same iustices of pence necessary & nedeful. An. 14. H. 6. cap. 4.

iij. in the yere
Riot
Forcible entrie
Fort.

10 ¶ No Iustice of peace wythin the Realme of England in no county, shalbee assigned or deputed if hee haue not lands or tenements to the value of xx. li. by yere. And if any bee ordeined hereafter to be Iustice of peace in any county, wh ch hath not lands or tenements to the value aforesaid, that hee therof shall geue knowledge to ỳ chãcelor of England for the time beeing, which shal put an other sufficiẽt in his place. And if he make not ỳ said knowledge (as before) within a moneth after that he hath notice of such cõmissiõ or if he sit, or make any warrãt or precept by force of such cõmission, he shall incurre the paine of xx. li. and neuerthe les be put out of the cõmission, as before. And the king shal haue ỳ one half of ỳ said peine, & he that will sue for the king the other halfe. And he ỳ will sue for the king & for him self shal haue an accion to demaund the same peine by writ of debt at the common law.

20. li. land

Geue knowledge to the chancellour

Sitt.

Fort.

Moitie

Accion of debt

Prouided alwaies, ỳ this ordinaunce do not extend nor bee preiudyciall to Cities, townes, or burghes which bee counties incorporate of them selfe, nor to cities, townes or bourghes wherin haue Iustices of peace of people dwelling in the same by cõmission or warrant of the kyng or of his progenitors.

Cities Townes

Lawyers

Chaunceler

Recognisās

Certifie

Default.

Eschequer.

Commissions, Citie, Towne,

Gaole delinery

Prouyded also that if there be not people sufficient hauing landes and tenementes to the value aforesayd, learned in the laiwe and of good gouernaunce within any such county, that the chaūcellor of England for the time beyng, shall haue power to put other discreete personnes learned in the laiwe in such commissions though they haue not landes or tenementes to the value aforesayd by his discretion. Anno. 18. H.6. capitulo. 11.

11 ¶ Queric Iustices of peace within this realme that shall take any recognisaunce for the keping of the peace ye the same Iustices doe certifie, send, or bring the same recognisance at ye nert sessiōs of the peace where he is or haue been Iustice, that the partie so bound, may be called. And if the party make default, the same default then there to bee recorded. And the same recognysaunce with the record of that default bee sent and certified into the Chauncery or afore the king in his bench, or into the kynges eschequer. Anno. 3. H. 7. capitulo. 1.

12 ¶ All e singuler commissiō and cōmissions, graūted or to be graunted, to any such city or towne corporat, not being as is aforesaid, a countie in it selfe, for the keeping of their peace, and deliuerie of the prisoners remayuyng in the gaoles of any such city or towne corporat, not being a coūty in it selfe, shal stand, remaine, e be good e anayable e effectual in ye laiwe to al intents constructions, e purposes, (the graunting of any like commissiō of peace or gaole deliuerie, to anie cōmissioner or cōmissioners for the conseruation of ye peace, or deliuerie of the prisoners remaining in ye gaole of any shire, lath, rape, ridding or wapentake within thys realme of Englād, beariq date after ye said cōmissiō, or cōmissiōs, graūted as is aforesayd, to any such city or towne corporate, not being as is aforesaid, a county in it selfe) to the contrary notwithstanding. An. 2. e. 3. H. e. 9. ca. 18.

BE it enacted and declared &c. that the common laiwe of this Realme is, and alwayes was and ought to be taken, that the keper of the great seale of England for the tyme beeing, hath alwaies hadde, vsed, and executed, e of ryght ought to haue, vse and execute, and from henceforthe may haue, perceyue, take, vse, and execute as of right belongynge to the office of the keeper of the great seale of England for the tyme beeyng, the same and like place, auctoritie, preeminence, iurisdiction, executions of laiwes, and all other customes, commodyties, and aduantages, as the Lorde Chauncellour of England for the tyme being laiwefully vsed, had, and ought to haue, vse and execute, as of right belongynge to the office of the Lord Chauncellour of England for the time beeing, to all intentes, constructions and purposes, e as if the same keeper of the great seale for the tyme were Lorde Chauncellour of England. Anno. 5. Elizabeth. capitulo. 18.

Lord chancellour

## ¶ King.

IT appeareth in the abridgement of statuts that An. 2. E. 3. stat. 2. ca. 7. the king and al the great men of e realme in full parliament enterprised to maintaine the peace, to kepe e same the kings Iustices there where they cōe, e to helpe that ye iudgement e executions shall not be delayed, but executed, nor that misdoers shalbe by them couered. But I cannot find this statute in the booke at large.

Mayntayne peace.

## ¶ Knyghtes.

ALso he hath graunted ye if any will complaine in ye chauncery, because he was distrained &c. e hath not xx. li. yerely in fee, or for terme of life, e will proue ye by ye coūtrey, thē it shalbe writ tē vnto ye more discrete e sage knights of ye shire to take the sayd inquisition, and

Chauncery 20. li. fee.

and if it fortune to be tried so by the sayd inquest, he shall haue remedie and the distresse shall cease. Also if anie be impleaded for his land or for part of the same, so that the residue be not sufficient to the value of .xx.li. and can proue the same, then the distresse shall cease vntil the same plea be determined. Also if any of the be bounden in certaine debtes a warded in the eschequer for a certaine summe to be receiued yearely out of his landes, so ỳ the residue thereof doth not amount to the yerelie value of xx.li. besides the same summe: the distresse shall cease vntill the forsayd debt be clearelie paied. And none shall be distrayned to take vppon hym the order of a knight before that he cõe vnto the age of xxi. yeres. Also none by reason of any land that hee holdeth in maners which bee now in auncien demeane of the crowne as a sockeman, & which landes must also geene tallage when the kings demeanes are tailed, shalbee distrained to take vppon hym the order of a knight. Also of the that hold their lands in socage of other maners then of the manors of the kyng doyng no forreine seruice, the rolles of the chauncerie shall be searched for the time of the kings predecessors. And it shalbe dõe as it hath bẽ vsed to be dõe.

Distres ceasi

Eschequer

xxi. yeres

Auncient demeane

Socage

Serch

In like manner shall be done of clerks being without orders holding laie fee which should be knyghts if they were lay. Also none shalbe distrained for his burgage landes, although they doe amount to the value of xx.li. yearelie or more. Also they ỳ ought to be knights and bee not, which haue holden their lands in their handes but a smal time, and like wise such as should be knights that do pretend great age, or defaute of their members or any other reasonable disease, or charge of their children, or of suites, or do alledge such necessarie excuses, they shall resort vnto Robert Tiptoft & Anthony de Berke, at ỳ shal make fine before them, to whom it is appointed that according to their discretions they shall admit the reasonable fines of al such persons. An. 1. E. 2. stat. de multitudine.

Clerks Lout orders Laye fee

Distraine Burgage

## ¶ *Labourers & seruants.*

EVery mã or woman of our realme of England, of what condition hee be, free or bound, able in bodie, & within the age of xl. yeares, not liuing in marchandise, nor exercising any craft, nor hauing of his owne whereof hee may liue, nor proper land, about whose tillage he may hym selfe occupie & not seruing any other, if hee in conuenient seruice (his estate considered) be required to serue, he shalbe bounden to serue him which so shall him require. And take only the wages, liuery, meede, or salary, which were accustomed to bee geuen in the places where he oweth to serue, ỳ xx. yeare of our reigne of England, or v. or vi. other common yeares next before. Prouided alwaies, that ỳ lords be preferred before other in their bondmen or their landtenauntes, so in their seruice to bee reteyned. So that nevertheless the said lordes shall reteine no more then be necessary for thẽ. And if any such man or woman, beeyng so required to serue, wil not the same do, that proued by ij. true men before the sheriffe or the baliffs, of our soueraigne lord the king, or the constables of the towne where the same shal happen to be done, he shal anone bee taken by thẽ or any of them, & committed to ỳ next gaole there to remayne vnder strayt keeping, till hee find suertie to serue in the fourme aforesayd. An. 23. E. 3. de serui. capitulo. 1.

When Women

40. yeres old

Required to serue

wages

Lordes Bondmen

Refuse

Sheriffe Bayliffe Constable

Imprison. Suretie

2 ¶ If any repar, mower or other workman or seruant of what estate or condition that hee bee, retained in anie mans seruice, do depart from the sayd seruice without reasonable cause or licence, before the terme agreed, hee shall haue peine of imprisonment. And that none vnder ỳ same paine presume to receiue or to retayne anie such in hys seruice

Depart Without licence

Imprison.

Receiue to seruice

Anno 23. Edwardi. 3. cap. 2.

Wages

3 ¶That no man pay or promyse to pay to any seruaunt any more wages, liueries, meede, or salary, the was wont, as afore is sayd. Nor that anie in other manner shall demaund or receiue the same, vpon peine of doubling of that that so shall be paied, promysed, required, or receiued, to hym which therof shall fele himselfe greeued, pursuing for the same. And if none such will pursue, then the same to be applyed to anie of the people that will pursue. And such pursute shal be in ỳ court

Lords court

of ỳ lord of ỳ place where such case shal happen. An. 23. E. 3. ca. 2. stat de serui.

Lordes

4 ¶If the lordes of the townes or manours presume in any poynt to cõe against this present ordinaunce either by them, or by their seruauntes, then pursute shalbee made agaynst them in the counties, wapentakes, tithings, or

3. damages

such other our courtes, for the treble paine payd or promised by thẽ or their seruauntes in the fourme aforesayde.

Couenant

And if any before this present ordinãce hath couenaunted with any so to serue for more wages, he shal not be bound by reason of the same couenant, to pay more then at an other time was wont to be paied to such person. Nor vpon ỳ said peine shall presume anie more to pay. An. 23. E. 3. cap. 4.

Artificers

5 ¶That sadlers, skinners, whitetawers, corduaniers, taylors, smiths, carpẽters, malõs, sylers, shipwrights, carters, & al other artificers & workmen

workmãship

shall not take for their labour & workmanship aboue the same ỳ was wont to be paied to such persons the said. xx. yeare, and other common yeres next beefore, as afore is sayd, in the place where they shall happẽ to worke. And if any man take more, he shalbe committed to ỳ next gaole in maner as afore is said. An. 23. E. 3. cap. 5.

6 ¶An. 23. E. 3. de serui. c. 7. It was enacted that all the forfeitures greuen by this statut de Seruientibus against labourers, should bee leuyed of euerie of them and should bee employed to the payment of the x. and xv. then graunted, and after to the kinges vse, to bee leuyed by certayne appoynted in the statute. Neuertheleste hee that would sue for these forfaitures to haue them to his owne vse.

7 ¶First that carters, ploughmen, drawers of the plough, shepeherdes,

Seruants Liueries Wages

swine herdes, deies, & al other seruãts, shal take liueries & wages accustomed the said xx. yere or. iiij. peres before, so that in the coũtrey, where wheat was wont to be geuen, they shal take for ỳ bushel. x. d. or wheat at the will of ỳ geuer, til it be other wise ordeined. And ỳ they be allowed to serue by an whole yere, or by other vsuall termes, & not by the day. And that none pay in the tyme of sarcling or heymaking but. i. d. the day. And a meiwar of medowes for the acre. v. d. or by ỳ day. i. d. And

i. d. the day

Haruest mi

repers of corne in ỳ first weeke of August. ii. d. and the second. iij. d. and so til the end of August, and lesse in the coũtrey where lesse was wont to be geuẽ, without meate or drinke, or other curtesy to be demaunded, geuen, or taken. And that all workemen bring open lie in their handes to the marchant to wines their instrumentes, and there shal be hired in a comon place and not pryuie, Anno. 25. E. 3. de serui. cap. 1.

Open place

8 ¶That none take for the threshing of a quarter of wheate or Rie, ouer. ii. d. ob. and the quarter of barley, beanes, peasc, and otes. i. peny. ob. if so much were wont to be geuen, and in the countrey where it is vsed to reape by certaine sheues, and to thresh by certaine bushels, they shall take no more nor in other maner then was wont ỳ said xx. yere and beefore. And that the same seruaunts bee sworne two times in the yere before lords, stewards, bailifes, and constables of euery towne, to hold and do this ordinances. And ỳ none of thẽ go out of ỳ towne, where he dwelleth in the winter, to serue the summer, if he may haue seruice in the same

Threshers

Othe Stewerds Bailiffes Constables

same towne, taking as before is said. Saving that the people of ỳ cõties of Stafford, Lancaster, & Derby, & people of Crauen, & of ỳ marches of wales & Scotland, and other places, may come in time of August, and labour in other counties, and safely returne, as they were wõt to do before this time. And that those, which refuse to make such othe, or to performe that ỳ they be sworne to, or haue taken vppon them, shal be put in ỳ stockes by ỳ said lords, stewardes, baillifes, and constables of the townes, by iij. dayes or more, or sent to ỳ next gaole, there to remaine, till they will nullify them selfe. And ỳ stocks be made in euery towne by such occasiõ betwixt this & ỳ feast of Pentecost. An. 25. E. 3. De seruit. cap. 2.

wales Marches

Refuse

Stocks

Imprison

Stocks

9 ¶ That carpenters, masons, and tylers, and other workmen of houses, shal not take by ỳ day for their worke, but in maner as they were wont, that is to say. A maister carpenter iii. d. and other i. d. A maister free mason. iiii. d. other masons iii. d. & their seruauntes i. d. ob. tylers. iii. d. & their knaues. i. d. ob. & other coueerers of ferne & straw. iii. d. & their knaues. i. d. ob. An. 25. E. 3. capitulo. 3.

Artificers

wages

Labourers

10 ¶ Playsterers & other workers of mudwalles, & their knaues by the same maner, wont meate or drinke (from Easter to S. Michaell) & fro ỳ time ỳ is set according to the rate & discretion of the Iustices which shalbe thereto assigned. An. 25. E. 3. cap. 4.

wages

11 ¶ They ỳ make cariage by land or by water shal take no more for such cariage to bee made, then they were wont the said xx. yere & iiii. yeres before. An. 25. E. 3. de seruit. cap. 5.

Carters Watermen

12 ¶ Goldsmithes, saddlers, horselemithes, spurriers, tanners, curriours, towers of leather, taillours and other workmen artificers and labourers, & all other seruaunts here not specified, shall be sworne before the iustices, to do and vse their crafts and offices in ỳ maner as they were wont to do the said xx. yere, & in ỳ time before, without refusing the same because of this ordynance. And if any of the said seruantes labourers workmen or artificers after such othe made come against this ordinãce, he shalbe punished by fine and raũsome & imprisonment after ỳ discretiõ of ỳ iustices. An. 25. E. 3. cap. 6.

Artificers

Imprison

Othe Iustices

13 ¶ The said stewards, baillifes, and constables of the said townes, bee sworne before the same iustices, to enquire diligently by all the good wayes they may, of al thẽ that come against this ordinance, and to certify ỳ same Iustices of their names at all tymes, when they shall come into the countrey to make their session, so that the same iustices in certification of the same stewardes, Baillifes, and constables, of the names of the rebels, shall do them to be attached by their bodie, to be before the said Iustices, to answere of such contemptes, so that they make fine and raunsome to the king, in case they be attainted. And moreouer to bee commanded to prison, there to remayne, till they haue found suertie, to serue, & take, and do their worke, and to sell thinges vendible in the manner afore sayd. And in case thet any of thẽ come against his othe, and be thereof attainted, hee shal haue imprisonment of xl. dates, and if he be an other time conuict, hee shall haue imprisonment of a quarter of a yere, so ỳ at euery time, ỳ he offendeth and is conuict, he shal haue double prine. And ỳ the same iustices, at euery time they come into the countrey, shal enquire of the said stewardes, baillyfes, and constables, if they haue made a good and lawfull certificat, or any comitte for gift, procurement, or affinitie, & punish them by fine and raunsome if they be found guilty. And ỳ the same iustices haue power to enquire & make due punishmẽt of the said ministers, labourers, workmen, & other seruãts. And also of hostilers, herbergers and of those that sell vitayle, or other thinges here not specified, as well at the

Stewards Baillifes Constables Oth Enquiris

Iustices

Arrest

Fine

Attaint

Imprison Suertie

Imprison

Enquirie

Innkepers Victuelers

suit of the partie, as by presentment, & to heare & determine, & put the thinges in execution by the exigend after ỳ first capias if neede be, and to depute other vnder thẽ, as many & such as they shal see best for the keeping of the same ordinaunce. And that they which wil sue against such seruants, workmen, labourers, and artificers, for excesse taken of them, and they be thereof attainted at their suit, they shall haue againe such excesse. And in case that none will sue, to haue againe such excesse, then it shal be leuied of the said seruaunts, labourers, workmen, and artificers, and deliuered to the collectours of the quinzime, in alleuiatiõ of ỳ townes where such excesses were taken. Anno 25. Edwardi. 3. cap. 6.

Otier & ter. Exigent

Excesse taking

Quinzime

14 ¶ No sherifes, constables, bayliffes, and gaolours, the clerkes of ỳ iustices, or of the sherifes, nor other ministers whatsoeuer they bee, take anie thing for the cause of their office of the same seruaũts, for fees, suit of prison, nor in other manner, and if they haue any thing taken in such manner, they shal deliuer the same to the collectors of dismes & quinzimes, in aid of the cõmons, for the time ỳ the disme & quinzime doth renne, as well for the tyme past, as for the time to come. And that the said iustices enquire in their sessions, if the sayd ministers haue anie thing receiued of ỳ same seruants, & ỳ that they shal find by such enquest, ỳ ỳ said ministers haue receiued, the same iustices shall leuie of euerie of the sayd ministers, and deliuer to the sayd collectours, together with the excesse and fines and raunsomes made, and also the amerciaments of all them which shalbe amerced before the sayd iustices, in alleuiation of the sayd townes, as afore is sayd. And in case the excesse found in one towne, doth exceed the quantitie of the quinzime of the same towne, the remnaunt of such excesse shalbee leuyed and payed by the sayd collectours, to the next poore townes,

Shirifes Constables Bailifes Jaylors

Fee

Quinzime Disme

Iustices

Enquests

Fines Amerciaments

Collectors

in ayd of their quinzime, by aduise of the sayd Iustices. And that the fynes and raunsomes, excesses and amerciamentes of the said seruaunts, labourers, and artificers, for the tyme to come, renning of the sayd quinzime, be deliuered to the sayd collectours, in the fourme afore sayd, by indentures to bee made betwixt them and the iustices, so that the collectours may be charged by their accompt by the sayd indentures, in case that the sayd fines, raunsomes, amerciamentes, and excesses bee not paied in ayd of the said quinzime. And selling the said quinzime, it shal bee leuied to the kynges vse, and answered by the sherifes of the counties. An. 25. E. 3. capitulo. 7.

Indentures

Accompt

15 ¶ Item that the sayd Iustices make their sessions in all the counties of England at the least. iiij. tymes a yeare, that is to say, at the feast of the Annunciation of our Lady, saint Margaret, saint Michael, & saint Nicholas. And also at all times that shall neede, according to the discretyon of the sayd Iustices. And that those that speake in the presence of the sayd Iustices, or other thinges do in their absence, or procure in encouraging or maintenance of the said seruants, labourers, or artificers, against this ordinãce, shalbe greuously punished by the discretiõ of the same Iustices. And if anie of the sayd seruauntes, labourers, or artificers, do flee from one countie to an other, bycause of this ordinaunce, that the sherifes of the counties, where such fugitiue persones shall be found, shall doe them to be taken, at the commaundement of the Iustices of the countyes, from whence they shal flee and bryng them to the chief gaole of ỳ same countie, there to abide till the next sessions of the same iustices. And that the sherife retourne the same commaundements before ỳ same iustices at their next sessions. And ỳ this ordinãce be holde & kept, as well in ỳ citie of London, as in other citis & bourghes, and other places throughout

Iustices Sessions

Encourage

Punish

Five Shirifes

Imprisonment

London Cities

Lords of franchises

Fines

Fees Iustices

London v. Mayor

Repeale

Lords of townes Imprison

Shirife Gaylour

No fee

Carpenters Masons

wages

thorowghout the land, as well within fraunchises as wythout. Ann. 25. E. 3. cap. 8.

Lords of franchises

16 ¶ The lordes of fraunchyses which haue issues, fines and amerciamentes of Labourers by point of charter or in other maner, shal from henceforth haue the sayd fines, issues, and amerciamentes that to hym pertaineth, as long as the Justice of laborers do endure, so alwaies that the sayed lordes make contribution to the payment of the fees of such Justyces of Laborers, according to the rate of ỳ profittes that they doo take. An. 31. E. 3. cap. 6.

Fines

Fees Justices

17 ¶ The statut of labourers shal al wel be holden, in the citie and Suburbes of London and in the v. portes and all maner other franchises as elsewhere in England. Anno. 31. E. 3. capit. 7.

London v. Portes

18 ¶ The statut of laborers of old time made, shall stand in all pointes except the pecuniar paine which from henceforth is accorded, that the labourers shall not bee punished by fine and raunsome. And it is assented that the sayd statut shallbe enforced in punishment of Laborers in the fourme following, that is to say that the lordes of Townes may take and imprison them by xb. daies yf they will not iustifie them selfe. And then to send them to the next gaile, there to abide til they wil iustifie them by the fourme of the stat. And that the shirife gaylour nor other minister shal not let them to no mainprise nor baile, and if hee do, hee shal pay to the king. r. li. and to ỳ partie. C. s. nor that the shirife, gaylour nor other minister shal take no fee nor porterage of prison, nor at his entring nor at his comming out vpon ỳ same payne. And that al well carpenters & masons be comprised in this ordinãce as al other labourers, seruaunts and artificers. And that the carpẽters and masons take from henceforth wages by the day, and not by the worke, nor in other manner. And that the thyefe maisters of carpenters and masons take fowre pence by the day, and the other three pence or two pence according as they be worth. And that al alliaunces and couynes of masons and carpenters and congregations, chapiters, ordinaunces, and othes betwixt them made or to bee made, shalbe frõ henceforth void and holy annulled, so that euery mason and carpenter, of what condition that hee bee, shallbee compelled by his maister to whom he serueth to doo euery worke ỳ to him pertayneth to doo, or of free stone or rough stone. And also euery carpẽter in his degree. But it shalbee lawful to euery lord or other, to make bargayne & couenãt of their work ingroll to such labourers and Artificers when please them, so ỳ they performe such works well and lawfully according to the bargaine or couenant with them therof made. An. 34. E. 3. ca. 9.

Repeale

Lordes of townes Imprison

Shirife Gaylour

No fee

Carpẽters Masons

wages

Void

19 ¶ Of labourers and artificers that absent them out of their seruyces in an other Towne or an other countie, the partie shal haue the writ before the Justices, and that the Shirife take him at the first day as is contained in the statut, if hee bee found, and doo of him execution as afore is saied, and if he retourne, that he is not found, hee shall haue an erigend at the first day, and the same pursue til he be outlawed and after the outlagary, a writte of ỳ same Justyces, shalbee sent to euerie Shirife of England, that the partie will sue, to take him, and to send hym to the Shirife of the Countie where hee is outlawed, and when hee shalbee there brought, he shall haue there imprisonment, till hee will iustifie him selfe, and haue made gree to the party, and neuertheless for ỳ falsitie he shall bee brent in the forehead with an yron made and fourmed to this letter. F. in token of falsitie, if the party greued the same will sue. But this paine of brenning shalbe put in respect til saint

Flie

Shirife

Erigent

Outlawrie

Imprison

Brent in ỳ forehead

Michael

Michaell next ensuing, & then not executed, vnlesse it be by the aduise of the Justices. And the yron shal abide in ỳ custody of the shirife. And that ỳ shirife and some bailife of the fraunchise be attending to the plaintif to put this ordinaunce in execution, vpon ỳ paine aforesaid. And that no Labourer, seruaunt, nor artificer shall take no maner of wages ỳ festiual daies. An. 34. E.3.cap.10.

Festiuall daies

Flie

Maior Bailifes

Refuse

Fort.

20 ¶If any labourer, seruant, or artificer absent him selfe in any Citie or Borough, and the partie plaintyfe come to the maire and Baylifes, and require deliuery of his seruaunt, they shall make him deliuery without delay. And if they refuse to do the same, the party shal haue his suit against ỳ Maire and bailifes before the Justices of Labourers. And if they be thereof attainted, they shall pay to the kyng x. pound. and to the party. C.s. An. 34. E.3.cap.11.

Cõmissiõs Just. of p.

Diet & ten

21 ¶The sta. & ordinance made of labourers & artificers, be holden & kept & duely executed. And thereupon commissions shalbee made to the Justices of peace in euery countie to heare and determine the pointes of the sayd sta. and to award dammages at the suit of the partie, according to ỳ quantytie of his trespas. An. 42. E.3.ca.6.

Confirme

22 ¶Of Labourers it is ordeigned and established, that the ordinãce thereof made in the tyme of the saied graundfather, which beginneth, Because a great part of the people &c. bee affyrmed and holden for a statut. And that as well this statut as all other Statutes and ordynaunces made of artyficers, seruauntes and Labourers beefore this time, bee fyrmely kept and put in due execution. Anno. 2. R. 2. cap. 8.

Statuts Artificers Vitailers

23 ¶All the statutes of artificers, Labourers, seruauntes and vitailers, made as wel in the tyme of our soueraygne Lord the king that nowe is, as in the time of his noble graundfather (whom god assoile) not repealed, shall be firmely holden and kept, and duely executed. And that the said artyficers, Labourers, seruauntes and vitailers bee duely iustified by the Justices of peace as wel at the suit of the king as of the partie according as the said statuts require, and that the Maires baylyes and stewardes of Lordes, and Constables of Townes, do duly their offyces touching such artificers, seruaunts, Labourers and vitailers.

Confirme

Just of p.

Maiors Baylifs Stewards Constables

Stockes

And that a paire of stockes bee in euery Towne to iustifie the same seruauntes and Labourers as is ordayned in the said statuts. And moreouer it is ordained & assented, ỳ no seruant nor labourer be he man or womã shal depart at the end of his terme out of the hũdred, rape, or wapentake where he is dwelling, to serue or dwell elsewhere, or by colour to go from thence in pilgrimage, vnlesse hee bring a letter patent contayning the cause of hys goyng, and the tyme of hys tenure, if hee ought to retourne, vnder the kynges seale, which for thys intent shalbe assigned & deliuered to the keeping of some good man of ỳ hundred, rape, wapentake, Citie, or Borough after the discretion of ỳ justices of peace to bee kept, and lawfully, to make such letters when it needeth, & not in any other maner, by his own othe. And that about the same Seale shalbe written the name of the countie, and ouerthwarte the said seale the name of the hundred, rape, or wapentake, citie, or Borough. And also if any seruant or labourers bee found in any citie, or borough or elsewhere cõming from any place, wandring without such letter, hee shallbee forthwith taken by the said Maires, bailifes, stewards or Constables, and put in the stockes, and kept till hee hath found suertie to retourne to his seruice, or to serue at labour in the Towne from whence hee came, till hee haue such letter to depart for a reasonable cause.

Depart

Certificat

Just. of p.

Seale

Vagarãs

Stockes Sureties

And

And it is to be remembred, that a ſeruaunt or Labourer may freely depart out of his ſeruice at ỳ end of his terme and to ſerue in an other place ſo that he be in certenty with whom, & ſhall haue ſuch a letter as afore, but ỳ meaning of this ordinaunce is not, that any ſeruauntes, which ſhall ride or go in the buſines of their lords or maſters ſhalbe compriſed within the ſame ordinaunce for the tyme of the ſame buſineſſe. And if any heare ſuch letter, which may be found forged or falſe, he ſhal haue impriſonment of xl. daies for the falſitie, and further til he hath found ſuertie to retourne or ſerue to Labour as afore is ſaied. And ỳ none receiue ſeruant or Labourer going out of their hundred, rape, or wapentake, citie or Borough without letter teſtimoniall, nor with letter teſtimoniall aboue one night, except it be for cauſe of ſickines or other cauſe reaſonable, or which will and may ſerue and labour there by the ſame teſtimonial, vpon a paine to be limit by the Juſtices of peace. And that as well artificers and people of miſterie, as ſeruaunts and Apprentices, which bee of no great auayer, and of which craft or miſtery, a man hath no great neede in harueſt time, ſhalbee compelled to ſerue in harueſt, to cut gather and bring in the corne. And that theſe ſtatutes bee duely executed by Maires, Bailyfes, ſtewards and conſtables of Townes, vpon paine limitted and iudged by the ſaid iuſtices of peace in their ſeſſions. And that no man take aboue a penny for the making, ſealing, and deliuering of ſuch letter. Anno. 12. R. 2. capit. 3.

Forge
Impriſon
Suertie
Receiue
Letter teſtimonial
Sickines
Iuſt. of p.
Apprẽtices
Huſbandry
Maiors
Bailifes
Iuſt. of p

24 ¶ The bailife for huſbandry ſhal take by yere. xiii. s. iiii. d. & his clothing once by yere at the moſt. The maiſter hyne r. s. the carter. r. s. the ſhepeherd r. s. the oreherd. vi. s. viii. d. ỳ cowherd vi. s. viii. d. ỳ ſwineherd. r. s. a woman Labourer. vi. s. a Dayrewoman vi. s. dryuer of the plough. vii. s. at ỳ moſt.

Wages

And euery other Labourer & ſeruaunt according to the degrẽ, and leſſe in the countrey where leſſe was wont to be geeuen without clothing curteſie or other reward by couenaunt. And that no ſeruaunt of artificer nor vitailer in citie, Borough, nor other Towne ſhall take more then the ſeruaumtes & Labourers aboue named after theyr eſtate, without beſture, curteſie or other reward by couenaunt as afore is ſayd, and if any geeue or take by couenaunt more then is aboue ſpecified, at the firſt time that they ſhalbe there of attainted, as wel the geuers as the takers ſhall pay the valour of ỳ exceſſe ſo geeuen or taken, and at the ſecond time of their atteinder the double valour of ſuch exceſſe, and at the third time the treble valour of ſuch exceſſe, and if the taker ſo attainted haue nothing wherof to pay ỳ ſaid exceſſe, he ſhal haue xl. daies impriſonment. An. 12. R. 2. cap. 4.

Artificer
Vitailer
Citie
Impriſon

25 ¶ That the ordinaunces afore ſaid of ſeruaunts & labourers, beggars and vagabondes, ſhal hold place, & bee executed as wel in cities & Boroughs as in other counties and places, with in the Realme, as well within the fraunchiſes as without, and that the Sheriffes, Maiors, Bayliſes and keepers of the gayles, ſhalbee holden and charged, to receiue the ſaid ſeruaumtes Labourers, beggers, vagaboundes, and to keepe them in priſon, in the fourme aforeſaid, without lettyng to main priſe, or in bayle, and without fee or any other thing, taking of them by themſelfe, or by any other, as long as they bee ſo impriſoned, or at their entrie, or at their going forth, vpõ paine to pay an hundred ſhillinges to our ſoueraigne lord the kyng. Anno. 12. R. 2. cap. 9.

Confirme
Execute
Shirifes
Maiors
Bailifes
Gaylours
Mainpriſe
Impriſs
Fort.

26 ¶ That the Juſtices of peace in euery county in it. of their ſeſſions to be holden betwirt ỳ feaſt of Eaſter & S. Michel, ſhal make proclamatiõ by their diſcretiõ after ỳ derth of vitailes, how

Iuſt. of p.
Proclamation

howe much euery maſon carpenter, tyler and other crafts men workemē and Labourers by the day, aſwell in harueſt as in other tymes of ỹ yeare, after their degrée, ſhal take the day wᵗ meate and drinke, or without meate & drinke, betweene the two Seſſyons beforeſayd, notwithſtanding ỹ ſtatut thereof heretofore made, and ỹ euerie man obay to ſuch proclamatiōs from time to time as a thing dōe by ſtatut, An. 13. R. 2. ca. 8.

Wages

27 ¶That no labourer be retained to worke by the weéke, nor ỹ no labourers, carpenters, Maſons, tilers Plaſterers, Daubers, Couerers of houſes, nor none other labourers, ſhal take any hiere for the holy dáies, nor for the euens of feaſtes, where they doo not labour, but til the howre of noone, but onely for the halfe day, vppon ỹ paine that ſuch labourer, Carpenter, maſon, Tilar, Plaſterer, Dauber, Couerer of houſes, or any other Labourer, that taketh contrary to this ſtatut, ſhal pay to the king, for euery tyme that he ſo doth the contrary. xx. s. Anno. 4. H. 4. cap. 14.

Holy daies

Faſt.

28 ¶Sée in apprentices 2. 17. howe labourers and artificers ſhalbe ſworn to ſerue for the wages appointed by ſtatut, and that they ſhallbe ſet in the ſtockes and impriſoned if they refuſe.

Artificers
Othe
Stockes
Impriſon

29 ¶The ſtatut of labozers, made at Caunterbury, and al other good ſtatuts of labourers, made & not repealed be fermely holden and kept, and put in due execution. And moreouer that the Juſtices of peace haue power to ſend their writtes for ſuch fugitiue labozers to euery ſhirife of the realme of England, and to make ſuch proces as the Statut of 34. E. 3. ca. 10. requireth, to bring them before them, to anſwere to our ſoueraigne lord the king and to the parties, of the contempts and treſpaſſes made or done againſt the ordinances & ſtatuts aforeſaid in like maner as the Juſtyces haue power to ſend to euery Shirife for the theeues

Confirme

Juſt of p.

before them indicted. And alſo that al the ſtatuts & ordinances of labourers ſeruaunts and artificers beefore thys time made & not repealed, be exemplified vnder the great ſeale, & ſent to euery Shirife of the Realme of England, thereof to make proclamation in ful countie, and after thys proclamation ſo made, that euery ſhirife ſhall cauſe the ſayd exemplification to him directed to be delyuered to the Juſtices of the peace in his Countie named in the Quorum, or to one of them, to remaine with ſuch Juſtyces whych be or ſhalbe for the better putting of ỹ foreſaid ſtatuts and ordinances in due execution. And in ſhires where diuers commiſſions of the peace bee made there ſhalbe ſo many exemplifications of the ſtatuts and ordinaunces aforeſayd made, as bee commiſſions of the peace in the ſame ſhires, and ſent to the ſhirifes to make proclamation, & to deliuer the ſame as is aforeſayd. And that the Juſtices of the peace in euery ſhire named of the Quorum, be reſeaunt within the ſame ſhire, except lordes named in the Commiſſion of the peace, and alſo except the Juſtices of the one bench and of the other, the chiefe barron of the Eſchequer, ſergeaunts at the law, and the kings attorney, for the time that ỹ ſame Juſtices, chiefe baron, ſergeaunts at the lawe & the kinges attorney, bee attendyng and occupied in the kinges Courtes, or other wiſe in ſome other place occupied in the kinges ſeruice, make their ſeſſions. iiii. times by the yeare, that is to ſay in the firſt weeke after the feaſt of ſaint Michaell, & the firſt weeke after ỹ Epiphany, and in ỹ firſt weeke after the clauſe of Eaſter, & more often if neede bee. And that the ſame Juſtices hold their ſeſſions throughout the Realme of England in the ſáe weeke euery yeare from henceforth. And alſo ỹ the Juſtyces of peace from hence forth haue power to examyne aſwell all maner of Labourers ſeruaunts

Statuts
Exemplified
Shirife
Proclamation
Reſcant
Lords
Juſt. of either bench
Seruants at law
K. atturney
Seſſions
Juſt. of p.
Examins

and

and their maiſters, as artificers by their othes, of all thynges by them done contrary to the ſayed ordinances and ſtatutes, and vppon that to punith them vpon their confeſſion after the effect of the ſtatutes and ordinaunces aforeſayed, as though they were conuict by enqueſt.

Shirife. And that the ſhirife in euery ſhire of the Realme of England ſhall do well and truely his office in this behalfe, vpon paine to loſe and to forfait to our ſoueraigne lord the king xx. li. Ann. 2. H. 5. cap. 4.

Forf. 30 ¶An. 4. H. 5. ca. 4. it was enacted to endure for ii. yeares that the paines in the ſtatut of An. 12. R. 2. ca. 4. (which is before. 24.) concerning wages to ſeruauntes ſhould be onely vppon the taker.

Iuſtices of peace. Maire of london Maiors Bayliffs Cities Proclamation, 31 ¶That the Iuſtices of peace in euery Countie for the time beeyng and the Maire of the citie of London for the tyme beeing, and the Maires and bailifes in euery citie Borough or Towne ſhall haue ſuch power & authoritie to make proclamatiõ in their ſul ſeſſions once by yeare and ſo in euery borough and market towne wiin their iuriſdiction, how much euery ſeruaunt of huſbandry, ſhall take for his ſeruice by the yere, then by them to be holden betwixt the feaſt of Eaſter & ſaint Michell, and in euerie Borough and market Towne how much euery artificer and workeman ſhall take by the day, and by the weeke with meat and drinke or without meat or drink aſwell in Auguſt as other tymes of ỹ yere. Prouided alwaies that if any be retayned by the weeke for huſbandry or other labour, that hee ſhal take nothyng for the feſtiuall dayes in ſuch weeke, nor for the halfe dayes for the euens of ſuch feaſtes. And that euerie proclamation ſo to bee made bee holden as a thing ordayned by ſtat. And if any ſeruaunt artificer or workman do the contrary of ſuch proclamatyon ſo to be made, and be therof attainted at the kings ſuit, hee ſhal forfait to the king euery time ỹe valour of his wages, & if he haue not wherof to make gree to the king, he ſhal haue imptiſonment of xl. dates without being let to baile or mainprile in any maner. And ỹ the Iuſtices of peace Maires & bayliffes aforeſaid then for the time being ſhall haue power and authoritie to heare and determine ſuch offences aſwell at the kinges ſuit by ſuggeſtyon furniſhed as the ſuit of the partie in ſuch caſe greeued, and thereuppon to make award writts of Capias as oftentimes as to them ſhall ſeeme well to bee done, againſt ſuch ſeruants artificers and workemen at euery perſonnes ſuit that ſueleth him in ſuch caſe greeued or moleſted, returnable beefore them ſelfe, or beefore any other Iuſtices of peace or Maires or Bayliffes for the time being, at a certain day in their ſeſſions, at which day if any ſuch ſeruaunt artificer or workeman come beefore the ſaid Iuſtyces of peace or beefore Maires or Bailifes by force of ſuch writtes, or in any other manner, ỹ then the ſame Iuſtices of peace Maires or Bailifes for the tyme beeing, ſhall haue full power and authoritie to examine by their diſcretiõ and knowledge, aſwell ſuch ſeruants artificers & workmen, as their maiſters how much ſuch ſeruaunts artificers & workemen do take by the yeare, by ỹ day, and by the weeke. And if they find by ſuch examination, or by plee betwixt the ſame ſeruauntes artificers, workemen and their maiſters, the contrarye to bee done of ſuch proclamations ſo to bee made, that the ſayed ſeruauntes artificers and workemen and Labourers ſhalbee punihed in ỹ fourme aforeſayd. And they ſhal yeld to the partie greeued his double damages. And if any of them depart or void into an other countie, that then it be lawful to the ſaid Iuſtices of peace Maires and bailifes for the time beeing, to make and graunt writtes of Capias

Wages

Feſtiuall dates Halfe dates Proclamation

Attaint

Forf.

Imptiſon Mainptile

Iuſt. of p. Maiors Bailifes Diſcretion

Capias

Iuſt. of p.

Examine

Depart

ỹ. damages

Iuſt. of p.

Capias

Capias

Capias as many and such as be requisite, directed to the shrifes of ỹ counties where such seruaunts artificers & workmē be fled, to take their bodies, returnable before them at what time shall pleate them, so that if they come by such procesle, they shalbe put in prison till they find sufficient suerty well to serue their sayd maisters. And that the sta. begin to hold place, as to ỹ punishment of such seruaunts retayned by ỹ yere or by ỹ halfe yeare, after the feast of S. Michael next comming, for the offences in this behalfe done by them after the sated feast. And that all the Maires and bailifes which be or hereafter be of the peace in any cities, townes or boroughes of the realme for ỹ time being, shal haue like power correction and execution, of the sayd ordinaunce so to be made, and of al statutes of Labourers within the said townes cities and boroughs as the Justices of peace haue in their Counties. And moreouer that the Justices of peace in euery countie, and the Maires, and Bayliues in euery such citie borough or towne shal haue power and authorite to make proclamation and execution of and in the premisses as afore is said. And this ordinaunce shal endure til the next parliament. Ann. 5. H. 6. ca. 3. And after An. 8. H. 6. ca. 8. it was enacted ỹ this statut shalbee put in execution tyll the kig hath otherwise declared his will in plaine parliament.

Impriſon
Duerſis
Maiors
Bayliſs
Juſt. of p.
Proclamation

32 ¶ Euery seruant of husbandry not hauing to depart from his master at ỹ end of his terme, at the middest of his terme or otherwise, make a couenant before hꝫ an other man to serue hym for ỹ next yere, if he bee in such case as the law will compell him to serue, ỹ ỹ sayd seruaunte and he which so shal make couenant with him at the middest of the said terme or before, shall giue warning to the master of ỹ sayd seruaunt of the said couenaunt so new by made, so that the same master may prouide an other seruāt against ỹ end of his terme. And if any couenaunt with any such seruaunt bee other wyse made, or that such warning in maner and fourme aforesayd not had, that ỹ same couenaunt shalbe void. And that the same seruant be compelled to serue his first master for the nert yeare, except that a lawful cause being of a latter, tyme require the contrary. And also that the salaries and wages of seruaunts Labourers and artificers shall not exceed the ordering that followeth; that is to say the wages of a baylife of husbandry by yeare xviii. s. iiii. d. & clothing price of x. s. with meat & drink, of a chiefe hyne, a carter, or chief shepeard xx. s. and clothing price of iii. s. iiii. meat and drinke, a common seruaunt of husbandry xl. s. and clothing price of xl. d. a woman seruaunt x. s. and clothing price of iii. s. with meat & drink an infant within the age of xviii. yeres five shillinges and clothing price of iii. s. with meate and drinke. The same forme shalbee obserued of wages of seruaunts keeping wyth hostilers victailers and artificers in city borough and elsewhere. And that such as deserue lesse shall take lesse. And also in places where lesse is used to be geuen lesse shalbee geuen from hence forth. And that from the feast of Easter til the feast of saint Michael, ỹ wages of any free mason or master carpenter shal not exceede iiii. pence by the day, and without meat and drinke v. d. ob. a master Tyler or slater, a rough mason and meane carpenter and other artificers concerning buylding by the day iii. pence with meat and drinke, and without meate and drinke, iiii. d. ob. & euery other Labourer by the day ii. d. with meat and drinke, and wyth out meat and drinke iii. d. ob. And that from the feast of saint Michael til the feast of Easter, a free mason and a master carpenter by the day, iiii. d. wt meat and drinke, and without meate and drink iii. d. ob. tiler, meane carpenter, rough mason, and other artificers afore sayd.

Couenant to ſerue
Warning
Couenant void
Wages
Shepheard
women ſeruants
Infant
Artificers ſeruants
Maſon Carpenter
Artificers for building
Holy dale
Refuſe
Juſt. of p.
Impriſon
Duerſis
Fo. l.
Juſt. of p.

aforesayed by the day ii. pence ob. with meat and drinke, and without meate and drinke iii.d. And euery artyficer and Labourer by the day i. ob. with meat and drinke, and without meate and drinke iii.d. and he that lesse deserueth, shal take lesse. Prouided that the sayd assessyng shall not extend to Labourers in ỳ tyme of harueste, in which tyme the wages of a mower shal not exceede iiii. pence, by the day wt meate and drynke, and without meate and drinke vi. pence a reper or carter three d. by the day with meat and drink and without meate and drinke v. pence, a woman Labourer and other labourers in time of harueste, ii.d. ob. by the daie with meate and drinke, and without meat and drinke iiii.d. ob. and such as be worthy lesse shal take lesse. And in places where lesse is vsed to bee taken lesse shalbe take frō hencefoorth. And ỳ no artificer workeman nor Labourer shal take any thing for ỳ holy day nor for the festall day but after the rate of the tyme of the day in which hee Laboreth. And if any persō refuse to serue or labour according to the premisses that euery Justyces of peace in theyr Counties shall haue power at euerie time to call them to examination of ỳ same, & such as they shal find defectiue to commit to the gaole there to remaine till they haue found sufficyent suertie to serue and labour in forme by the lawe required. And if anie seruaunt artificer workeman or labourer doe contrary to the premisses or denie him seruyce accordyng, or laboure by reason of not geuing of salarie or wages contrary to these statutes, ỳ he shal lose to the partie that will sue in this behalfe xx.s. And that the sayed Justices of peace shall haue power to heare and determine al maner of offences done contrary to the forme of thys statut, aswell of the kinges suyte as at the parties, and that euery of the kynges liege people may haue the suit agaynst euery persone that shal offend in any point agaynst this Statut, and the proces shalbe by attachment capias and exigend. Also that the iustices of peace shal assesse no fine vppon any which shalbee conuict before them of a thyng done contrary to any Statut of Labourers or artificers, or for this cause put him in ỳ good grace of our Soueraigne Lorde the king vnder xl.s. iiij. pence. And also that the Justices of peace throughout the realme in tymes euery yere, shal do openly to bee proclaimed in their Sessions al the statutes of labourers, artificers, hostelers, vitaylers, seruaunts and vagabōds before this time made and not reuoked with this statut. Also that by colour of the tenour of lesse lands then the husbandry of ỳ same shall suffise to the continuall occupation of one man, no man shalbee excused to serue by the yere, vppon the paine to bee estemed as a vagabound. Also that Justices of peace shall haue power to take all seruaunts retayned with any person by colour of husbandry, and not duely occupied about the same, which seruants ought by the lawe, to bee seruant of husbandrie to such as shall require their seruice, and to punishe them in euery point, as the same Justyces haue power to punishe vagabōds. And that this statut shall beginne to be of force and execution, in the feaste of Saint Michaell, which shalbee in the yeare of our Lord a M. CCCC. lxiii. and in no wyse before. Anno 23. H. 6. cap. 12. Anno 1. H. 7. ca. 22. an act was made for the wages of the labourers artificers, & what howres they shall haue. But it is repealed by, 12 H. 7. ca. 7. an act was made to endure to the next parliament repealing penalties and forfaytures against the master and gouer of wages to seruantes and Labourers, contrary to the statute made, An. 12. H. 7. ca. 7.

Harueste wages

Holy daie

Refuse

Iust. of p.

Imprison

Suertie

Fyne.

Iust. of p.

Pryores
Attachmēt
Capias
Exigent
Fine

Justice of peace

Proclamation

Lands

Vagabond

Iust. of p.

Punishe

Repealed

wages

Bailife of husbandry wages

35 ¶ No bailife of husbandry shal take for his wages by the yeare above xvi.s. viii.d. for clothing v.s. vi meat & drinke. No chiefe hine as a carter or chiefe sheepehere above xx.s. by ye yere and for his clothing v.s. with meat & drinke. No common seruaunt of husbandry above xvi.s. viii.d. by the yere, and for his clothing iii.s. with meat & drinke. No woman seruant above x.s. by the yeare, and for her clothing iii.s. with meat and drinke. No child vnder the age of xiii. yeares above iv.s. viii.d. by the yere, and for his clothing iiii.s. with meat and drinke. And that no artificer ne labourer (hereafter named) take no more ne greater wages then in this statut is limitted, vppon the paine feared alwell to the taker as to the giuer, that is to say, a free mason, master carpenter, rough mason, bricklayer, master tyler, plummer, glasier, cutter ne loyner, from Easter to Michaelmas, euery of these artificers aforesaid vi.d. by the day vvout meat & drinke, and with meat and drink iiii.d. And fro Michaelmas to Easter v.d. without meat and drinke, and with meat and drinke iii.d. And that ye wages of a shipwright from the feast of Easter vntil the feast of saint Michaell tharchangell, shall not exceede the fourme ensuing.

What is to say, a master shipcarpenter, taking the charge of ye worke, hauing men vnder him, by the day x.d. with meat and drinke, and without meat and drinke seuen pence. And other shipp carpenter, called a helper by the day fower pence with meate & drinke, and without meat and drinke fiue pence. An adze clincher by the day iii.d. with meat and drinke, & without meat and drinke fiue pence. An holder by the day two pence & meat & drink, and without meate and drinke fower pence. A master caller by the day iii. pence with meate and drinke, & without meat and drinke three pence. An other meane caller by the day ii. pence with meate and drinke, and without meate and drinke fiue pence. A caller labouring by the tyde for as long time as he may labour aboue the water & beneath the water, shal not exceed for his wages for euery tyde leiour pence with meate and drinke. And from the feast of Michelmas to Candelmas ye wages of a master shipwright by the day fower pence with meate and drinke, and without meat and drinke fiue pence. An helper by the day three pence with meat and drinke, & without meate and drinke fyue pence. An able Clincher by the day two pence halfe penny with meate and drinke, and without meate and drinke fower pence halfe peny. An holder by the day one peny halfe penny with meat and drinke, and without meat and drinke three pence. A master caller by ye daie three pence with meat and drink, and without meat and drinke fiue pence. An other meane caller by the day ii. pence halfe peny with meat & drinke, and without meate and drinke foure pence halfpeny. Be it also enacted &c. that in such Shires and Countreys, where it hath bene and is now vsed to geue lesse wages then in thole Shires and Countreys, they shall geue, and the taker of the sayde wages bee compelled accordynge as they haue lesse vsed to take, thys Acte notwithstandynge. And the Master Masons, and master Carpenter, which shall take the charge of the worke, hauing vnder them iiii. or three men, shall haue seuen pence without meat and drinke, and fiue pence by the day with meat and drinke. And euery person and artificer specified in this Statute, being not retayned in anye seruice for anye tyme, bee compelled to serue euery other person for such wages as in this Statute is limitted. And that no artificer retayned in anye seruice to worke with the kings highnesse, or any other person, departe not from his said seruice, or from the seruice of other

Tide worke

Wages

Wages

Harnest

Mason Carpenter

Refuse

Imprison Constable

R. seruice

Depart ſome licẽce

other perſon, til ſuch time as ẏ worke is finiſhed if the perſonne ſo retayning the artificer, ſo long wil haue him and pay his wages, vppon paine of impry-

Impriſon

ſonment of anie perſonne ſo departyng by the ſpace of a moneth, and to

Fine

make fyne of xx.s. Alwaies prouyded and forſeene, that if the ſame artyfycer bee deſired to the kings ſeruice and worke, that then hee may lawefullie depart, ſo that hee enter and bee in the kynges ſeruice and worke. And it is further ordeined by ẏ ſayd auctoritie that euerie other laborer and artificer (not afore named) ſhall take frõ Eaſter to Michaelmas, for euery day that he ſo laboreth, except the ſeaſon of har-

Wages

neſt iiii.d. without meate and drinke, and twoo pence with meat and drinke, And from Michaelmas til Eaſter. iii. d. wout meat & drink and i.d.ob. with meate and drinke, & in the ſame tyme of harueſt euery mower ſhall take by

Harneſt

the day iiii.d. with meate and drinke, and without meate and drynke vi.d. A reaper and carter, euerie of them three pence by the day with meate and drinke, and without meat and drynke fyue pence. A woman labourer or la-

Women labourer

bourers euery of them ii.d.ob. by the day, with meate and drinke, and without meate & drinke iiii.d.ob. And that no artificer nor laborer worcking but

Artificer Halfe day Holy daie

the halfe day, take noe wages but for the halfe day and nothing for the holie day. And if any baillife of husbandrie,

Baillife of husbandry

hyne, carter, shepeherde, common ſeruaunt, woman ſeruaunt or chylde ſeruaunt aboue ſpecyfied, not retayned in anie ſeruice or worcke, refuſe to

Refuſe

ſerue or worcke accordyng to the ordinance aboue ſpecified, then the ſame perſon to bee committed to wards by

Impriſon Conſtable

the Conſtable or other head Offycer within the Citie, Towne, or byllage, where the partie ſo refuſing is, at the complaint of him that wil receiue ſuch ſeruaunt, there to remaine til hee haue

Huertie

found ſuertie to ſerue accordyng to the ſayd ordinaunce. Furthermore if anie Artificer or labourer, beeing not retained in anie ſuch ſeruice or worcke, re-

Artificer Refuſe

ſuſe to ſerue after the rate of his eſtate, or to take greater or more wages then therein is lymytted for the ſame artyficers, and labourers, or if anie artificer or labourer take wages for the whole daie where hee worcketh but halfe the daie, that then euerie artyfycer or labourer offending in anie of the aforeſayd articles, to forfait for euery

Forf.

default as oft as they offend twentie ſhillyng. And they to bee conuicted for euerie ſuch default by preſentment afore the Juſtices of peace, in the ſeſſy-

Preſentmẽt Juſt. of p.

ons, according to the common lawe, or by examination of the Juſtice in the ſame Seſſions, or by examinatyon of two Juſtices of peace, out of the ſeſſyons in anie place wythin the Shire, wherein they been Juſtices, & where ſuch defaults ſhalbe made.

And that the ſayd forfeyture of twentie ſhillynges, to bee leuyed of their landes, goods and cattels ſo offrding. And furthermore where dyuers artificers and labourers, retayned to worcke and ſerue, waſte moſt part of

Idlenes Loſing of time

the day and do not deſerue their wages, ſometime in late cõming to their worcke, earlie departyng therefro, long ſitting at their breakfaſt, at their dinner and at their noone meat, and long

Sleeping

tyme of ſlẽping after noone, to the loſſe and hurt of ſuch perſones, as the ſayd artificers and laborers been retayned within ſeruice: It is therefore enacted &c. that euery artificer and laborer be at worcke betweene the midſt of the moneth of March, and the midſt

March Septẽber Time to worke

of the moneth of September, before fiue of the cloche in the morning, and that he haue but half an hower for his breakfaſt, and an hower and an halfe for his dinner, at ſuch ſeaſon as he hath time for ſlẽpe to him appoynted by ẏ ſayd eſtatute, and at ſuch time as it is herein appoynted, that hee ſhall not ſlẽpe, then hee to haue but an hower for hys dinner and halfe an hower for

his noone meate, and that hee depart not frō his woꝛke betweene the mydſt of the moneth of March and September, till betweene .vj. and eyght of the clocke in the euening, And if they oꝛ any of them offend in anie of theſe articles, that then their defaultes to bee marked by him oꝛ hys deputie, that ſhall pay their wages, & at the weekes end to bee abated of ſuch rate of tyme as they haue offended. And that from the midſt of September, to the mydſt of Marche, euerie artificer and labourer be at their woꝛke in the ſpꝛingyng of the day, and depart not tyll nyght of the ſame day, and that the ſaid artyficers & laboꝛers ſlæpe not by day, but onely from the midſt of the moneth of Maie, vnto the midſt of Auguſt.

Sleping time
May
Auguſt

And it is enacted by ẏ ſame authoritie, that if anie artyficer oꝛ laboꝛer retayned in ſeruice with any perſonne foꝛ buylding oꝛ reparation do aſſaut oꝛ make oꝛ cauſe to be made any aſſēble to aſſault, harme oꝛ hurt anie perſon aſſigned to comptrolle oꝛ ouerſee them in their woꝛking, that he oꝛ they ſo offending, haue impꝛiſonment foꝛ a yere without letting to baile oꝛ mainpꝛiſe, and furthermoꝛe to make fine at the kinges will. The ſame aſſemble oꝛ aſſaut to be tried by examinatiō beꝛe the Juſtices of peace, as is aloꝛeſaid. This act to begin & take effect at the feaſt of Whytſontide nert comming & in ẏ meane time the ſame to bee pꝛoclaimed in euery good citie, boꝛough, & towne of this reaime. Pꝛouided alway ẏ thys act ne anie thyng therein conteined, ertēd not ne bee pꝛeiudicial to anie perſon oꝛ perſonnes foꝛ mining oꝛ digging foꝛ any coale called ſea cole, otherwiſe called Smithes cole, oꝛ foꝛ making of any glaſſe. Pꝛouided alway ẏ this act oꝛ any thing therein conteined, ertend not ne in anie wyſe be hurtfull oꝛ pꝛeiudiciall to anie myners, woꝛkers, oꝛ laboꝛers of Tinne, Leade, Iron oꝛ Siluer, oꝛ foꝛ any wages taking about the digging, ſettyng oꝛ fynding of the ſame mettalles: thys act oꝛ any thing therein contained not withſtanding. Anno. 6. H. 8. ca. 3. and An. 7. H. 8. cap. 5.

Aſſault
Impꝛiſon
Mainpꝛiſe
Fine
Triall
Juſt. of p.
Mynes
Sea cole
Glaſſe
Tinne
Lead
Iron
Siluer

36 ¶ Al and euery of the ſaid artificers (s. free maſons, rough maſons, boꝛykelayers, carpenters, Joyners, karuers, plaiſterers, barbers, tylers, billers, plummers, glaſiers) laboꝛers, and their ſaid appꝛentices, & ſeruants woꝛking within the ſayd citie (s. of London) oꝛ within the libertie of the ſame, from henceforth may take foꝛ their wages lyke wages as they dyd take beforе the ſayd eſtatut (s. Ann. 6. H. 8. ca. 3. beforе. 35.) had oꝛ made, the ſame foꝛmer act not withſtanding.

Artificers
London
wages

And if the ſaied artificers and their appꝛentices, woꝛke out of the ſayd citie of London & the libertie & franchiſes of the ſame, that then they and euerie of them, take but onelie ſuch wages, as is compꝛiſed in the ſaid foꝛmer ſtatute. And alſo that all ſuch artificers and labourers, as ſhall from henceforth woꝛke wīn the ſame citty & libertie of the ſame, in the kynges woꝛkes, that they noꝛ none of them, take anie moꝛe wages but as it is expꝛeſſed in the ſaid foꝛmer ſtatutes. And that the penaltie compꝛiſed in the ſayd foꝛmer ſtatute, ertend not but onlie to the taker, & not to the gæuer, the ſayd foꝛmer act notwithſtanding. Anno. 7. H. 8. capitulo. 6.

Appꝛētices

37 ¶ No perſō noꝛ perſons occupying oꝛ vſing, oꝛ that hereafter ſhall occupie oꝛ vſe anie of the artes, miſterries, occupations, crafts oꝛ ſciences of a clothmaker, fuller, ſhereman, weauer, tayloꝛ oꝛ ſhoomaker ſhal after ẏ feaſt of Pentecoſt nert commyng, hire oꝛ retaine to woꝛke in anie of their artes, miſteries, occupations, crafts oꝛ ſcyences, any perſō oꝛ perſons vnmaried as a iorneyman, ẏ is to ſay, to woꝛke oꝛ labour by the day, oꝛ tayle woꝛke, oꝛ by ẏ great, oꝛ foꝛ any time oꝛ terme vnder the time oꝛ terme of one whole quarter of one whole yeare. And that no per-

Artificers
Vnmaried man
Journeyman
yere

no person or persons vnmaried, shalbe hired or reteined vnto any of the persone or persons aforesaid, to worke in anie of the artes, misteries, occupatyons, craftes or sciences aforesaid, for anie lesse tyme then for the space of one whole quarter of one whole yere, vpon paine of euerie person offending contrary to this statute to suffer imprisonment for one whole moneth, without baile or mainprise, & to forfait for euerie such offence xl.s. And bee it &c. that euerie iorneyman of anie the craftes, occupations or misteries aforesaid, bee ing required by any person or persones vsing ỳ misteries, occupatiõs, craftes, or sciences aforesaid, or anie of them, to serue by ỳ quarter of the yere, halfe yere or whole yere, vpon such reasonable wages as betweene them shalbee agreed, and in case where the partyes cannot accord then for such wages as shalbe abridged & decreed by one Iustice of the peace, Maior, Alderman, Baylyfe, portreeue, constable, or tythingman of the shire, Citie, Towne, Borough, village, hundred, wapentake, or tything, where anie iourneyman shalbe required to serue as is aforesaid, and thereuppon if such iorneyman refuse to serue in maner & forme abouesaid, that then euery such iorneyman and euerie of them so refusyng to serue as is abouesaid, shall suffer imprisonment by the space of one whole moneth, & shall at euery time so refusing forfait xx.s. And be it &c. that all & euery person or persons that shal haue three apprentices in anie of the sayd craftes, misteries or occupations, shall retaine & kéepe one iourneyman, & for euery other apprentice aboue the nũber of the sayd three apprentices, one other iourneyman, vpõ paine for euerie default tenne pound, the one halfe of the which forfaitures shalbee to the king, and the other halfe to such persõ or persons as will sue for the same in anie of the kynges courtes of record by byll &c. in wheych &c. And it is &c. that all & singuler the offences aboue sayd, which shalbe hereafter committed or done contrarie to the tenour of this present act shalbe inquirable and presentable before the Iustices of oyer and determyner, Iustices of assises, iustices of peace, and in all and euerie léete or léetes, before the steward or stewards there, and before any Maior bayllife, or other head officer of anie citie, towne or borough corporate, and that the sayd iustices, steward, Maior, baylyfe, or other head officer, shal haue full power and authoritie from time to time, to punish and correct all and euery person and persones offendinge contrarie to the tenour of thys present act, according to such presentment or presentmentes, as before hym or them shalbee had or made.

Quarter of a yere

Imprison

Fyne

Journeyman

Iust. of p. Maior Alderman Bailife Constable

Refuse

Imprison

Fork. Moitie

3. apprẽtiez

One iourneyman

Fork. Moitie

Punish

Prouided alwayes and bee it &c. that all seruauntes of husbandrie vnmaried, and which haue not bene maried, and all seruantes and labourers vsing to labour in barges, commonlie called westerne barges which are not nor haue ben maried, shal after ỳ feast of the Annũtiation of our Lady next comming, serue by the whole yere, & not goe by the day wages, vpon payne of such punishment, as is contained in the statutes made against labourers, and that al such seruauntes shall after the said feast, geue their master and maistres a quarters warning, against his or their departure out of seruice, vpon the like paine contained in the sayd statut. An. 3. E. 6. ca. 22.

Vnmaried men

Bargemen

Warning

38 ¶ Be it therfore enacted &c. that as much of all the statutes heretofore made, and euerie braunch of them as touch or concerne the hiring, kéepyng, departyng, woorkyng, wages or order of seruants, woorkmen, artificers, apprentices or laborers or anie of thẽ and the penalties and forfaitures concerning the same, shalbe from and after the last day of September next ensuing repealed and vtterly void and of none effect, & that all the said statutes

Repealed

and euerie braūch therof, for any matter conteyned in them, and not repealed by this statute shal remaine and be in full force and effect, anie thyng in this statute to the contrarie notwythstanding. And be it &c. that no manner of person or personnes after the aforesayd last day of September now next ensuing, shall retaine, hire, or take into seruice, or cause to bee reteyned, hyred or taken into seruice by any means or colour, to worke for anie lesse time or terme then for one whole yeare, in any of the sciences, craftes, misteries, or artes of clothiers, wollen cloth weuers, Tuckers, Fullers, Clothworkers, sheremen, Diers, Hosiers, Tailours, Shomakers, Tāners, Pelterers, Bakers, Brewers, Glouers, Cutlers, Smiths, Ferrors, currriers, Sadlers, Spurriers, Turners, Cappers, Hatmakers, or Feltmakers, Bowyers, Fletchers, Arrowhedmakers, Butchers, Cookes, or Millers.

Reteine in to seruice

Yere
Sciences
Crafts
Artificers

And be it further enacted, that euerie person being vnmaried, and euerie other persō being vnder the age of xxx. yeares, that after the feast of Easter next shall marrie, and hauyng beene brought vp in anie of the sayd artes, craftes, or sciences, or that hath vsed or exercised anie of them by the space of three yeares or more, and not hauyng landes, tenements, rentes, or hereditaments, copyhold or freehold of one estate of inheritance, or for terme of anie life, or lines, of the cleare yearelie value of xl.s. nor beeing worth of hys owne goods the clere value of x.li. and so allowed by ii. iustices of the peace of the countie where he hath most commonlie inhabyted by the space of one whole yere, and vnder their handes and seales, or by the Maior or other hed officer of the city, borough or towne corporate, where such person hath most commōly dwelled by the space of one whole yere, & two Aldermen or two other discrete Burgesses of the same Citie, borough, or towne corporate if there bee noe Aldermen vnder their handes & seals, nor being retained with any person in husbandrie, or in anie of the aforesaid artes and sciences according to this statute, nor lawfullie retained in any other arte or science, nor beeyng lawfullie retayned in household, or in anie office with anie noble man, gentleman, or others, according to the Lawes of this Realme, nor hauyng a conuenyent terme, or other holdyng in tyllage, whereuppon hee maie emploie hys labour, shall duryng the time that hee or they shall so bee vnmaried, or vnder the sayed age of xxx. yeares, vppon request made by anie personne vsing the arte or misterie wherein the said personne so required hath beene exercised, as is aforesayd be reteined, and shall not refuse to serue according to ỳ tenor of this statute, vpon the paine & penaltie hereafter mencioned. And be it futher enacted, that no personne wlych shall retayne anie seruaunt, shall put awaie his or her sayd seruaunt, and that noe person retayned according to this statute, shall depart from hys master, maistres, or dame, beefore the end of his or her terme, vpon the paine hereafter mencioned, vnlesse it be for some reasonable and sufficiēt cause or matter, to bee allowed before two iustices of peace, or one at the least, within the sayd Countie, or beefore the Maior or other chiefe officer of the city, borough or towne corporate, wherein the sayd master, maistres, or dame inhabiteth, to whom anie of the partyes greeued shall complaine, wlych sayd Justices or Justice, Maior or chiefe officer, shal haue & take vpō him or them the hearing and orderyng of the matter, betwyxt the sayd master, maistres, or dame, and seruaunt, according to the equitie of the cause. And that noe such master, maistres, or dame, shal put away anie such seruaunt at the end of his terme, or ỳ anie such seruant shall depart from his said master, maistres or dame

Husbandry

30. yeres old

Refuse

Put away

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Iust. of p.

Maior

warning

or dame, at the end of his terme without one quarters warnyng geuen before thend of hys ſaid terme, either by the ſaid maſter, maiſtres, or dame or ſeruaunt, the one to the other, vpō the paine hereafter enſuing.

And bee it further enacted by the authoritie aforeſayd, that euerie perſon betweene the age of rij. yeares and the age of three ſcore yeares, not being lawfully reteined, nor apprentice with any fiſhermā or Mariner hauntyng the ſeas nor being in ſeruice with anie bidder or carrier of any corne, graine, or meale, for prouiſion of ỹ citie of Lōdon, nor with any husbandmā in husbandry, nor in any Citie, Towne corporate or market towne, in anie of the artes or ſciences limitted or appointed by this eſtatut to haue or take apprentices, nor beeing retained by the yeare or halfe yeare, at the leaſt, for the diggyng, ſeekyng, fyndyng, gettyng, meltyng, fyning, worcking, tryyng, making of any Siluer, Tinne, Lead, Iron, Copper, Stone, Sea cole, ſtone cole, Wood cole, or Cherke cole, not beeyng occupyed in or about the making of any glaſſe, nor being a gentleman borne, nor being a ſtudent or ſcoller in any of ỹ vniuerſities, or in anie ſcoole, nor hauing lands, tenementes, rents, or hereditamentes for terme of life, or of one eſtate of inheritaunce, of the clere yerely value of .rl.s. nor being worth in goodes and cattalles to the value of .r.li. nor hauyng a father or mother their lyuing, or other auncеſtour whoſe heire apparant he is, then hauing lands, tenements or hereditaments of the yerely value of .r.li. or aboue, or goodes or cattels of the value of rl.li. nor being a neceſſary or conuenient officer or ſeruant lawfully reteined as is aforeſaid, nor hauing a cōuenient ferme, or holding, whereupon he may or ſhall employ his labour, nor being otherwiſe lawfully reteined according to ỹ true meaning of this ſtatute: ſhall after the foreſayd laſt daie of September nowe nert enſuing by vertue of this eſtatute, be compelled to be retayned to ſerue in huſbandrie by the yere, with any perſon that keepeth huſbandrie, & wil require anie ſuch perſon ſo to ſerue within the ſame Shire where he ſhalbe ſo required. And bee it further enacted that if any perſonne after hee hath reteyned anie ſeruaunt ſhall putt awaie the ſame ſeruaunt before the end of hys terme, vnleſſe it bee for ſome reaſonable and ſufficient cauſe to be allowed as is aforeſayd, or if anie ſuch maſter, maiſtres or dame ſhal put away any ſuch ſeruaunt at the end of hys terme, wꝫout one quarters warning geuē before the ſayd ēd, as is aboue remēbred: that then euery ſuch maſter, maiſtres, or dame ſo offēding, vnleſs he or they bee able to prooue by two ſufficient witneſſes ſuch reaſonable & ſufficiēt cauſe of putting away of their ſeruant or ſeruants during their terme, or a quarters warnyng geuen afore the end of the ſaid terme, as is aforeſaid, before the iuſtices of oyer and terminer, iuſtices of aſſiſe, iuſtices of ỹ peace in the quarter ſeſſiōs, or before the Maior or other head officer of anie citie, borough or towne corporat, & two aldermen, or .iij. other diſcrete burgeſes of ỹ ſame citie, borough or towne corporate, if there be no Aldermen, or before the lord preſident & counſell, eſtabliſhed in the marches of Wales, or before the Lord preſident & counſell for ỹ time being eſtabliſhed in the North parties, ſhal forfait the ſumme of rl.s. And if any ſeruant reteined according to the forme of this eſtatut, depart frō his maſter, maiſtres, or dames ſeruice before the end of his terme, vnleſſe it be for ſome reaſonable & ſufficiēt cauſe to be allowed as is aforeſaid, or if anie ſeruant at the end of his terme depart frō his ſaid maſter, maiſtres or dames ſeruice, without one quarters warnig geuen before the end of his ſaid terme in forme aforeſaid, & before .ii. lawfull witneſſes, or if any perſon or perſones

.rij. yeres old
.lx. yeres old
Mariner
Bidder
Husbandman
Mynes
Glaſſe
Gentlemen
Student
Scholler
40.s. land
Goods
Father or mother
Heire apparant
Ferme
Serue
Put away
warning
witneſſes
Iuſtices
Iuſt. of p.
Quarter Seſſions
Maior
L. preſident
Forf.
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warning

compellable & bounden to be retayned & to ſerue in huſbandry or in any other the arts, ſcie̅ces, or myſteries aboue remembred, by the yere or otherwiſe, do (vpon requeſt made) refuſe to ſerue for the wages that ſhalbe limitted, rated, and appointed, according to ỹ fourme of this eſtatut, or promiſe or couenant to ſerue, and doe not ſerue according to the tenour of the ſame, that then euery ſeruant ſo departing away, and euerie perſon ſo refuſing to ſerue for ſuch wages, vpon complaint therof made by ỹ maſter, maiſtres, or dame, of the ſayd ſeruant, or by the party to or with whō the ſaid refuſal is made, or promiſe not kept, to ij. Juſtices of ỹ peace of ỹ coũty, or to the maior or other head officer of the city, bozough, or towne corporat & ij. Aldermē, or ij. other diſcrete burgeſſes of the ſame Citie, Bozough or towne corporat, if there be no aldermē wher ỹ ſaid maſter, maiſtres, or dame of ỹ ſaid partie, to or wō whom the ſaid refuſal is made, and promiſe not kept dwelleth, or to eyther of the ſaid lordes preſidents and counſel of Wales, and the North, ỹ ſaid iuſtices, lordes preſidents and counſels, and alſo the ſayd Maiors, as other head officers, & other perſons of cities, boroughs, or townes corporat, or any of thē as is aforeſaid, ſhal haue power by force of this ſtatut to heare and examine the matter, and finding the ſaid ſeruāt, or the ſaid partie ſo refuſing, faulty in the premiſſes, vpon ſuch proues and good matter, as to their diſcretions ſhalbe thought ſufficiēt, to commit him or thē to ward there to remaine wout baile or mainprize, vntil the ſaid ſeruant or party ſo offending, ſhalbee boũd to the party to whom thoffence ſhalbe made, to ſerue and continue with him for the wages ỹ then ſhalbee limitted and appoynted according to the tenour and fourme of this eſtatute, and to be diſcharged vpō his deliuery, without paying any fee to the gaiſler, where hee or they ſhalbee ſo impriſoned.

Refuſe

Examin

Impriſon
Mainprize

No fee to the gaiſor

And bee it likewiſe enacted, ỹ none of the ſayd retained perſonnes in huſbandry, or in any the artes or ſciences aboue remembred, after their time of his reteinour erpired, ſhal depart forth of one Citie, Towne or Parish to any other, nor out of the Lathe, Rape, Wapentake or hundred, nor out of ỹ countie or Shire where hee laſt ſerued, to ſerue in any other Citie, Towne corporate Lathe, Wapentake, Hundred, ſhire or county, vnleſſe he haue a teſtymonial, vnder the ſeale of the ſaid city, or towne corporate, or of the conſtable or Conſtables, or other head officers, and of two other honeſt houſholders of the Citie, Towne, or parish where he laſt ſerued, declaring his lawful departure, and the name of the ſhire and place where he dwelled laſt before his departure, according to ỹ forme hereafter erpreſſed in this act, which certyficat or teſtimonial ſhalbe written and deliuered vnto the ſayd ſeruaunt, and alſo regiſtred by the Parſon, Vicar, or Curate of the parish where ſuch maſter, maiſtres, or dame, doth, or ſhall dwel, takyng for the doing therof. ii. d. and not aboue, and the fourme thereof ſhalbe as followeth. Memorand, that A. B. late ſeruaunt of C. D. of E. huſbandman, or Taylour &c. in the ſayd County, is licenced to depart from his ſayd maſter, and is at his libertie to ſerue els where, according to the Statute in that caſe made and prouided. In witneſſe whereof &c. Dated ỹ day, moneth, yeare and place &c. of the makyng thereof.

Depart frō one towne to another

Teſtimoniall

Conſtable

Vicare
Curat

Fourme

And bee it further enacted by ỹ authoritie aforeſaid, that no perſō or perſons ỹ ſhal depart out of ſeruice ſhall bee reteined or accepted into any other ſeruice, without ſhewing before hys reteinour ſuch teſtimonial as is aboue remembred, to the chiefe officer of the towne corporat, & i euery other towne and place, to the Conſtable, Curate, Churchwarden or other head officer of the ſame, where hee ſhalbee retayned to ſerue,

Reteined

Conſtable
Curat
Churchwarden

to ſerue, vpon ẏ paine that euerie ſuch ſeruaunt ſo departyng wythout ſuch certificat or teſtimonial, ſhalbe impriſoned vntill he procure a teſtimonyall or certificat, the which if he cannot do within the ſpace of xxi. daies next after the firſt day of his impriſonment, thē the ſaid perſon to be whipped and vſed as a vacabond, according to the lawes in ſuch caſes prouided. And that euerie perſon retaynyng anie ſuch ſeruaunt without ſhewing ſuch teſtimonial, or certificat as is aforeſayd, ſhall forfayt for euerie ſuch offence fiue poundes. And if anie ſuch perſon ſhalbee taken wyth anie counterfayt or forged teſtimoniall, then to bee whipped as a vacabond.

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xxi. Daies

Whip Vagabond

Forf.

Forged teſtimonial whip

And bee it further enacted by thauctoritie aforeſaid, that al artificers and labourers, beeing hyred for wages, by the day or weeke, ſhall betwyxt the midſt of the monethes of March and September, bee and continue at their worke, at or before fiue of the clock in the morning, and continue at worke, and not to depart, vntill betwixt ſeuen and eight of the clocke at night (except it be in ẏ time of breakfaſt, dinner, or drinking) the which time at the moſt ſhall not exceede aboue two howers & a halfe in the day, that is to ſay, at euerie drinking, one halfe howeer, for hys dinner one howeer, & for his ſleepe whē hee is allowed to ſleepe, ẏ which is frō the midſt of Maie, to the midſt of Auguſt, halfe an howeer at the moſt, and at euery breakfaſt one half howeer, and all the ſayd artificers and labourers, betwene the midſt of September, and the mydſt of March, ſhalbee and continue at their worke from ẏ ſpring of the day in ẏ morning, vntil the nyght of the ſame day, except it be in time afore appointed for breakfaſt and dynner, vpon paine to loſe and forfayt one peny for euery howers abſence, to bee deducted and defaulked out of his wages that ſhall ſo offend.

Artificers Labourers

March September

Time of worke

Sleeps

May Auguſt

Fayt.

And be it alſo enacted by the auctho-

ritie aforeſayd, that euery artificer and labourer that ſhall bee lawfully retey-ned, in or for the buylding or repairing of any Church, Houſe, Shippe, Mill, or any other peece of woorke taken in great, in taſke, or in groſſe, or that ſhal hereafter take vpon him to make or fi-nyſh anie ſuch thyng or woorke, ſhall cōtinue and not depart from the ſame vnles it bee for not paying of his wa-ges or hire agreed on, or otherwiſe law fully taken or appointed to ſerue the quēnes maieſty, her heires or ſucceſ-ſors, or for other lawful cauſe, or wout licence of the maiſter or owner of the woorke, or of him that hath the charge thereof, before the finiſhing of the ſaid woorke, vpon paine of impriſonmēt by one moneth wout baile or mainprize, & ẏ forfaiture of ẏ ſumme of .v. poūdes to the party from whom he ſhal ſo de-part, for the which the ſaid partie may haue hys accyon of debt againſt hym that ſhal ſo depart in any of ẏ quenes maieſties courtes of record, ouer and beſydes ſuch ordinarie coſtes & dama-ges, as may or ought to bee recouered, by ẏ common lawes for or cōcerning any ſuch offence. In which accion, no protection, wager of lawe, or eſſoine, ſhalbe admitted. And that no other ar-tificer or laborer reteined i any ſeruice to worke with the Quēnes maieſtie, or anie other perſon, depart not from her ſaid maieſtie, or frō the ſayd other perſon, vntil ſuch time as the woorke be finiſhed, if the perſon ſo retayning, the artificer or laborer ſo long wyll haue him and pay him hys wages or other duties, vppon paine of impriſonment of euery perſon ſo departing by ẏ ſpace of one moneth.

Artificers Labourer

Taske

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Impriſon Wayle Forf.

Damages

Quenes ſeruice

Woorke finiſhed

Impriſon

And be it &c. that the iuſtices of peace of euery ſhire, riding, and liberty with in the limits of their ſeueral commiſſi-ons, or the more part of them, beeing then reſiant within the ſame, and the Sherife of that Countie, if he conue-niently may, and euerie Maior, Bay-liffe or other head officer wythin anie

Juſt. of p.

Shirife Maior Bailife

Cittie, or towne corporate wherein is anie Iuſtice of peace within the limits of the ſayd City or towne corporate, & of the ſaid corporation, ſhal before the tenth day of Iune next comming, and afterward ſhall yerely at euerie generall ſeſſions, firſt to be holden and kept after Eaſter, or at ſome time conuenient within fiue weekes next following euerie of the ſaid feaſt of Eaſter, aſſemble themſelues together, and they (ſo aſſembled) calling vnto them ſuch diſcréete and graue perſons of the ſayd countie, or of the ſayd citie or towne corporate as they ſhal thinke meete, and conferring together reſpecting the plenty or ſcarcity of the time, and other circumſtances neceſſarily to bee conſidered, ſhall haue authoritie by vertue hereof within the limyttes and precinctes of their ſeuerall commyſſions, to limitte, rate, and appoynt the wages, aſwell of ſuch and ſo manie of the ſayd artificers, handy crafts men, huſbandmen, or anie other labourer, ſeruant or workmen, whoſe wages in tyme paſt hath been by anie lawe or ſtatute, rated and appointed, as alſo the wages of all other labourers, artificers, workmē, or apprentices of huſbandry, which haue not been rated, as they the ſame iuſtices, Maiors, or head officers within their ſeueral commiſſions or liberties, ſhall thinke meete, by their diſcretiōs to be rated, limitted or appoynted, by the yeare, or by the day, weeke, moneth, or otherwiſe, wᵗ meate and drynke, or without meate and drynke, and what wages euerie workeman and labourer, ſhall take by the great, for mowyng, reapyng, or threſhing of Corne and graine, and for mowyng or makyng of hey, or for dyching, paling, rayling, or hedging, by the rodde, pearche, lugge, yarde, pole, rope, or fote, and for anie other kynd of reaſonable labours or ſeruice, and ſhall yerely beefore the xii. daie of Julie, next after the ſaid aſſeſſement & rates ſo appointed & made, certifie the ſame, ingroſſed in parchment with the conſiderations & cauſes thereof, vnder their handes and Seales, into the queenes moſt honorable court of chaū cery, whereupō it ſhalbe lawfull to the lord chauncellour of England or lorde keeper of the great ſeale for the tyme beeyng, vppon declaration thereof, to the Queenes maieſtie, her heirs or ſucceſſors, or the lords, & other of ỳ priuie counſell, for the time being, attendant vpon their perſons, to cauſe to be printed and ſent downe beefore the firſt day of September next after the ſaid certificat, into euery county, to the ſherife & iuſtices of peace there, and to the ſaid Maior, bailifs, & head officers, x. or xij. proclamations or more, conteining in euery one of thē, the ſeuerall rates appointed by the ſaid iuſtices, and other head officers as is aforeſaid, with cōmandement by the ſaid proclamatyons to all perſones in the name of the Queenes maieſtie, her heires or ſucceſſours, ſtraightly to obſerue the ſame, and to all Iuſtices, ſheriffes, and other officers, to ſée ỳ ſame duely & ſeuerally obſerued, vpon the danger of ỳ puniſhment and forfaitures limitted and appointed by this eſtatut. Vpō receipt whereof, the ſayd ſheriffes, iuſtices of peace, and the Maior and head officer in euerie citie or towne corporate, ſhal cauſe the ſame proclamation to be entred of record, by the clerke of ỳ peace, or by the clerk of the city or towne corporate, and the ſayd ſheriffes, Iuſtices, and other the ſayed Maior and head officers, ſhall forthwith in open markettes, vppon the market daies beefore Michaelmas then enſuing, cauſe the ſame proclamation to bee proclaymed in euery city or market towne wᵗin the limits of their commiſſiō, and ỳ ſame proclamation to be fixed in ſome conuenient place of the ſaid city & townes, or in ſuch of the moſt occupied market townes, as to the ſaid ſherifs, iuſtices of peace and to the ſayd Maior & head officer ſhalbe thought meete.

Generall ſeſſions

Appointing of wages

Certifie

Chauncery

L. chācelor

Printe

Shirife Iuſt. of p. Maior Bailifes Proclamations

Obſerue

Shirife Iuſt. of p. Maior

Record Clerk of p.

Proclaime

And

Shirifs Juſt. of p. Maiors Gnerall Sellyons

And if the ſayed Shiriſes Juſtices of peace, or the Maiors & head officers ſhal at their ſaied generall Sellyons or at any time after within ſixe weks then folowing, vppon their aſſembly and conference together thinke it conuenient to retayne and keepe for the yeare then to come, the rates and proporcion of wages, that they certyfied the yeare beefore, or to chaunge or reſourme them, or ſome parte of them, then they ſhal beefore the ſaid twelfthe day of July, yearely certyfie into the ſayed Court of Chauncerie their reſolutions and determinations therein, to the intent that proclamation may accordingly be remued and ſet downe. And if it ſhal happen that there bee no need of any reformation or alteration of the rates of the ſaid wages, but that the former ſhalbe thought meete to be continued, then the proclamations for the yeare paſt, ſhal remaine in force, vntil new proclamations, vppon new rates concerning the ſaid wages, ſhall be ſent downe according to the forme of this eſtatut.

Chaunge

Certifie Chauncery

And be it further enacted by auctoritie of this preſent Parliament, that if the ſaied Juſtices of peace, reſiaunt within the Counties, where they are or ſhallbee Juſtyces of peace, Maiors and head officers doo not beefore the tenth day of June next comming, and afterward, perely appeare and aſſemble at the ſayed generall Sellions, or within ſixe weekes next after the ſaid generall Sellion, and lymitt, and rate the wages of the ſaied ſeruaunts and Labourers, or ſhal not conſider where the former rates made be meete to be continued, or to be altered and reſourmed in maner and fourme aforeſayed or bee negligent, or remiſſe in the certificat therof, in fourme aboue writtē, that then euery Juſtice of peace of the Counties, and euery Maior and head officer of the citie or towne corporat in whom any ſuch default or negligence ſhallbee found, beeyng within the ſayed countie, citie, or towne corporat, at the time of the ſayd next aſſembly, or at the time of the ſayd Seſſions, or at the times of the ſaid rates of wages to be ſet, within ſixe weekes next after euery ſuch Sellyons and not viſited with any ſuch ſickenelle, as hee could not trauel thither wythout peril and daūger of his life, or not hauyng any other lawefull and good excuſe to bee allowed by the Juſtices, then aſſembled for the rating and taxing of wages as is aforeſaid, or by the more part of them, vppon a corporall othe and affidauit to be taken & made openly beefore the ſayed Juſtyces vppon the holy Euangelyſtes, by ſome credible perſone, aſſeſſed and tared in the booke of Subſidie in that Countie to the cleare value of fiue poundes at the leaſt, or by ſuch other perſone as the moſt part of ſuch Juſtyces ſhall allowe and accept to take ſuch othe, ſhall for ſuch default or negligence, forfayt vnto the Queenes maieſtie, her heires and ſucceſſours, ten pounds of lawful money of England.

Juſt. of p. Maiors

Negligent

Juſt. of p. Maior

Sickues

Excuſe

Oth Affidauit

Forf. £ 8

And be it further enacted by the auctoritie aforeſaid, that if any perſonne after the ſayed proclamation ſhallbee ſo ſent downe, and publiſhed, ſhall by any ſecret waies or meanes, directly or indirectly, retayne, or keepe any ſeruaunt, woorkeman or labourer, or ſhal gene any more, or greater wages or other commoditie, contrary to the true entent and purport of thys Statut, or contrary to the rates or wages that ſhallbe aſſeſſed or appointed in ỹ ſayed proclamations, that then euery perſonne that ſhall ſo offend, and bee thereof lawefully conuicted beefore any the Juſtices, or other head officers aboue remembred, or either of the ſaid Preſidents and Councelles, ſhal ſuffer impriſonment by the ſpace of tenn dayes, without baile or mainprile, and ſhal loſe and forfait fiue poūds of lawful money of Englād. And that euery perſonne, that ſhalbee ſo retayned and take

Greater wages

Impriſon Baile Forf.

take wages contrarie to this estatute, or any braunche thereof, or of the sayd proclamation, and shalbe thereof convicted before the Justices aforesaid, or any two of them, or before the Maior or other head officers aforesaid, shall suffer imprisonmēt by the space of xxi. daies, without baile or mainprise. And that euery reteyner, promise, gift, or payment of wages, or other thinge whatsoeuer, contrary to the true meaning of this estatute, and euery writyng and bonde to bee made for that purpose, shalbe vtterly void & of none effect.

Connict

Imprison Baile

Writing Void

And be it enacted by the auctoritie aforesaid, that if any seruant, workeman or labourer shal wilfully or maliciously make any assault, or affray vpon his master, maistres, or dame, or vpon any other, that shall at the tyme of such assault or affray, haue ỳ charge or ouersighte of any such seruaunt, workman, or labourer, or of the worke wherein the said seruant, workeman, or Labourer is appointed or hyred to worke, and being therof connicted before any two of the iustices, Maior, or head officer aforesaid where the saied offence is committed, or before either of the sayd lordes presidents, & counsel before remembred by confession of the said seruaunt workeman, or labourer, or by the Testimony witnes and othe of two honest men, that then euery such offendor, shall suffer imprysonmēt by the space of one whole yere or lesse, by the discretiō of the two iustices of peace, if it be without a towne corporat, & if it bee within any towne corporat, by the discretiō of the Maire or head officer of the same towne corporat, with two others of the discreetest persons of the same corporatiō at ỳ least. And if the offence shal require further punishment, then to receyue such other open punishment so as it extend not to life, nor limme, as the Justices of peace in open Sessions, or the more part of thē, or ỳ saied Maior, or head officer, & fyue or sower at the least, of the discretest persons of ỳ sāe corporation, beefore whom ỳ offence shalbe examined shal thinke conuenient for ỳ qualitie of the said offence so done & committed.

Seruant

Assault.

Connict

Othe

Imprison

Discretion

Open punishment

Just. of p.

Prouided alwaies and bee it enacted by the auctoritie aforesaid, that in ỳ time of hey, or corne haruest, the iustices of peace, & euery of them, and also the constable or other head officer of euery townethip vppon request, & for the auoiding of the losse of any corne, graine, or hey, shall and may cause all such artificers and persons, as be meet to labour by the discretions of the sayd iustices or constables, or other head officers or by any of them to serue by ỳ day for the mowing, reaping, shering, getting, or inning of corne, graine, & hey, according to the skill and qualitie of the person, and that none of ỳ sayd persons shal refuse so to do vpō paine to suffer imprisonment in the stockes, by the space of two daies, & one night, And the Constable of the towne, or other head officer of the same where ỳ said refusall shalbe made, vppon complaint to him made, shall haue auctority by vertue hereof, to set the said offendour in the stockes, for the time aforesaied, and shall punish him accordingly, vpon paine to lose and forfayt for not doing thereof, the summe of xl. shillinges.

Haruest Just. of p. Constable

Artificers

Refuse · Stocks

Constable

Refuse

Just. of p. Imprison

Forf.

Prouided also, that all personnes of the Counties where they haue accustomed to go into other shires for haruest worke, and hauyng at that time noe haruest woorke sufficient in the same towne nor countie, where hee or they dwelt in the winter thē last past, bringing with him or them a testimonial vnder the hand and seale of one iustice of the peace of the shire, or other head officer of ỳ town or place ỳ he or they came from testifiing the same, for the which he shal pay not aboue one peny, (other then such persones as shalbee retayning in seruice, according to the fourme

Tillage

Husbandry

Houshold Halfplough land

Apprentic

Husbandry

Testimonial

Just. of p.

Indenture

fourme of this statut) may repaire and
resort in harueſt of hey, or corne, from
ỳ counties wherin their dwelling pla-
ces are, into any other place or county,
for the onely mowing, reaping, and
getting of hey, corne, and graine, and
for ỳ only working of harueſt works,
as they might haue done beefore the
making of this eſtatut, any thynge
therin contained to the contrary not-
withſtanding.

Harueſt worke

And be it further enacted by ỳ au-
thoritie aforeſaid, that two Juſtices of
peace, the Maior, or other head officer
of any citie, borough, or towne corpo-
rat, and two Aldermen, or two other
diſcrete Burgeſes of the ſame citie, bo
rough, or towne corporat, if there bee
no Aldermen, ſhall and may by vertu
hereof, appoint any ſuch woman, as
is of the age of xii. yeares & vnder age
of xl. yeares, and vnmaried, and forth
of ſeruice, as they ſhal thinke mete to
ſerue, to bee retayned or ſerue by the
yeare, or by the weeke or day for ſuch
wages, and in ſuch reaſonable force &
maner as they ſhal thinke mete. And
if any ſuch womã ſhal refuſe to ſerue,
then it ſhalbe lawfull for the ſayd Juſ-
tices of peace, Maior, or head officers,
to commit ſuch woman to ward, vntil
ſhee ſhalbee bounden to ſerue as is a-
foreſaid.

Juſt. of ỳ Maior
Aldermen
Women
Seruis
Refuſe
Juſt. of ỳ. Impriſon

And for the better aduancement of
huſbandry & tillage & to ỳ intent ỳ ſuch
as are ſet to be made apprẽtizes to huſ-
bandry may be bounden therunto: Be
it enacted that euery perſon being an
houſholder, and hauing & vſing halfe
a plough land at the leaſt in Tyllage,
may haue and receiue as an apprẽtice
any perſon aboue the age of ten yeres
and vnder the age of xviii. yeres to ſer-
uice in huſbandry vntill his age of xxi.
yeares at the leaſt, or vntil the age of
xxiiii. yeares, as the parties can agree,
and the ſayd reteinour and takyng of
an apprentice, to be made and done by
endenture.

Tillage
Huſbandry
Houſholder
Halfplough land
Apprentice
Huſbandry
Indenture

And be it further enacted that euery
perſon being an houſholder, and xviii. Houſholder
yeres old at the leaſt, dwelling, or in-
habiting, or which ſhall dwell and in-
habit in any Citie or towne corporat, Citie or towne corporat
and vſing and exerciſing any art, miſ-
tery, or manuel occupation there, ſhall Occupation
and may after the feaſt of ſaynt John
Baptiſt next comming, during ỳ time
that hee ſhal ſo dwel or inhabit in any
ſuch Citie or Towne corporat, and
vſe and exerciſe any ſuch art, miſte-
rie, or manuell occupation, haue and
retaine the ſonne of any free man, not
occupying huſbandry, nor beeing a la-
bourer and inhabiting in the ſame, or
in any other Citie or towne, ỳ nowe
is or hereafter ſhalbe, and continue in
corporat, to ſerue and bee bound as
an apprentice, after the cuſtome & or- Apprentice London
der of the Citie of London for ſeuen
yeares at the leaſt, ſo as the terme &
yeres of ſuch apprentice doe not expire
or determine afore ſuch apprẽtice ſhal
be of the age of fower & twenty yeres
at the leaſt.

Prouided alwaies & bee it enacted
that it ſhal not be lawfull to any per-
ſon dwelling in any city or towne cor- Citie Towne corporat
porat, vſing or exerciſing any of the Merchant
miſteries, or crafts of a marchant traf-
ficquing by trafficque or trad, into any
the parties beyond the ſea, Mercer, Dra- Arts
per, Goldſmith, Ironmonger, Imbro-
derer, or clothier, that doth or ſhal put
cloth to making and ſale, to take any
apprentice or ſeruant, to be inſtructed
or taught in any of the artes, occupa-
tions, crafts, or miſteries, which they
or any of them do vſe or exerciſe, except
ſuch ſeruant or apprentice be his ſonne, Apprentice Sonne
or elſe that the father or mother of ſuch
apprentice or ſeruaunt ſhall haue at
the tyme or taking of ſuch apprentice
or ſeruaunt, lands, tenementes, or o-
ther hereditamẽts, of the clere yerely
value of xl.s. of one eſtat of inheritãce 40 s. land
of freehold at the leaſt, to bee certified
vnder the hands and ſeales of iii. Juſ- Certifie Juſt. of p.
tices of the peace, of the ſhire or ſhires
where the ſayed landes, tenementes
or other

or other hereditaments, do or shal lye to the Maire, bailife or other head officers of such citie or towne corporat, & to bee enrolled among the recordes there.

Householder

Market towne

Occupation

Apprentice

Merchant

Arts

Apprentice

Sonne

3. li. land

Certifi. Iust. of p.

Handy-crafts men

Father mother

No lands

Occupy & vse occupation.

And be it further enacted, that from and after the said feast of Saint Iohn the Baptist next, it shalbee lawful to euery person being an housholder, and xxiiii. yeres old at the least, and not occupying husbandry, nor being a labourer, dwelling or inhabiting, or that shal hereafter dwel and inhabit in any Towne not being incorporat, that now is, or hereafter shalbee a market towne so long as the same shalbe weekely vsed and kept as a market Towne and vsing or exercising any art, misterie, or manuel occupation, during the tyme of his abode there, & so vsing & exercising such art, misterie or manuel occupatiõ as is aforesaid, to haue in like manner to apprentice or apprentyces, the child or children of any other artificer or artificers not occupying husbandry, nor being a labourer which nowe doo or hereafter shall inhabit or dwell in the same or in any other such market Towne within the same shire to serue as apprẽtice or apprentices, as is aforerelated, to any such art, misterie, or manuel occupation, or hath ben vsually exercised in any such market towne where such apprentice shalbee bound, in maner & forme aboue said.

Prouided alwaies, and bee it enacted, that it shal not bee lawful to any persone, dwelling or inhabitinge in any such market towne, vsing, or exercising the feat, misteris, or arte of a merchant trafficquing or trading into the parties beyond the Seas, Mercer, Draper, Goldsmith, Ironmonger, Embroderer, or Clothier, that doth or shall put cloth to making and sale, to take any apprentice, or in any wise to teach or instruct any person in y arts, sciences, or misteries last before rehersed after the feast of Saint Iohn Baptist aforesaid: except such seruant or apprentice shalbee his sonne, or else y the father or mother of such apprẽtice, shall haue landes, tenements, or other hereditamentes, at the time of taking such apprentice of the clere yerely value of iii. pounds of one estate of enheritaunce or freehold, at the least, to be certified vnder the handes & seales of iii. Iustices of peace, of the Shyre or shires where the said lands, tenemẽts and other hereditaments, do or shall lie, to the head officers, or head officer of such market towne, where such apprentice or seruant shalbe taken, there to be enrolled by such head officers, alwaies to remaine of record.

And be it further enacted that from and after the sayd feast, it shalbe lawfull to any person vsing or exercising y art or occupation of a Smith, wheelewright, Plowright, Wainright, Carpenter, Rough mason, Playsterer, Sawier, Lyme burner, Brick maker Brickelayer, Tyler, Slater, Helyer, Tilemaker, Linnen weauer, Turner Couper, Pyllers, Earthen potters, Woollen weauer, weauing huswifs, or houshold clothe onely, and none other cloth, Fuller otherwise called Tucker or Walker, Burner of ore, and woad ashes, Thatcher, or Shingler, wheresoeuer hee or they shall dwel or inhabit, to haue or receyue the sonne of any persone as apprentice in manner and fourme aforesayd, to bee taught & instructed in these occupations onely and in none other, albeit the father or mother of any such apprentyce haue not any landes tenements or hereditaments,

And be it further enacted, by y authoritie aforesayd, that after the first day of may next commyng it shal not bee lawfull to any person or persons other then such as nowe doo lawfully vse or exercise any art misterye, or manuell occupation, to sette vp, occupy, vse, or exercise any craft, mystery or occupation, nowe vsed or exercised within the Realme of England or Wales.

Wales

Wales, except hee shall haue beene brought vp therin fourn yeares at the least as apprentice, in maner & forme aboueslayed, nor to set any persone a worke in such mistery, art or occupation being not a workeman at this day

Apprentice

except he shall haue ben apprentice as is aforesaid, or else hauing serued as an apprentice, as is aforesaid, shal or will become a Journeyman or hired by ŷ yere, vpon paine that euery persone willingly offending or doing the contrary shal forfait and lose for euery default .xl.s. for euery moneth.

Journeyman

Forf.

Prouided alwaies, and be it further enacted, by thauctoritie aforesaid, ŷ no person or persõs vsing or exercising the art or mistery of a Woollen clothe weauer, other then such as be inhabyting wtin the Countie of Cumberland, Westmerland, Lancaster, & Wales, weauing Frises, Cottons or hurlwyues cloth onely, making and weauing Woollen cloth commonly sold or to be sold by any clothman or clothier, shall take and haue any apprentice, or shall teach, or in any wise instruct any persone or persones, in the science, art, or occupation of weauing aforesayd in any village, Towne or place, (Cyties townes corporat, and market townes only except) vnlesse such persone be his sõne, or else that the father or mother of such apprentice or seruaunt shall at ŷ time of the taking of such person or persons to be an apprentice or seruãt, or to be so instructed, haue landes and tenementes, or other hereditamentes to the clere yearely value of iii.pounds at the least, of an estate of inheritance or freehold to bee certified vnder the handes and seales of three Justyces of peace, of the shire, or shires where the said landes, tenements, and other hereditaments, do or shal lie. The effect of the indẽture to bee registred within three monethes in the parish where such master shal dwell, and to pay for such registring iiii.d. vpon payne of forfaiture of xx.s. for euerie moneth,

Weuer

Wollẽ cloth

Apprẽtice

Market Townes

Sonne Father & mother

z.li.lands

Just. of p.

Register

Forf.

that any person shall otherwyse take any apprentice, or sette any such person on worke contrary to the meaning of this article.

And be it further enacted, by ŷ authority aforesaid, that al and euery person or persons, that shal haue three apprẽtices in any of the said crafts, misteries, or occupations, of a clothmaker, fuller, Shereman, weauer, tayler or Shoomaker, shal retaine and kẽpe one Jorneman, & for euery other apprentice, aboue the number of the said three apprentices, one other Jornemã vppon paine for euery default therein x.poundes.

z. Apprẽtices

One iourneyman

Forf.

Prouided alwaies, that this act nor any thing therein contayned shall not extend to prẽiudice or hynder any lyberties hertofore graunted by any act of parliament, to or for the company & occupation of Worsted makers, and worsted weuers within the Cytie of Norwich, & else where within ŷ countie of Norfolke, which liberties bee in force vntil the begynning of this present parliament. Any thing therin contained to the contrary in any wise not withstanding.

Worsted makers

And be it further enacted, that if any persõ shalbe required by any householder, hauing and vsing half a plough land, at the least in Tillage, to bee an apprentice, and to serue in husbandry, or in any other kinde of art, misterie or science before expressed, and shal refuse so to do, that then vppon the complaint of such housekeper, made to one iustice of the peace, of the coũty where in the said refusal is or shalbe made, or of such houlholder inhabiting in anie citie, towne corporat, or market town to the Maire, Baillife or head officer of the said citie, Towne corporat, or market Towne, if any such refusall shal there be, they shal haue ful power and authoritie by vertue therof, to sẽd for the same person so refusing. And if the sayd Justices, or the saied Maior or head officer, shal think the said person

Husbãdry

Refuse

Cõplaint

Just of p.

mete

meete and conuenient to serue as an apprentice in the arte, labour, science or mistery, wherin he shalbee so then required to serue: That then the sayed Justice, or the said Maior, or head officer, shall haue power & auctoritie by vertue thereof, if the saied person refuse to be bound as an apprentice, to commit him vnto ward, there to remaine vntil he be cõtented & will be bounden to serue as an apprentice should serue according to the true intẽt & meaning of this present act.

Justice of Maior

Imprison

And if any such master shal misuse or euell intreat his apprentice, or that the said apprentice shal haue ante iust cause to complaine, or the apprentyce do not his duetie to his master: Then the said master, or apprentice, being greeued, and hauyng cause to complaine, shal repaire vnto one iustice of peace, within the sayd Countie, or to the Maior or other head officer of the citie, towne corporat, market Towne or other place where the sayed master dwelleth, who shall by his wisedome and discretion take such order and direccion betweene the sayed master & his apprentice, as the equity of ỳ cause shall require. And if for want of good conformitie in the said master, the said Justice of the peace, or the saied Maior or head officer, cannot compound and agree the matter betweene him and hys apprentice, then the saied iustice or the said Maior or other head officer shal take band of the said master to appeare at the next Session, then to be holden in the saied Countie, or within the said Citie, towne corporat or market Towne, to bee beefore the Justices of the sayed Countie, or the Maior or head officer of the said Towne corporat or market Towne, if the sayed master dwel within any such, and vpon his apparaunce and hearing of the matter beefore the sayed Justices or the sayed Maior or other head officer if it be thought meete vnto thẽ, to discharge the sayed apprentice of his apprenticehode, that then the said Justices, or fower of thẽ at the least, whers of one to bee of the Quorum, or ỳ sayd Maior or other head officer, with the consent of three other of his bretherne or inenne of best reputation wythin the sayed Citie, Towne corporat or market Towne shall haue power by auctoritie hereof, in writting vnder their hands and seales to pronounce & declare, that they haue discharged the sayed apprentice of his apprenticehod, and the cause therof, and the said writting so beeing made and inrolled by ỳ clerke of the peace, or Towne clerke, amongest the records that he kæpeth, shalbee a sufficient discharge for ỳ said apprentice agaynst his maister hys executours, and administratours, the indenture of the sayed apprenticehode or any lawe or Custome to the contrary notwithstanding. And if the default shallbee found to bee in the apprentice, then the sayed Justyces or ỳ sayed Maior, or other head officer, with the assistentes aforesayed, shall cause such due correccion, & punishmẽt to bee ministred vnto him, as by their wisdome & discretions shalbe thought meete.

Quorum

Clerk of p. Towne clerke

Order

Smith

Maister

Justice of Maior

Band to appeare at sessions

Appearãce

Discharge thapprẽtice

Prouided alwaies and bee it enacted by auctoritie of this present parliament, that no persone shal by force or coleur of this estatut, bee bound to enter into any apprenticeshippe, other then such as bee vnder the age of xxi. yeres. And bee it enacted &c. that the Justices of peace of euery countie, deuiding thẽselues in ij. seuerall lymits, and like wyse euery Maior, and head officer of any Citie, or Towne corporat, shall yearely betweene the feast of Saint Michael the Archangel and the natiuitie of our Lord, & betweene the feast of the Annunciation of our Lady, and the feast of the natiuitie of saint John ỳ Baptist by al such waies & meanes, as to their wisdomes shall be thought most meete, make a special and diligent inquiry of the braunches and

xxi. yeres

Justices of peace Maior

Inquiris

and articles of this eſtatut, and of the good executiõ of the ſame & where they ſhall find any defaults to ſee the ſame ſeuerally corrected and puniſhed without fauour, affection, malice, or diſpleaſure.

Juſt. of p. Maior — And it is further ordeined and enacted &c. ẏ euery Juſtice of peace, Maior, or head officer for euery day that hee ſhall ſitte in, and about the execution of this eſtatut, ſhal haue allowed vnto

vs. the day — him v. ſhillings to be allowed and paid vnto him, or vnto ẏ ſaid Maior or head officer, of the fines and forfaitures of the paines and penalties that ſhallbee forfaited & due vnto the quéns maieſtie, her heires or ſucceſſors by force of this eſtatut, in ſuch maner & fourme, as the ſaid Juſtices haue ben hertofore commonly paied, for their comming & charges at the quarter ſeſſion, ſo that the ſitting of ẏ ſaid Juſtices or Maior or head officer, be not at any one time aboue three daies, and for the matters contained in this eſtatut.

Moitie — And be it enacted by auctority afore ſaid, ẏ the one halfe of al forfaitures & penalties, erpreſſed and mencyoned in this ſtatut other then ſuch as are erpreſſely, otherwiſe appointed, ſhallbee to our ſouereaigne Lady the Queenes maieſtie, her heires & ſucceſſors, & the other moity to him or them ẏ ſhal ſue for the ſame in any of the Queenes Maieſties courts of record, or before

Juſtices — any of the Juſtices of oyer & terminer or before any other Juſtices or preſident and councel before remembred,

Accion of debt — by accion of debt, information byll of complaint or otherwiſe in which accions or ſuites, no protection, wager of law, or eſſoine, ſhalbe allowed, & ẏ the

Juſt. of ẏ Quorum — ſayd Juſtices, or two of them, whereof one to be of the Quorum, and the ſaid Preſidents & counſell as is afore ſaid, and the ſaid Maiors, or other head officers of citie, or Townes corporat, ſhal haue full power & auctority to heare

Oier & ter. — and determine all and euery offence & offences, that ſhallbee committed or done againſt this eſtatut, or agaynſt any braunch thereof aſwel vppon indictment to be taken before thẽ, in the Seſſions of the peace, as vppon information, accion of debt, or bil of plaint to bee ſued, or exhibited by any perſõ. And ſhall and may by vertue thereof make proces againſt the defendant, & award execution, as in any other caſe they lawfully may by any the lawes and ſtatutes of this Realme, and ſhall

Proces — yearely in Michaelmas terme certifie

Certifie Eſtrets — by eſtreat the fines and forfaitures of euery the offences contained in thys eſtatut, that ſhalbee found before thẽ,

Eſchequer — into the court of the Exchequer, in like ſort and fourme, as they bee bound to certifie the eſtreates for other offences and forfaitures to bee loſt before them. Anie thing in thys eſtatut contayned to the contrary notwithſtandyng.

Prouided alwaies that this act or any thing therin conteined or mencioned, ſhal not be preiudiciall or hurtfull

London Norwich Liberties — to the cities of London, and Norwich or to the lawful liberties, vſages, cuſtomes or prauiledges, of the ſãe cities, for or concerning the hauing or taking of any apprentice or apprentices, but ẏ the Citizens and freemen of the ſame Cities ſhal and may take haue & retaine apprentices there, in ſuch maner and fourme, as they might lawefully haue done before the making of thys ſtat. This act or any thing therin contained to the contrary in any wiſe notwithſtanding.

Indẽtures Bargaines Apprentice — And bee it alſo further enacted that al indentures, couenaunts, promiſes, and bargaines, of, or for the hauing taking or keeping of any apprentice, otherwiſe hereafter to be made or taken then is by this ſtatut limitted, ordayned and appointed, ſhallbee clearely

Voyd — void in the law, to all intentes & purpoſes, and that euery perſone, ẏ ſhall from hẽceforth take, or newly retaine anie apprentice, contrary to the tenour and true meaning of thys acte,

ſhall

shal forfait & lose for euery apprentice so by him taken, the summe of tenne poundes.

Indenture of apprētice

And be it enacted, by aucthoritie of this present parliament, that all and euery such persō or persons that at any time or tymes frō henceforth shall bee bounden by indenture, to serue as an apprentice, in any art sciences occupation or labourer, according to the tenor of this estatut in maner & forme aforesayed, albeit the same apprentice or any of them, shalbee within the age

within age

of xxi. yeares at the time of making of their seuerall indentures, shal be boūden to serue, for ỳ yeres in their seueral indētures cōtained, as amply & largly to euery entent, as if the same apprentice were of ful age at the time of the making of such indentures. Anie law, vsage or custome to the contrary notwithstanding.

Full age

Prouided alwaies, and bee it enacted by the auctheritie aforesaid, that the inhabitants now dwelling or inhabitting, or that hereafter shal dwell or inhabite within the towne of Godalming, within the county of Surrey wō in the limittes of ỳ watch of the sayed towne, may vse and exercise such arts misteries & occupations, & take & vse apprentices & seruaunts, in such manner & forme as the inhabitants within market townes by this stat. may law fully doo.

Godalming

Apprētices

Prouided alwaies, and bee it enacted by the auctheritie aforesaid, that all maner amerciaments, fines, issues, & forfaitures, which shal rise, growe or come by reason of any offences or defaults mencioned in this act, or anie braunch thereof within any Citie or Towne corporat, shalbe leuied, gathered and receyued by such person or persons of the same citie or towne corporat, as shalbe appointed by the Maior or other head officers mencioned in this said act, to the vse and maintenāce of the same city or towne corporat, in such case and condition, as any maner other amerciamentes, fines, issues, or forfaitures haue ben vsed to be leuyed & imployed, within the same citie or towne corporat, by reasō of any graūt or charter from the Queens maiestie that nowe is, or of any her graces noble progenitours, made & graunted to the same city, borough, or towne corporat, any thing or clause before mencionsd and expressed in this act to the contrary notwithstanding.

Amerciaments

Townes corporat

Maior

Prouided alway, that this act or anything therin contained shal not extend, to any lawefull retaynings or couenants, had or made before ỳ making of this act, but that all and euerie the parties to such retaynings or couenaunts shal and may haue the same & like auauntages of such retainings & couenants, and of the statuts heretofore in that behalfe prouided, as if this act had neuer ben had nor made: Any clause of repeale or other matter what soeuer in this act to ỳ contrary in any wise notwithstanding.

And be it further enacted by ỳ auctheritie aforesaid, that if any seruant or apprentice of husbandry, or of any art, science, or occupation aforesaid, vnlawfully depart or flee into any other shire that it shalbe lawful to ỳ said Justices of peace, & to the said Maiors, bailifes, & other head officers of cities townes corporat, for the tyme being Justyces of peace there to make & graunt writs of Capias, so many and such as shalbe needefull to bee directed to the shirife of the cōtties, or to other head officers of the places, whither such seruauntes or apprentices shall so depart or flee to take their bodies, returnable beefore them at what time shall please them, so that if they come by such proces ỳ they be put in prison til they shal find sufficient suertie, well and honestly to serue their maisters, maistresses, or dames, from whom they so departed or fled, according to ỳ order of the law.

Apprentice of husbādry

Occupation

Depart without licence

Justice of peace

Maiors

Baylifs

Capias

Shirife

Imprison

Suertie

Prouided alwayes, that it shalbee lawefull to the high Constables of hundreds

Constables of hūdreds

hundreds in euerie ſhire, to hold, keepe and continue pety Seſſions, otherwiſe called ſtatute Seſſions within the lymits of their auctho̅rities, in al ſhires wherein ſuch ſeſſions haue ben vſed to be kept, in ſuch maner & forme as here tofore hath been vſed & accuſtomed, ſo as nothing be by the done therein contrary or repugnant to this preſent act Anno. 5. El. cap. 4.

Petit ſeſſions
Statut ſeſſions

¶ *Lancaſter.*

An. 9. H. 5. ca. 2. An act was made to endure till the kynges returne from beyond the Sea, concerning the forfeyture of perſonnes outlawed in Lancaſter.

2 ¶ The ſayd ordinaunce in ỹ maner and fourme made the ſayd nynth yere, (that is to ſay. An. 9. H. 5. cap. 2. before.) by ỹ death of ỹ ſaid late king Henry the v. as ſome thinke expired & not otherwiſe repealed, ſhalbe and remaine effectuall and an auailable ſtatute and ordinaunce in laiwe to endure till the next parliament, & ſo forth for euer, if ſo be that beetwixt this and the ſame next parliament, no ſuch inconuenience happen in this behalf, for the which it ſhal ſeeme to the king and the lordes of the parliament at thys time, that it ſhal not be expedient, this ordinaunce to endure long after the ſame next parliament. An. 18. H. 6. cap. 13.

3 ¶ Anno. 20. H. 6. ca. 2. An act was made to endure for vii. yeares, concerning the forfeiture of perſõs outlawed in Lancaſter. An. 31. H. 6. ca. 7. an act was made concerning the forfeyture of perſons outlawed in ỹ county Palantine of Lancaſter, but An. 33. H. 6. cap. 2. ỹ act was repealed, & it is enacted as followeth.

Outlawed

Indictmẽt

Juſtices
Shirife

4 ¶ Euery endictment hereafter to be taken before any of the kinges Juſtices in the ſaid countie Palantine of Lancaſter, or before any ſherife in his turne in the ſaid countie, whereby any perſon or perſones be ſuppoſed by the ſame endictment to be or to haue been inhabityng or conuerſaunt out of the ſaid coũty of Lancaſter, and wythin any other coũty within the realme of England, ſhalbe taken and had by the verdict of twelue men, whereof euerie of them or ſome other perſon or perſons to their vſe within the ſame coũtie of Lancaſter ſhal haue to the yerelie valour of a hundred ſhillings. And no proces ſhalbe made out of any ſuch endictment, before it bee duely inquired and examined before the kynges Juſtyces wythin the ſayd countie of Lancaſter for the time being, whether the ſaid indictours and euery of them, at the time of ſuch endyctment ſo taken, had lands and tenements within the ſayd countie of Lancaſter to the yearelis valure of a hundred ſhillynges aboue all charges. And if it bee found by examination of the ſayd Juſtyces for the time beeing, within the ſayd countie, that the ſayd endictours and euerie of them at the time of ſuch endictment ſo taken, had not landes and tenementes to the ſayd yearelis valure of a hundred ſhillinges, that then the ſame endictment as to ſuch perſonnes ſo endicted, ſuppoſed by the ſaid endictmentes to bee inhabityng and conuerſaunt out of the ſayd countie of Lancaſter, ſhalbee voyd and of none effect. And alſo the ſame our ſouerayngne lord the kyng, of the aduiſe and auctho̅ritie of the lordes ſpirituall and temporal, and the comminꝰ aforeſaid, hath graũted, ordeined, and ſtabliſhed, that euerie endyctment from hence forth to bee taken within anie countie of the ſaid realme, and out of the ſayd countie of Lancaſter, before anie Juſtice, or the ſherife in his turne, whereby anie perſon or perſones ſuppoſed by the ſame endictment to bee or to haue been conuerſaunt or inhabityng within the ſayd countie of Lancaſter, and without ſuch countie where ſuch endictmẽts ſhal happen to be taken, ſhal bee taken by verdict of twelue men,

Indictours

Voyd

whereof euery of them or ſome other perſon or perſones to their owne vſe, ſhall haue lands and tenements to the value of a hundred ſhillinges. And ꝯ no proces be made out of any ſuch endictmẽts, before it be duely examined and inquired before the kinges Juſtices, hauing power to award any proceſſe vppon ſuch endictmentes, whether the ſaid endictours and euery of them, at the time of ſuch endictments taken, or any other perſon or perſons to their vſe, had any lãds or tenemẽts to the yerelie value of a hundred ſhillings within the ſame county aboue al charges, where ſuch endictments happen to be taken. And if it bee found before the kyng or anie of his Juſtices, that the ſayd endictours, or any of thẽ, had not at the time of ſuch endictmẽt taken, nor that none other to their vſe had landes and tenementes to the value of a hundred ſhillings by yere, that then the ſayd endictmẽt, as to any ſuch perſonne or perſonnes ſuppoſed by the ſame endictment to be or to haue bẽn inhabiting or conuerſaunt within the ſayd countie of Lancaſter, ſhalbe void and of none effect. Anno. 33. Henrici ſexti capitulo. 2.

Honours Caſtels Manors

5 ¶ Al honors, caſtels, lordſhips, manours, lands, tenements, poſſeſſions, & hereditaments, within this realme of England which at any tyme ſince the xviij. day of Januarij, in the firſt yere of ꝟ raigne of our ſaid late ſoueraygne lord king Edward the firſt, were parcel of the poſſeſſions of the ſaid Duchy of Lancaſter, or which were vnyted and annexed to the ſayd duchy by auctoritie of parliament, letters patents or otherwiſe, and which at anie tyme ſince the ſayd xviij. daie of Januarie haue bẽn gẽuen, graunted, alienated, bargayned, ſold, exchaunged, or otherwiſe ſeuered, from the ſayd Duchie by our ſayd late Souerayngne lord kyng Edward the firſt, or by our ſayd ſouereigne Lady the quẽne that now is, or by our ſayd ſouereigne lord & Ladie

Letters patents

Lands ſold

the kyng and Quẽnes maieſtie ꝟ now be, to or with any perſon or perſones, and which ſaid honours, caſtels, lordſhips, manours, landes, tenemẽtes & hereditamẽts, ſince ſuch gifts, graũts, alienations, bargaines, ſales, exchaũges, or ſeuerance thereof ſo made as is aforeſayd, been cõmen or retourned againe to the handes of our ſaid late ſoueraigne lord king E. 6. or to the handes of our ſayd ſouerayngne Ladie the Quẽne, or to the hands of our ſaid ſoueraigne lord and Lady the kyng and Quẽne, or to the hends of her maieſtie, her heires and ſucceſſours in poſſeſſion, reuerciõ, remainder or otherwiſe by attainder, eſcheate, forfeyture, purchaſe, eſchaunge, or otherwiſe. And which now be or remaine in the handes of our ſaid ſoueraigne lord & Ladie the kyng and ꝟ Quẽnes maieſties, of any eſtate of inheritaunce, ſhal from ꝟ time the ſame came & reuerted againe to the handes of our ſayd late Soueraigne lord king Ed. the vi. or to the hands of our ſaid ſoueraigne Lady the Quẽne, or to the handes of our ſayd ſoueraigne Lord and Lady the king & Quẽne, by auctoritie & force of thys act bee vnited and annexed for euer vnto the ſayd duchy of Lancaſter, & ſhalbee adiudged, deemed & taken for euer, for, and as parcelles and members of the ſaid Duchie of Lancaſter, and that al ſuch, and thoſe of the ſayd manours lands, tenements and hereditaments, which be lying within the countie palantine of Lancaſter, ſhalbe of ꝟ ſame nature, qualitie, kinde, and condition, to al intẽts, conſtruccions and purpoſes, as others the auncient poſſeſſions of the ſaid duchie lying and being wõn the ſaid county palantine of Lancaſter be and ought to be, & all thoſe and ſuch of the ſaid manours, lands, tenements & hereditaments, which be lying out of the ſayd Countie Palantine of Lancaſter, ſhalbe of the ſame nature, qualitie, kind, and condition to all intents, conſtruccions and purpoſes, as other auncyent

Come again to the K.

Annexed

Cõſty pa.

auncient poſſeſſions of the ſayd duchie lying and being out of the countie palantine of Lancaſter bee, and ought to be, & ſhalbe in the letting, ſetting, order, rule, ſurvey, receypt, and gouernaunce of the chaunceller, coũſell, and officers of the ſaid duchy of Lancaſter for the time being, for euermore in like and the ſame manner and fourme, to all intentes and purpoſes as others the ſayd auncient poſſeſſions beelongyng to the ſayd duchie, beene, haue been, or owen to be. And that all the ſayd honours, caſtels, lordſhips, mannours, landes, tenements, and hereditamẽts vnited, and annered, to the ſayd Duchie of Lancaſter, by auctheritie and force of this acte, and all and ſinguler giftes, graunts, leales, letters patents and wrytings thereof, or of anie parcell thereof hereafter to be made by ye king and Quenes highneſſe, or by the heires and ſucceſſours of her maieſtie, ſhall for euermore paſſe and bee made vnder ſuch of the Seales of the ſayed duchie, as other the auncient poſſeſſion of the ſayd Duchie, haue vſed to paſſe and be made, and not vnder anie other ſeale or otherwiſe, and with the like and the ſame lyuerie of ſeaſon attournements, ceremonies, orders, and circumſtances in the lawe, and in the ſame maner and fourme, as other the auncient poſſeſſions of the ſaid duchy. And the letters patents, charters and wrytings thereof heretofore of auncient tyme made, haue vſed and ought to bee made and paſſed, & not otherwyſe nor in any other manner and fourme, anie lawe, eſtatut, vſage, or cuſtome, to the contrarie thereof in anie wyſe notwithſtanding. And bee it &c. that our ſayd ſoueraygne Lord and Ladie the king and Quene that now beene and the heires and ſucceſſours of her maieſty, may from time to time hereafter at their libertyes and pleaſures, by their graces letters patents to bee ſealed with the great Seale of England, vnite, annex, limit, aſſigne, and appoint anie other their honours, caſtels, Lordſhippes, manours, landes, tenementes, and hereditamentes, lying and beeyng within this their ſayd Realme of England, vnto their ſayd Duchie of Lancaſter, for the further augmentation, honor and eſtate of the ſayd Duchie at their wylles and pleaſures. And that all and euerie ſuch annexyng, limittyng, aſſignement, and appointment made or to bee made by our ſayd Soueraygne Lord and Ladie the King and Queene, or by the heires and ſucceſſours of our ſayd Souerayne Ladie the Quene, of anie their honours, caſtels, lordſhips, manours, landes, tenements, and hereditaments vnto the ſaid Duchy of Lancaſter, by any their ſaid letters patẽts, vnder the great Seale of England, ſhalbee as good and auaiable as if it were dõe by auctheritie of parliamẽt. And that all ſuch honours, caſtelles, lordſhippes, mannours, landes, tenements, and hereditaments, lying, and being wiin the ſaid countie Palantine of Lancaſter, which ſhall happen to be vnited and annered to the ſaid Duchie by force of any ſuch letters Patents, that from the Teſte of the ſayd letters patents, within the order, ſurvey, rule, gouernance, iuriſdiction, ſetting and letting of the ſaid Duchy of Lãcaſter, for the time beeing as other the poſſeſſions of the ſaid Duchy, lying and beeing within the ſayd countie palantine of Lancaſter, haue vſed and owen to be. And that al other honours, caſtelles, lordſhips, manours, landes, tenements, and hereditamẽts, lying and being out of the ſaid County palantine of Lancaſter, which ſhall happen to bee vnited and annered to the ſaid duchy by force of any ſuch letters patentes, ſhalbee from the teſte of the ſaide letters Patentes wythin the order, ſurueye, rule, gouernance, iuriſdiccyon, letting, and ſetting of the ſayde Duchy of Lancaſter, as others the poſſeſſyons of the

Chaſtcelor Officers

Caſtels Lordſhips Lands

Gifts Leaſes L. patents

Seales

L. patents

Great ſeale of Engld Annexe

Great ſeale

Landſ

Teſte

Iuriſdiccõ

ſayd Duchie of Lancaſter lying and beyng, out of the ſayd countie Palantyne of Lancaſter, haue vſed and owne to bee. Sauing to all and euerie perſonne or perſones, bodies politique and corporate their heires, ſucceſſors, aſſignes and to the heires ſucceſſours, and aſſignes of euerie of them all ſuch right, title, intereſt, entries, condicions, occupations, poſſeſſion leaſe and leaſes, fees, annuities, offices, rentes, ſeruices, commons, profyts, commodities, eaſements, accions, ſuites, demaundes thing and thynges, whatſoeuer which they or anie of them ſhould, might or ought to haue had into or out of any of the premiſſes before the making of this act in like, and in the ſame maner, forme and condicion to al intentes, conſtruccions, and purpoſes, as if this act had neuer ben had or made, anie thing in thys act to the contrarie in anie wiſe notwithſtandyng. Prouided alwaies and be it ec that this act or any thing or thinges therein cōtayned ſhall not in any wiſe extend to enhable or geeue anie liberty to our ſayd ſouereigne Lord and Ladie the kyng and queene, nor to the heirs and ſucceſſours of our ſayd ſouereigne Lady the queene, to vnite and annexe to the ſaid Duchie of Lancaſter, by their letters patents any honors, caſtels, lordſhips maners, landes, tenements or hereditaments, being any part or parcell of the auncyent inheritance of ỹ crowne, or of the principalitie of Wales nor of the Duchy of Cornewal, or of ỹ Earldome of Cheſter, of any their honors, caſtels, lordſhips, manours, landes, tenements, or hereditamēts, ſet, lyeng, or being wīn the counties of Cheſter and Flynt, or eyther of them, nor to geene, annexe, or aſſigne to the ſayd duchy of Lancaſter, any honours, caſtels, lordſhips, manours, landes, tenements or hereditaments, exceeding & amounting in the whole aboue the yerely value of two thouſand pound, any clauſe, article or thing in this act rehearſed, cōteined or ſpecified to the contrary therof in any wiſe not withſtanding. An. 2. c. 3. H. 8. ca. 20.

6 ¶ An. 37. H. 8. c. 16. An act is made for ỹ annexing of certains landes to the Duchy of Lancaſter.

¶ *Leaſes.*

A An. 28. H. 8. cap. 11. It was enacted that no leaſe made by ſpirituall perſons to any lay perſon, of anie perſonage or vicarage or other ſpirytuall promotion ſeruing as is declared in ỹ act ſhalbe void by reſignation or other auoidance of the benefice, by the onely acte of the leſſour, but that the leſſee & his executours ſhal enioy the terme for fiue yeares if the leſſours do ſo long liue and the leſſee do ſo long continue, and the ſucceſſour maie by ſtraine for the rent or haue an accīo of debt, & all other aduantages as the leſſour might. And if the leſſour die, the leſſee to hold to them of the yere wherein he is then entred if the leaſe ſo long continue, paying ỹ rents &c. & the ſucceſſor within a moneths warning to haue ỹ manſion houſe & glebs lād not ſo wen, deducting of the rent to the value. An. 28. H. 8. c. 11. This act is repealed by 1. E. 6. H. 8. & H. as appeareth here following.

2 ¶ All leaſes hereafter to bee made of any manors, lands, tenementes, or other hereditaments, by writing indented vnder Seale for terme of yeres, or for terme of life, by any perſon or perſons, being of full age of xxi. yeres hauing any eſtate of inheritaunce either in fee ſimple, or in fee tail, in their owne right or in the right of their Churches or wiues, or iointly wt their wiues, of any eſtate of inheritance made before the couerture or after, ſhalbe good & effectuall in the law againſt the leſſors, their wiues, heires, ſucceſſors, & euerie of them, according to ſuch eſtate, as is cōprized & ſpecified in euery ſuch indēture of leas, in like maner & forme, as ỹ ſame ſhould haue bē, if ỹ leſſors thereof, &

Wodies politike

Right

Leaſes Annuities

Enable

King and Queene

Crowne lands Wales Cornewall Cheſter

2000. li. lād

Spiritual perſon Parſonage Vicarage

Leaſe

xxi. yeres

Succeſſor Diſtraine Rent

Leſſour die

Manſion houſe Glebe land

Repealed

Landes

Full age

of, & euery of thē, at ỳ time of the making of ſuch leaſes, had been laid fullie ſeiſed of the ſame lands, tenementes & hereditamēts, compriſed in ſuch moētures of good, perfect & pure eſtate of fee ſimple therof to their owne only vſes. Prouided alway ỳ this act or any thig therein cōteined ſhal not extend to any leaſes to be made of any maners, lāds tenemants or hereditaments, being in ỳ hands of any fermer or fermers, by vertue of any old leaſe, ſonlette ỳ ſame old leaſe be expired, ſurrēdred, or ended within one yere nert after the making of the ſaid newe leaſe, nor ſhall extend to any graūt to be made of any reuerſion of any maners, lands, tenemēts, or hereditamēts nor to any leaſe of any maners, lands, tenemēts, or hereditamēts, which haue not moſt commōly been letten to fermes or occupied by the fermours therof by the ſpace of xx. yeres nert before ſuch leaſe therof made, nor to any leaſe to be made with out impeachment of waſt, nor to anie leaſe to bee made aboue the number of xxi. yeares or three lyues at the moſt, from the day of the making therof. And that vppon euerie ſuch leaſe there bee reſerued yearelie during the ſame leaſe, due and payable to the leſſors, their heires and ſucceſſors, to whom the ſame landes ſhould haue commen after the deathes of the leſſours, if noe ſuch leaſe had been therof made, & to whom the reuerſion therof ſhall appertaine according to their eſtates, and intereſts, ſo much yerely ferme or reſt, or more, as hath been moſt accuſtomably yelded or paid for the manors, landes, tenements, & hereditaments, ſo to bee letten within twenty yeares nert before ſuch leaſe therof made, & that euery ſuch perſon and perſons, to whom the reuerſion of ſuch manors, lands, tenements, or hereditamentes, ſo to bee letten ſhall appertaine, as is aforeſayed, after the deathes of ſuch leſſours or their heires, ſhall and maie haue ſuch like remedie and aduantage to all intentes and purpoſes agayn ſt the leſſees therof, their executoures and aſſignes, as ỳ ſame leſſour ſhould or myght haue had agaynſt the ſame leſſees. So that if the leſſour were ſeiſed of anie eſpeciall eſtate tayle of the ſame hereditamentes, at the time of ſuch leaſe, that the ſame or heire of that ſpeeyall eſtate, ſhall haue the reuerſion rentes, and ſeruyces reſerued vpō ſuch leaſe, after the death of the ſaid leſſour as the leſſour him ſelfe might or ought to haue had, if he had lined. Prouyded alway that the wife be made party to euery ſuch leaſe which after ſhall bee made by her huſband of anie maners, landes, tenements, or hereditaments, beeing the inheritaunce of the wyfe, and that euery ſuch leaſe bee made, by indenture in the name of the huſband and his wife, & the to ſeale the ſame. And that the ferme and rent bee reſerued to the huſband, and to the wyfe, and to the heires of the wife, according to her eſtate of inheritāce in the ſame, and that the huſband ſhall not in anie wiſe alien, diſcharge, graunt or geeue alway the ſame rent reſerued or anie part thereof longer then during the couerture without it be by fine levied by the ſaid huſbād and wife: But that the ſame rent ſhall remaine, deſcend, reuert, or come after the death of ſuch huſband, vnto ſuch perſon or perſons, and their heires in ſuch manner & fort as the lands ſo leaſed ſhould haue done if no ſuch leaſe had therof been made. Prouided alſo, that this act extend not to geue anie libertie or power to anie perſonne or perſones, to take any mo fermes, leaſes, or takyngs of any maners, landes, tenementes or hereditamentes, then hee or they ſhould or might lawfully haue done before the making of this act, nor extend to geue anylibertie or power to anie perſonne or vicar of any church or vycarage for to make anie leaſe or graunt of anie their meſnages, lāds, tenemēts, tithes profits or vicarages hereditamentes

Old leaſe

Tayle eſpeciall

Heire

Wife

Indenture

Alien

Fine

Rent

Parſon Vicers

Tithes

belonging to their churches, other wise or in any other maner, that they should or might haue done before the making of this act, any thing contenned in this act to the contrary not withstanding. And furthermore be it &c. ỳ al leases at any time w̄in the space of three yeres next before the twelfe day of Aprill in the .xxvi. yeare of our soueraigne lorde the kinges reigne, made by wrytyng endented vnder seale by any person or Full age persons of full age, of whole memorie not vnlawfully coacted, nor being couert baron, for terme of yeares of any maners, landes, tenementes, or other hereditaments, whereof the lessour or lessours were seised of any estate of inheritaunce, of and in the same to their owne onely vse at the time of making anie such lease therof, and whereof the lessees, their executours or assignes bee now in possessiō by vertue of the same lease, and no cause of reentre or forfaiture thereof had or made, shalbe good and effectuall in the lawe, agaynst the lessours their heires and successoures, and the heires and successoures of euerie of them accordyng to the couenāts articles and agreementes specyfied in euerie such indenture of lease. So alwaies there bee reserued and yearelie payable during the same lease, to the sayd lessours their heires or successors or to such other as should or ought to haue had the same maners, landes, tenementes, or hereditaments so leased after the decease of such lessoures, in case noe such lease had thereof been made, as much yerely rent for ỳ same as was at anie time thereof yelden or payd within xx. yeares next before the making of anie such lease, or else such leases to bee of no other force ne effect then they were before the making of this p̄sēt act. And moreouer for certeine considerations be it &c. ỳ no fine Fines Feoffemēt feoffement or other act or actes hereafter to be made, suffered or done by ỳ husband vnelle of anie manours, landes, tenementes, or hereditamentes, being the inheritaunce or freeholde of his wife, during ỳ couerture betweene them, shal in any wise be or make any discontinuance thereof, or bee preiudyciall or hurtful to the said wife or to her heires or to such as shal haue right, title, or interest to the same by ỳ death of such wyfe or wyues. But that the same wyfe and her heires, and such other to whom such ryght shall appertaine after her decease shall & maie then lawfullie enter into all such manours, landes, tenements, and hereditamentes, accordyng to their ryght and titles therein, any such fine feoffement, or other act to the contrary notwithstanding: fines leuied by the husband and wyfe vnto the sayd wife is partie and p̄rie, onely excepted. Discōtinuāce wife Heires Enter wife party

Prouided furthermore that this clause or act extend not to geue any libertie to any such wifes, or to her heires, for to auoid any lease hereafter to be made of anie the inherytaunce of the wyfe by her husband and her for terme of one and twenty yeares, or vnder, or anie her inheritaunce for terme of three liues at the vttermost, whereupon as much yearely rent or more is or shall be reserued, and yearelie payable during the same lease as was at anie time therefore yelden or payed within twenty yeres next before the making of anie such lease accordyng to the tenour of thys p̄sent acte, anie thyng therein conteyned to the contrary notwithstanding. Prouided also that this act extend not to make good any lease or leases heretofore made by anie ecclesiastical person or persones by their couent or cōmon seale which be made boyde or taken awaie by auctority of parliamēt heretofore made, nor extend to make good any lease or leases, heretofore made by anie ecclesiasticall personne or personnes nowe being attainted of treason, vnder their couent seale or otherwise, or by any other person or personnes nowe beeyng attaynted of treason by act of parliamēt or oth er- 21. yeres 21. liues Ecclesiastical persons Attainted

or otherwise. But that all and singuler such lease and leases and currie of the nowe made, or hereafter to bee made shall be of such lyke effect and strength in the lawe, and none other, as they & euerie of them were before the makyng of this act, anie thyng before mencyoned in this act to the contrary thereof notwithstanding. Anno. 32. H.8. capitulo. 28.

3 ¶ As much of the same act (s. of An. 28. H. 8. cap. 11. which is before.) as doth concerne the making good of the sayd leases, ne any clause, sentence, prouiſion, or article therein conteined, shall extend to bee construed, or adiudged to extend to anie lease that shall bee made by anie personne, vycar, or anie other hauyng anie spirytual promotyon, after the feast of the Purification of our Ladie next commyng. Anno primo & secundo Philip & Marie capitulo. 17.

4 ¶ And for ỹ long & vnreasonable leases made by Colledges, deanes, and chapters, parsones, vicars, and other hauing spirituall promotions, bee the chiefest causes of the Dilapidatyons, and the decay of all spirituall lyuynges and hospitalitie, and the vtter impouerishyng of all successours, Incumbents in the same: bee it enacted by the auethoritie aforesaid, that from henceforth all leases, giftes, graunts, feoffements, conueyances, or estates to bee made, had, done, or suffered, by anie maister and fellowes of anie College, Deane and Chapter of anie Cathedrall or Collegiat church, Maister or Gardian of anie Hospital, Parson, Vicar, or anie other hauyng anie spirituall or ecclesiastical liuing, or anie howses, landes, tithes, tenements or other hereditamentes, beeyng anie parcell of the possessyons of anie such College, Cathedrall church, Chapter, Hospitall, Parsonage, Vicarage, or other spirituall promotion, or anie wayes appertaynyng or belongyng to the same, or of anie of them, to anie personne or personnes, bodies politique or corporate (other then for the terme of one and twẽty yeres, or three liues, from the tyme as anie such lease or graunte shalbee made or graunted, whereuppon thaccustomed yerelie rẽt or more, shalbee reserued and payable yearely during the sayd terme) shalbee vtterlie voyd and of none effect, to all intentes, constructions, and purposes, any lawe, custome, or vsage to the contrary in any wise notwithstanding.

Prouided neuertheles, and be it enacted by thauthoritie aforesayd, that this act nor anie thing therein conteined, shalbe taken or construed to make good anie lease, or other graunt to bee made by any such colledge or collegiat church, within eyther of both the vniuersities of Oxford and Cambridge, or elsewhere within the Realme of England, for more yeares then are limytted by the priuate statutes of the same colledge.

Prouided allwaies, ỹ this act shal not extẽd to any lease hereafter to be made vppon surrender of any lease heretofore made, or by reason of any couenant or condition cõteined in any lease heretofore made, and now cõtinuing, so that the lease to be made do not containe more yeres then the residue of ỹ yeres of the former lease now contynuing shall beat the time of such lease hereafter to be made, nor any lesse rẽt then is reserued in ỹ said former lease. Anno. 13. El. cap. 10. & 14. Eliz. cap. 11. after. 7.

5 ¶ Be it enacted by the auethoritie of this present parliament, ỹ no lease after the fiftenth day of Maie next following the beginning of this parliament, to bee made of any benefice or ecclesiastical promotion with cure, or any part thereof, and not being impropered, shall endure anie longer then while the lessour shall bee ordinarilie resident, and serving the cure of such benefice without absence aboue so many foure daies in anie one yeare, but that



Colledges Spirituall persons Dilapidations

Cathedrall Churches Gardian of hospitall Parson Vicare

xxi yeres 3. Liues

Old rent

Voyd

Oxford Cambridge

Surrender

Benefice Spirituall promotion

Residence

40. Daies

euerie such lease, so soone as it, or anie part thereof, shall come to anie possession or vse aboue forbidden, or immediatly vpon such absence, shall cease and be voide, and the incumbent so offendyng, shall for the same lose one yeares profite of his said benefice, to bee distributed by the Ordinary among the poore of the parysshe. And that all chargynges of such benefyces with cure, hereafter with anie pencyon or with anie profit out of the same to bee yelded or taken, hereafter to be made, other then rentes to bee reserued vpon leases hereafter to be made, according to the meaning of this act, shalbee vtterlie voide.

Voyd Incumbēt Forf.

Ordinarie Poore people

Pencion

Voyd

Prouided that euery person by the lawes of this realme allowed to haue two benefices, may dimisse the one of them, vpon which he shal not then bee most ordinarily resident, to his curate onely that shal there serue the cure for him: but such lease shal endure no longer then during such curates residence without absence aboue forty daies in any one yere. This act to continue to the end of the next parliament. An. 13. Eliz. cap. 20. And An. 14. Eliz. ca. 11. this statute is continued vnto the end of the nexte parliament.

H. benefices

Curat

40. Daies

6 Prouyded also, and be it enacted, that these woordes (so soone as it, or anie part thereof, shall come to anie possession or vse aboue forbidden) or which woordes are conteined in the said statut made in the said thirteenth yeare of Eliz. touchyng leases of benefices, and other ecclesiasticall liuynges with cure, shall not bee reputed by this act, but remaine discontinued, and shall from henceforth be omitted out of the said act, anie thyng in the said act, or in this act to the contrary, notwithstanding.

Eccleſiaſt. liuings

And where sundrie euill disposed personnes haue defrauded the true meanyng of the said last mencyoned statut. made in the said thirteenth yere, by bondes and couenantes of suffering other personnes to enioy Ecclesiastycall liuynges, and the fruites thereof, for that such bondes and couenauntes are not in lawe taken to be leases, although in deede they amount to as much: Be it therefore enacted, that all bondes, contractes, promises, and couenauntes hereafter to bee made, for suffering or permitting anie personne to enioy anie benefice, or Ecclesiastycall promotion with cure, or to take profits or fruites therof, other the such bondes & couenāts, as shalbe made for assurance of anie lease heretofore made, shalbee to all intentes and purposes abridged of such force and validitie, and not otherwise, as leases by the same personnes made of such benefices and Ecclesiastical promotions with cure.

Bonds Couenāts

And be it further declared and enacted, that all leases, bondes, promises, and couenauntes of and concernyng benefyces and Ecclesiasticall liuings with cure, to be made by any curate, shalbee of noe other nor better force, validitie, or continuance, then if the same had been made by the benefyced personne hym selfe, that dimysed, or shall dimisse the same to anie such Curate. Anno decimo quarto Elizabeth, capitulo. 11.

Curat

7 And where in one other act made in the said thirteenth yeare, of Eliz. entituled, An act against fraudulent gifftes, to the intent to defeate dilapidations of Ecclesiasticall liuings and for leases to be graunted by collegiat churches, there is one braunche to anoyd certayne leases to bee made by maisters and fellowes of Colledges, Deanes & Chapters of Cathedrall or Collegiat Churches, Maisters or gardyans of anie Hospitall, or by anie Parson, Vicar, or anie other hauyng anie spirituall or Ecclesiasticall liuing: Bee it enacted, that the said braunch, nor anie thynge therein conteyned, shall not extende to anie graunt, assurance, or lease of anie houses, belonging

Eccleſiaſt. liuings

Hoſpitals

Bodies politike

belonging to any the persons, bodyes politike or corporat aforesaid, nor to any grounds to such houses appertayning, which houses be scituat in any cite, borough, towne corporat, or market towne, or the suburbes of any of them, but that all such houses & grounds may be granted, demised, and assured as by the lawes of this Realme, and the seuerall statutes of the said Colledges, cathedral Churches, and hospitals they lawfully might have bene before the making of the said statut, or lawfully might bee, if the said statut were not, so alway that such house be not the Capital or dwelling house vsed for the habitatiō of the persons aforesaid, nor have ground to the same belonging, above the quantitie of tenne acres: any thing in the said act to ỹ contrary notwithstanding.

Colledges Cathedrall Churches

10. Acres

Provided alway, and be it enacted, that no lease shalbee permitted to bee made by force of this act in reuersion, nor without reserving the accustomed yearely rent at the least, nor without charging the lesses with the reparations, nor for longer terme then for 40. yeares at the most, nor any houses shalbee permitted to be aliened, vnlesse that in recompence thereof, there shal bee afore, with, or presently after such alienation, good, lawfull, and sufficient assurance made in fee simple absolutly to such Colledges, houses, bodies politike or corporat, and their successors, of lands of as good value, & as great yearely value at the least, as so shalbee aliened: any statut to the contrary, not withstanding. Anno. 14. Elizabeth cap. 11.

Old rent

Reparations

40. yeres

Alien.

8 ¶ Bee it therefore enacted by this present parliament, ỹ all leases hereafter to bee made by any of the sayed Ecclesiastical, spiritual, or collegiat persons or others, of any their said Ecclesiasticall, spiritual, or collegiat landes, tenements, or hereditaments, wherof any former lease for yeres is in, being not to be expired, surrendred, or ended, within three yeres next after the making of any such newe lease, shalbee voyd, frustrate, and of none effect, any law, vsage, or custome to the contrary notwithstanding.

Ecclesiasticall persons

Colledges

iij. yeres

And be it likewise enacted by ỹ authoritie aforesaid, that all and euery band and couenant whatsoeuer, hereafter to be made for renewing or making of any lease or leases, contrary to the true intent of this Act, or of the said act made in the said xiij. yeare of Eliz. shalbe vtterly voyd: any law statute, ordinance, or other thing whatsoeuer to the contrary, in any wise not withstanding.

Band Couenant

Lloyd.

Prouided alwaies, that this act, nor any thing therein contained shall extende or be preiudicial, to make frustrat or void any lease or leases, heretofore made by any of the said spiritual or ecclesiastical person or persones, or any of them: but that the same, and euery of them, are of the like force & effect, as they or any of them were before the making of this present statut: this Act or any thing therein contained to the contrary, not withstanding. And wher Sir Thomas White, late knight and Alderman of London, for aduancement of good learning, hath founded one Colledge in the vniuersitie of Oxford, called saint John Baptists Colledge, and being seased of the manour of Fifhyde, alias Fifield, in the countie of Wiltes, did together with all other his landes, tenements, and hereditaments, geue and assure the sayd manour with the appurtenances, to the President and Scholars of the sayed Colledge for euer: And neuertheles the saied Sir Thomas White, hauyng then one Ralfe White his brother liuing, and sundry kinsemen, to whom by course of the common law his landes might have discended, did deuise, & order, and by the statutes whych hee prouided for the said house, and by order of the newe diffour of the sayed Colledge, it is ordained that the sayd

Sir Tho. White

Oxford Colledge

manour

manour of Filbyde, alias Filfeld, wt ye appurtenances, should be demised by ye said President & Scholars for the time being, to the said Walle, for the terme of fowerscore & nineteene yeres if the said Walle should so long lyue, & so it is intended that from heire male to heire male of the said sir Thomas White, new demises should from time to time be made of the said manour with the appurtenances, to euery such heire male successiuely, for the terme of fowerscore and nineteene yeares, if such heire male should so long lyue, yelding to the said President & Schollars, for the tyme being, such rent as now is reserued, & such further couenauntes and conditions, as by ye said sir Thomas White or his is agreed and appointed.

President

Heire male

99. Yeres

And where since the decease of the said sir Thomas White, the said assurances to the said President & scholars, in all or the most part of the landes tenementes and hereditamentes, of the said founder, were found in some respect vnperfect, & insufficient in law, & ye thereupon the said Walle White to whome the aduauntage of such imperfeccyon came by lawe, did neuertheless take no such aduantage, but did willingly make perfect the said assurances, according to the true meaning of the said sir Thomas White his brother, accepting onely one lease of the said manour, in such sort as by the said writing was appointed, with the coppholdes and other appurtenances of the said manour. For remedy whereof, be it enacted that the President & Schollars of ye said College, may from time to time demise the said manour, coppholds, and other appurtenances, to euery heire male of the said sir Thomas White successiuely, according to the fourme of the lease thereof alredy made to the said Walle, and that euery such lease so to be made and euery couenaunt made or to bee made for the performaunce of ye same, shall bee good in lawe, as if the said Act made in the said viii. yeare of Elizabeth had neuer bene made: anything in the said act made in the said viii. yeare or any other act or matter whatsoeuer to the contrary, notwithstanding.

Coppholds

And for that in one other the made in the said viii. yeare of her maiestie, entituled, An Act touching leases of benifices, and other Ecclesiasticall liuinges with cure, one clause is contayned, that the Incumbent offending ye purporte of the said statut, shall for the first yeare loose one yeres profit of his said benefice, to be distributed by the Ordinarie among the poore of ye parish, as by the said braunch in the said instrecited statut appeareth: Bee it therefore enacted by thauctoritie aforesaid, that after complaint made to ye Ordinarie, & sentence geuen vpō any office committed by the Incumbent, whereby he shal or ought to lose the yeares profit of his benefice as afore shewed: that the Ordinarie within fiue monethes after such sentence geuen, and request to him made by the Churchwardens of the said parish, or one of them, shal graunt the sequestration of such profites, to such inhabitaunt or inhabitauntes within the parish where such benefice shall bee, as to him shall seeme meete and conuenient, & vpon default therein by the Ordinarie, that it may & shall bee lawfull to euery parishioner, where the benefice is, to retaine and keepe his or their tithes, and likewise for the Churchwardens of ye said parish, to enter and take the profites of the glebe lands, & other rents, and duties of euery such benefice, to bee employed to the vse of the poore as aforesaid, vntil such time as sequestration shall bee committed by the Ordinarie, and then as well the Churchwardens, as parishioners, to yeld accompt of, and make paymēt to him or them, to whom such sequestration shall be committed, and that hee or they to whom such

Ecclesiast. liuings

Incumbit

Ordinarie

Church wardens

Sequestration

Tithes

Glebe lāds

Poore

Accompt

such sequestration shalbe committed, from time to time, shall truly & tenderly implote and bestowe the said profits, or the true and iust value thereof, without fraud or guile, to such vses as by ỹ said statute is limitted and appointed, vppon paine or forfaiture of the double value of such withholden profites to bee recouered in the Ecclesiasticall court by the poore of the said parish.

Ecclesiast. court

Forf.

An. 5. Eliz. c. 1.

¶ Lee.

FOrasmuch as it is perceiued by many graue and wise men, as wel of ỹ Citie of London as of the Countrey, that it were verie commodious & profitable both for ỹ Citie & ỹ Countrey, that the riuer of Lee, otherwise called ware riuer, might be brought from the land, to the North part of ỹ said cytie of London, the same to bee cut out of the sayed Ryuer, in the most apteste & meetest place of the said riuer of Lee, to haue from thence the leading and passage of the saied water, thorough such a conuenient and meete cutte, as may serue for the nauigation of Barges and other vessels, for the carryage and conueying as wel of al marchaundises, corne, and victuals, as other necessaries from the Towne of Ware, and al other places neare the sayd Ryuer, vnto the sayed Citie of London, and from the sayed Citie, to the sayd places, and the Towne of Ware, and also for Tilt boates and Wherries, for conueying of the Queenes subiectes to and fro, to their great ease and commoditie. In consideration of the premisses, and of diuers sundry commodious, profitable and beneficial causes whych are like to ensue to the body of this common wealthe, & so incidently to many particuler persones: Bee it enacted by ỹ Queenes most excellent maiestie, with the assent of the Lords spirituall and temporall, & the cõmons in this present parliament assembled, & by thauthoritie of the same, that it shall be lawful to the Lord Maior, Aldermen & Citizens of the Citie of London and their successors, at any time or times hereafter, to beginne, and so continue the laying out of such conuenient limittes of grounds, for the making of the passage for the said Ryuer, as shall be needful for them and their deputies and procurers shalbe seen conuenient and meete for the same, & in that place ỹ they shall find to bee most apt and meete for ỹ purpose to haue, take, and vse for the purpose aboue said, such and so much ground, entring & by al ỹ length as the said newe Channell, cut, or Riuer shall passe, as shalbee requisite for the conueying of the sayd water, and also fiftie & vi. foote at breadth on eche side of the said Riuer, by all the length of the same: so alway that they do not in any one place, take in breadth both in Channel and in ground on both the sides of the water, aboue the breadth of right seuen foote in al, which conuenient breadth of ground on both sides, is thought needful to be had: for ỹ ground & soile of necessitie must be occupied on both sides of the said Riuer, as well for the laying of the earth ỹ shalbee cast out of the said trenche to serue in ỹ lower grounds, & especially neare ỹ sayd Riuer, to make substancial bankes for the preseruation & keping of the cõtrey from inundations when ỹ floods shal arise, as also for way to passe with Trunkes and Carts, which must carry away the gravell and other earth, in very great quantitie from the belles whereas the cut must bee very deepe, to such places as shalbe conuenient to helpe to make vp ỹ saied bankes, and otherwise to bestowe the same: and also for that when it shal please god that the same shalbee brought to passe and ful effect, that the whole ground on both sides of the said Riuer, may lye in one leuill from the said Citie of London, to that place where the sayed riuer or trench shall haue his beegynning out of the

Maior of London

60. Foote

160. Foote

Bankes

al the ryuer Riuer of Lee, and to the and also that in al places within that limit and distance al people may with great ease & commodity go in and out at their Pleasures and other vessels whatsoeuer with out peril, & so walke by sute, as long as it shal please them, and also ỳ the Bargemen may happen the same ground without offending e^ny other, drawe their vessels fro place to place alongst ỳ same, as of like they shalbe driuen to do against ỳ streame, being laden.

Bargemen

Maior

And be it enacted, ỳ the said Maire comunaltie, and Citizens, & their successors for euer, shal haue ỳ said ground alongst al the said whole length, for such compositiõ as they shall make w^t the lords trustees, and deputies of the said ground.

Prouided alwaies, and be it enacted that if in the new cut, there happen any breaches, inundation, or hurtes, the Maior and Citizens of London shall stopp the breaches at their owne charges, and so maintaine them fro time to time.

Breaches

And be it also enacted, that the said Lord Maior, comunaltie, & citizens, shal haue the whole iurisdiction, cõseruation, rule, and gouernement, as well of the said newe cut riuer, and ground of eche side, as also the royalty of ỳ fish and fishing of the same and profittes of the said ground, soile, and water to them and their successors for euer, & also shal haue authoritie to punish al such as shal offend in the breaking of such good order as shalbe hereafter made, for such of the Queenes maiesties subiectes as shall haue occasion to trauayle & passe by ỳ same newe cut riuer, as also euery other pay somme and personnes which shal breake such good & holsome rules and orders as shalbe prouided and ordained for the preseruation, keeping, & maintaining of the sayed riuer, & euery part thereof.

Riuer

Fishing

Punish

And further be it enacted, that the Shiriffes and Iustices of the peace, & such other as it shal please ỳ lord chancelour, or Lord Keeper of the great seale to put in commission for ỳ same, al iust. of Middlesex, Essex, as of Hartford shire, or the more part of them, by their discretions shal at the costs and charges of the countrey, after that ỳ said new cut shalbe made and finished cause the same from such place where as the said new cut shall begine, vnto the towne of Ware, alongst ỳ sayd riuer to bee sufficiently clensed of all ỳ shelfes and shalowes, and to bring the same to a conuenient depth in all places for the passages of barges, Tilboats, and other vessels, in as good & conuenient depth al the way of the sle as shalbe made and continued in the aforesayed newe riuer by the Maire, comunaltie and Citizens of the said Citie of London, and so to continue the same from tyme to tyme vpon the paines therefore to bee limitted, and ioined by the discretions of the sayed Commissioners, or the more part of them. And also that al other buildings and obstacles standing in or vpon the said riuer, which may bee found impeachmentes or lettes to this good worke, may bee removed and taken away, to the end that this may bee a good and perfit worke, and by the grace of God to such good effect, & commoditie, as is hoped & looked for.

Shiriffes Iust. of p. L. chãcelor L. Keeper Cõmission

Clense

Wyldings

Prouided alway and bee it enacted that this act shall not extend to take alway any building, locke, or obstacle, which by the said Commissioners, or the more part of them, shalbe thought not to hinder the passage of Boates or vessels by and through the said Riuer.

Commissioners,

And be it further enacted, that the Maior, Comunaltie, and Citizens of London, shal make and maintaine at their costes and charges, such sufficient hedges and fences as shalbe requisite betweene the grounds so by them to bee taken to the vse aboue said, and the grounds of other owners, and also conuenient

Maior

Hedges & fences

Bridges

conuenient bridges and boates for the passage of the Queenes subiectes and their carriages.

L. chãceloz

Prouided alwayes, & be it further enacted by the auctholitie aforesayd, ỳ the Lord Chauncelour, or Lord keeper of the great Seale of Englãd for the tyme being, shall and maye by his discretion, and at the request of the sayd Lord Maioz, Comminaltie, and Citizens for the time being, appoint and auctholize by commission, under

xvi. Cõmissioners

the great Seale of England, sixteene Commissioners, whereof fower to be of the sayed Citie of London, and the other twelue to bee of the counties adioyning to the sayd Ryuer of Lee, viz. fower of euery of the Shires of Essex, Middlesex, and Hartfordshire, and euery of the sayd twelue, hauing lands, tenements, or hereditaments, of the clere yearly value of forty marks in the same shires, or some of them, & not beyng citizens of London vsing ỳ trade of marchandize, which sixteene Commissioners, or the more number of them, shal haue full power and lawfull auctholitie to treat, agree, & compound with such numbers of the freeholders and inhabitaunts of the sayed counties, as to their discretions shall seeme meete and conuenient, for the

40. marke land

Repayring

scouring clensing, repairing, & keping of the saied riuer of Lee, frõ such place where as the said new riuer or cut shal haue the beginning, vnto the sayed Towne of Ware, in such sort, as the same may be nauigable for boats, Barges, & other vessels.

Nauigable

And further be it enacted, that vntil or before such order or meanes be deuised & agreed vpon by the said cõmissioners, & the said commission returned into the high court of chauncery, it shall not be lawful to the said Lord Maioz, Citizens, and comminaltie, to put the said digging, trenching, or new cutting of the said riuer in execution, nor to cut or take in any ground by force of this act. any thing in this act to ỳ contrary notwithstanding.

Cõmission returned

Maioz

And be it further enacted, & ỳ Maire Citizens, & comminaltie of London, shall not by vertue of this act, take any mans ground, vntil they haue cõpounded with the owners of ỳ same ground: & shal within x. yeres next after thend of the session of this parliament, cut & finish the same.

Compositiõ with the owners 10 yeres

Prouided alway, & be it enacted, ỳ all ỳ Queenes subiectes their boates & vessels, shall haue free passage through the saied Ryuer, as well the new cut, as the old riuer, without interruption or molestation, by reason of, or for his or their passage, as in other common Ryuers and waters they lawfully may vse.

Boats Free passage

Ryuer

Prouided alway, ỳ this lawe shall not extend to make the said Riuer to be clensed, other wise then any persons bee or shalbe compellable by the law, or by the statut of Sewers, to clense the same.

Sewers

Prouided also, & be it enacted, that if any person shall refuse to bee reasonably compounded with, for grosso to bee taken in for the said newe cut and bankes: then the saied xvi. commissioners, or the more part of them, shal appoint & determine the composition & bargaine betweene both the parties, & the satisfaction for such ground, and al waies, bridges, & other thinges to the same pertaining.

Refuse to cõpound

Commissioners

waies

Bridges

Prouided alway, & be it further enacted, that if the said newe cut, shalbe the meane & occasion that any milles beneath or above the beginning of ỳ said newe cut, shalbe by vertue of this act destroied, or the profitt therof decaied by want of water, then the said Lord Maioz, comminaltie, and Citizens of London, shall pay and pay to the owners of such milles so decaied, & to such persones as shall haue any detriment or losse by such decay, such reasonable recompense in money or yerely rent, or other wise as the sayed xvi. Commissioners, or other sixteene cõmissioners

Milles

Recõpence

Accion of debt
Writes

millioners in like fourme to be chosē & authorised, or any vii. of the, shall determine & appoint. And that such owners their heirs & assignes, shall haue such reasonable remedy by accyon of debt, or diffresse, or other wise, to recouer, haue & obtaine the said recompēce, as the lord Chauncelour, or lord Keper of the great seale of England for ỹ time being, together with the sayed ỹ.cc. commissioners, or with any vii. of them, shall appoint: any thing in this act to the contrary notwithstandyng. An. 13. Eliz. 18.

¶ *Leete.*

Iurours

FIrst you shall say vnto the by ỹ oth that you haue made, if al the iurors that owe suit to this court, bee commen and which not. And if al ỹ chiefe pledges or their dosens bee come and which not. And if all the dosens be in the assise of our soueraigne lord ỹ king & which not, and who receyued them, and if there bee any of the kyngs villaines fugitiue dwelling other where then in the kinges demeanes and of such as bee with the kinges demeanes and haue not abyden a yere and a day. And there bee any of the Lordes villaines in frankpledge other where then in this Court. Of cuſtomes & seruices due to this court withdrawen, howe and by whom and in what Wayes time. Of purpestures made in landes, woodes, and waters to the annoyaunce of Walles, houses, dykes, and hedges sett vp or vseth doyne to the annoyaunce. Of bandes withdrawē and taken away. Of waies & pathes opened or stopped, of waters tournes or stopped & brought from their right course, of harbers of houses & of their receiuours, of rannion theues and of their receiuours, of pety bybours as of gese, hennes or shepe, of theues that stele clothes out of windowes, of such as goe in message for theues of

Pledges
Dozens

Villains

Fr pledge Cuſtomes

Purpestures

Woſtes
Waies
Waters

Theues

Bloudshed

thies leaued & not pursued, of bloud-shed

and of fraies made, of escapes of theues & felons, of persones outlawed not hauing the kynges warraunt, of women Rauished not presented before the Coroners, of clyppers and forgers of money, of treasure found, of the assise of bread & ale broken, of false measures as of bushels, gallons, yardes, & rules, of false balances, & weightes, of such as haue double measure, & buy by the great, and sel by the selle. Of such as continually haunt tauernes, and no man knoweth whereon they do lyue, of such as sleepe by day and watch by night, and fare wel and haue nothing. Of cloth sellers and curriors of lether, dwellingout of marchaunt Townes. Of such as take cloth or churchyard & after depart without making lalleſſe. Of persones imprisoned and after let go without mainprise, of such as take bowes in wynter by dores alles or engins. And of al these thinges you shal doo vs to wite by the othe that you haue taken. An. 18. E. 2.

Fraies
Escapes

Falſe measures

Wigeons

¶ *Libell.*

AT what tyme the Libel is graunteable by the lawe, that it be graunted and deliuered to the party without any difficultie. Anno. 2. Henrici. 5. capit. 3.

¶ *Limitation.*

TOuching conueiaunce of discent in a writ of right from any auncestor, from the time of king Henry the elder the yere & day. It is prouided, that frō henceforth there be no mencion made of so long time, but from the tyme of king Henry our graundfather. And this act shal take effect at Pentecost, the xxi. yere of our raigne, & not afore. And the writts before purchased shall procede, writtes of Mordaunceſt cor, of Natiuis and of entre, shal not passe the last retourne of king John from Ireland into England. And this act

writ of right

writ of right

Mordaunt
Nativo habendo

shal

Nouel diſſ. ſhall take effect as before is declared: writes of nouel diſſeiſin ſhal not paſſe the firſt viage of our ſouereigne Lord the king that nowe is into Gaſcoyne. And this prouiſion ſhal take his effect from the tyme aforeſaid, and al writs purchaſed before ſhal proceede. Perton ra. 8. An. 20. H. 3.

2 ¶ And for as much as it is long time paſſed ſince the writs vnder named were lymitted: It is prouided, that in conueying a diſcent in a writte of right, none ſhal preſume to declare of the ſeaſon of his annceſtour, further or beyond the time of king Richard vncle to king Henry, father to the king that nowe is, and that a writte of nouell diſſeiſin, of partition, which is called Nuper obiit, haue their limitatiõ ſince the firſt voyage of king Henry father to the king that now is, into Gaſcoine And that writs of Mortdauncetour, of collinage, of aiell, of entre, & of Natiuis, haue their limitation from the coronation of the ſame king Henry, & not before, neuertheleſſe al writs purchaſed now by them ſelues or to bee purchaſed betweene this and the feaſt of S. Iohn for one yere complete ſhalbe pleded from as long time as heretofore they haue been vſed to bee pleded Wi. 1. ca. 38.

Writ of right

Mortdaũc

Writ of right

Nouel diſſ. Nuper obiit

3 ¶ No maner of perſon or perſones ſhall from hencefoorth ſue, haue or maintain in any writ of right, or make any deſcripcion title or claime of, to, for any manors, lands, tenemẽts, rẽts annuities, commons, penciõs, porcions, corodies, or other hereditaments, of the poſſeſſion of his or their annceſtour or predeceſſour and declare & alledge any further ſeiſõ or poſſeſſiõ of his or their anncestors or predeceſſor, but only of the ſeyſon or poſſeſſion of his anncestor or predeceſſor, which hath ben or nowe is, or ſhalbe ſeiſed of the ſayd manors, lãds tenements, rents, annuities, cõmons pencions, porcions, corodies, or other hereditaments, wtin. lr. yeres, next before the teſte of the ſame writ, or next before the ſaid preſcripcõ, title, or claime ſo hereafter to bee ſued, commenced, brought, made or had. And be it ena. that no maner perſon or perſons ſhal hereafter ſue, haue or maintaine any aſſiſe of Mortdauncetour, collinage, aiell, writ of entre vpon diſſeyſon done to any of his anncestors or predeceſſors or any other action poſſeſſary, vpon the poſſeſſion of any of his anncestors or predeceſſors, for any maners, lands, tenements, or other hereditamẽts, of any further ſeyſon or poſſeſſion of hys or their annceſtors or predeceſſor but only of the ſeiſon or poſſeſſion of his or their anncestor or predeceſſor which was or hereafter ſhalbe ſeiſed of the ſame maners, lands, tenements, or other hereditamẽts within 50. peres next before the teſte of the originall of the ſame writ or hereafter to be brought. And be it ena. that no perſon or perſons ſhal hereafter ſue haue, or maintaine any action for any maners, lands, tenemẽts, or other hereditamentes, of or vpon hys or their owne ſeiſon or poſſeſſion therin aboue thirty yeres next before the teſte of the originall of the ſame writ hereafter to be brought. And be it ena. that no perſõ or perſones ſhall hereafter make any auowry, or cogniſance for any rẽt, ſuit or ſeruice, and alledge any ſeiſon of any rent, ſuit, or ſeruice, in the ſame auowrie or cogniſaunce in the poſſeſſion of his or their anncestors, or predeceſſour or predeceſſours, or in hys owne poſſeſſion, or in the poſſeſſion of any other whoſe eſtate hee ſhall pretend or claime to haue, aboue 50. yeres nert before the making of the ſaid auowrie or cogniſance. And euer prouided be it ena. that all formedons in reuerter, formedons in remainder, & Scire facias vpõ fines of any manors, lands, and tenemẽts, or other hereditamentes at any tyme hereafter to beſued, ſhalbe ſued, pled & taken within fiftie yeares nert after the title and cauſe of accion fallen, & at no time after the ſaid fifty yeres paſſed.

Iſſue

Mortdaũc

Collinage

Aiell

Writ of entre

de diſſeiſina ſua

50. yeres

Teſte

Nul tiel

de diſſeiſina ſua

30. yeres

Auowry

Cogniſaũce

50. yeres

Formedõs

Scire fac.

50. yeres

60. yeres

Teſte

And

And be it ꝛc. that if any persone or persons at any time hereafter doo sue any of the said accions or writtes of any manours, landes, tenementes, or other hereditamentes, or make any avowries, cognisance, prescription title or claim of or for any rent, suit, service or other hereditamentes, and cannot proove that he or they or hys or their auncestours or predecessours were in actual possession or seison of and in ỳ same manours, landes, tenements, rentes, suites, services, annuities, commons, pensions, portiõs, corodies or other hereditamentes, at any time or times within the yeres before limitted, and appointed in this present act and in maner and fourme as is afore said, if the same be traversed or denied by the partie plaintife demaundeant or avowant, or by the partie tenaunt or defendant, that then and after such trial therein had, al and every such person and persons & their heires shal frõ henceforth be vtterly barred for ever of all and every the sayed writtes, accions, avowries, cognisance, prescripcion, title and clayme heretofore to hem fixed had or made, of and for the same manours, landes, tenements, hereditaments, or other the premisses or any part of the same: for the whych the same accion writ avowrie, cognisance prescripcion title or claime hereafter shalbe at any tyme had, fixed or made. Prouided alwaies and be it ꝛc. that al and every person and persones which now have any of the sayd accions, writtes, and avowries, Scire facias cognisance prescripcions, tytls or clayme depending, or that hereafter shal sue commõs make or bring any of the sayed writtes or accions, or make any of the said avowries cognisances prescripcion titles or claime, at any time before the feast of the Ascencion of our Lord god whych shalbe in the yeare of our lord God. 1546. shal alledge the seison of his or their auncestours or predecessors, or his owne possession and seison, and also have all other like advantage to al intentes & purposes in the same writtes accions, avowries, cognisances prescripcions, titles and claimes as he or they might have had at any time before the making of this statut, this act or any thing therein contained to the contrary notwithstanding. Prouided also & be it ꝛc. that if any person or persones being now within thage of xxi. yeares or coverte baron, or in prison, or out of this realme of England, now having cause to have, sue, commence make or bring any of the said writs, actions, or to make any avowries cognisances, prescripcions, titles or claimes, ỳ it shal be lawfull to such person and persones being within age, coverte baron, in prison or out of this Realme, to sue commence, or bring any of the said writtinges or accions, or make any of the said avowries, cognisances, prescripcions, titles, or claimes, at any time within vi. yeres next after such persons or persons now beeing within age, shall accomplish the age of xxi. yeres, or within sixe yeres next after such persons or persones now beeinge coverte baron shalbe sole, or within sixe yeares next after such person or persons now being in prison, shalbe at his libertie, or within vi. yeares next after such person or persons now beeing out of this Realme, shal come and be within this Realme. And that every such persons and persons in their said actions, writs avowries, cognisances, prescription, titles, or claimes, to bee made sued or commenced within the said sixe yeres, shall alledge within the said sixe yeres the seison of his or their auncestours, or predecessours, or of his owne possession, or of the possession of those whose estate he shal then claime. And also within the same sixe yeres shal have al and every like advantages to all intentes and purposes in the same, as he or they might have had before the making of this act, and as though this act had ne-

Triall

Barre

writs Accions

Allledge seisin

within age Coverte baron Imprison

vi. yeres

vi. yeres

ver

uer ben had ne made. This act or any thing therein contained to the contrarie notwithstanding. Prouided also ỳ if it happen the said person or persons now being within age, or couert barō, in prisō, or out of this Realme, hauing cause to sue, commence, make, or bring any the said writs, accions, auowries, cognisāce, prescripcion, title, or claime, to decease within age, or being couert, as is aforesaid, or during the time ỳ he or they shalbe in prison, or out of this realme, or to decease within fiue yeres next after such person or persons shal accōplish his or their full age, or shalbee at large within this Realme, or shal become sole, & no determinatiō or iudgemēt had of such titles, acciōs, or rights so to them accrewed, that thē the next heire or heires of such personne or persones beeing in prison, or out of thys realme, or within age, or being couert baron so dyinge, shall haue and enioy all and euery such libertie, aduantage, to sue, demaūd, auow, declare or make their sayd titles, clayme or prescrypcions within fiue yeares next after the death of such personne or personnes, now imprisoned or beeing out of thys realme or within age, or couert de baron, in such like maner and fourme to all intentes and purposes, as the same infant after his full age or the said woman couert after the death of her husband, or the same person being out of this Realme after his repaire or comming into the same, or the said person imprisoned after his enlargement and cōmyng out of prison should or might haue had within vi. yeres then next ensuing, by force and vertue of the prouision last before rehearsed, anie thing in thys act conteyned to the contrarie thereof in any wise notwithstanding. Prouided also, that if any personne or personnes, beefore the said feast of the Ascencion of our Lord God, whych shalbe in the sayd yeare of our Lorde God, a thousand fiue hundred fortie & fiue, commence and sue any of the sayd accions or writts or make any auowrie, prescripcion, title or claime and the same action, writ, auowrie, cōusance, prescripcion, title or claime happen by the death of any ỳ parties of the same, to be abated beefore iudgement or determination thereof had, that then the sayd personne or personnes beeing demaundauntes or auowauntes, or making anie such cognysaunce, prescrypcion, title or claime being then on liue, & if not then the next heire or heires of such person or persōs, so deceased, may commence or pursue his or their accyon & suit & make hys or their auowrie, cognisance, prescripcion, title or claime for or vppon the same matter wythin one yeare next after such accion or suit abated, and shall haue and enioy all and euerie such libertie and aduauntage to sue, demaund, auowe, declare or make their sayd titles, claimes, or prescripcions within the sayd one yere as the demaundaunt or demaundants in such writ or suit abated, or as such as did auowe or make cognisance, title, clayme, or prescripcion, should or might haue done, had, vsed, made, or enioyed in the said former acciō or suit anie thing in this act to the contrarie notwythstanding. Prouyded further more, that if anie false verdyct happen hereafter to be geuen or made in anie of ỳ said accions, suits, auowries, prescripcions, titles or claimes, that then ỳ partie greeued by reason of the same shall and may haue his attaynt vppon euery such verdict so geuen or made, & the plaintife in the same attaynt vpon iudgement for him geeuen, shall haue his recouerie, execution and other aduauntage in like manner and fourme, as heretofore hath ben vsed and accustomed, any thing beefore in this act cōtained to the cōtrary thereof notwithstanding. An. 32. H. 8. cap. 2.

4 ¶ The said former act made in the two and thirtie yeare of the raigne of the sayd late king Henry (8. cap. 2. before. 3.) or any article, clause, sentence,

pp. j. or mat-

die within age

vi. yeres

heire

vi. yeres

Abate before iudgement

Heire

One yere

False verdict

Attaint

Recouerie Execution

Auowson Quare impedit Warrein p̄sentment Jure patronatus writ of right Wardship

or matter therein contained, shall not extend to anie writ of ryght of auowson, Quare impedit, or assise of darrein p̄sentment, nor Jure patronat⁹ nor to anie writtes of ryght of warde, writte of rauishment of ward, for the wardshippe of or for the wardshyppe of the castels, honours, manours, lāds tenements, or hereditamentes holden by knightes seruice, nor to the seiser of the wardship of the body of anie ward or wardes, or to the seiser or wardship of any castels, honors, maners, lands, tenements or hereditamentes, holden by knyghtes seruice, but that all, and euery person and persons, bodies polytique, and corporate, their heires & successours, the heires and successours of euery of them, shal & maie haue maintaine and pursue al & singuler the sayd writtes of ryght, of auowson, Quare impedit, assise of darrayne p̄sentmēt Jure patronatus, writtes of ryght of ward, rauyshment of ward, and also seyse the wardshyp both of the bodie and of the castels, honours, manours, lands, tenements, and hereditaments holden by knights seruice, in lyke maner and fourme, to al intents, cōstructions, and purpoles as they or anie of them should or might haue dōe, made or pursued before the making of ỳ sayd act made in the sayd. xxxij. yeares as though the same act had neuer beene had or made any thing in the said former act to the contrary notwithstāding. An. 1. M. 1. parl. cap. 5.

Knights seruice

¶ *Lynne.*

Aū. 33. H. 8. cap. 34. it is enacted ỳ the kings letters patents dated. 7. Julij. An. 29. H. 8. made to ỳ towne of Lynne of two faires or markets to bee holden yerely in ỳ towne, be made voyd and of none effect, sauing to the towne all other their liberties and other things compriled in any other letters patents.

Faires Markets Voyd

2 ¶ Anno 26. H. 8. cap. 9. an act was made for the repairyng of the towne of Lynne.

¶ *Linnen cloth.*

Aū. 21. H. 8. ca. 14. it was enacted ỳ none shall bryng into England anie Linnen cloth called Dowlas and lokeram not conteyning the length & bredth declared in the statut, vpō paine of forfaiture. And after An. 28. H. 8. cap. 4. this act is repealed, & it is there enacted, that no maner of persō English, nor straunger, denizen, nor alien, put to sale any whole piece or halfe of ỳ said linnen cloth, called Dowlas and Lockeram, vnlesse there be mencīō expressed vpō euery of ỳ said whole peece or halfe peece of the sayd lynnen cloth called Dowlas or lokeram, so put to sale as is aforesaid, the whole & entier nūber of the yards, or els ỳ is contryned in euerie such whole peece or halfe peece, vpō paine of forfaiture of ỳ same whole peece or halfe peece, not contryning the nūber of yards or els so mencioned vppon euery of the said whole peece or halfe peece: so put to sale as is aforesayd. The one halfe of euery such forfaiture to be to ỳ kig our soueraigne lord, & ỳ other half to him ỳ shal seise & will sue for the same by accion of debt, bill, plaint, information, or other wise, in which accion, suit, or informatiō, no wager of lawe nor essoine shalbee admitted or allowed. Prouided alwayes ỳ this act or any thing therin cōteined, be not prēuditial ne hurtful to any person or persōs, ỳ before the first day of this parliament hath made any seiser, or put in anie information into any of ỳ kings courts for any maner of forfeiture done or cōmitted by any person or persons contrary to ỳ sayd estatute, made the said third day of November, the xxi. yere of ỳ reigne of our said soueraigne lord king H. 8. An. 28. H. 8. capitulo quarto.

Dowlas Lokeram Forf. Repealed Alien Denizen Dowlas Lokeram Forf. Moitie Forf.

2 ¶ Where certeine euil disposed & deceiptful persounes, vsing to buy and ingrosse

ingrosse into their hãds, great store of linnen cloth, doe vse to cast the peeces of cloth ouer a beame or peece of tymber made for their purpose, & do by sundry deuises, racks, stretch, and drawe the same both of length and bredth, & that don, do then w̃ batledores, peeces of timber & wood, & other thinges fore bete the same euer casting thereupon certaine deceitfull liquors mingled w̃ chalke and other like thinges, wherby the saied cloth is not onelye made to seeme much finer & thicker to the eye, than it is in deed, but also the threedes thereof be so losed & made weake, ỳ after iij. or iiij. washinges, it will scarcely hold together, to the great disceite, hinderãce & losse of the subiects of this Realme: Be it therefore enacted by ỳ auctoritie of this present parliament, ỳ if any person or persons shal hereafter willingly vse or cause to bee vsed ỳ aforesaid deceites, or any other acte or actes, meane, or meanes, to, in, or w̃ any kinde of Linnen cloth, wherby the same shalbe deceiptfull or worse, to & for the good vse thereof, that then the said cloth shalbee forfeited, & the offender therein to be punished by one moneths imprisonment at the least. And shall pay such fines as shalbee assessed for his or their offence or offences by the Justices before whom hee or they shalbe cõdempned according to the tenour of this act. And be it further enacted by the auctoritie aforesayd ỳ all & euery of the iustices of Oyer & determiner, and iustices of assises in al their sessiõs, & all iustices of peace in euerie comty & place of this realme, or three of thẽ at the least, wherof one to be of the Quorum shal haue full power and auctoritie to enquire, heare and determine the offẽces beforesaid in their sessions by information, indictment, or vpon ỳ trauerse of any presentment or indictment, found before ỳ said Justices or any of thẽ. And bee it further enacted by ỳ auctority aforesaid, ỳ if any persõ or persones, shall at the next sessiõs of ỳ peace, after the sayd seyser, to be kept w̃in ỳ shire or place, where the seyser was made, or before two Justices of peace, whereof one to bee of the Quorum, make due informatyon of the offẽce and of the seiser of the said cloth, or else shall procure the offendours to bee thereof indicted, at the said next sessions after the sayd seiser. And shall also bee bound beefore the said Justyces by recognisaunce or obligatiõ to the vse of the Quẽnes matestly, her heires & successours, in such fourme as the sayd Justyces or anie of them shal thinke meete for ỳ greatnesse of the matter, and to pursue the same matter with effect, and to geeue euidence as of right appertaineth, and also to pay and geeue the moytie of all that he or they shall so recouer, and receiue to the sheriffe or other accomptant, to the vse of the Quẽnes maiestie, her heires and successours, and the one halfe of al the forfaitures & fynes of and for the premisses to be vnto the Quẽnes maiestie, her heires and successoures, and the other moitie to him or to them that shall make informatiõ or procure indictments, of and for the premisses & shall follow ỳ same w̃ effect. And further be it ordeined & enacted by the auctoritie aforesayd that ỳ iustices before whom any such offence shal be tried, shal certifie the same by their estrete, into ỳ exchequer, at the least yerely at Mighelmas as they bee boũd to do other their estretes, & vpon ỳ certificat ỳ Barõs of theschequer to haue ful power & auctoritie to make proces for so much thereof, as by thys estatute shal appertaine to ỳ Quẽnes maiestie in like maner and fourme as they only do for any other fines and amerciaments, so certified before them An. 1. El. ca. 13.

¶ *Liuerie & ouster le maine.*

Where inquestes take̅ by his escheators by any of ỳ kings writs purchased out of ỳ chãcery being returned



Strech
Beat
Chalke
Disceipt
Forf.
Impriſon
Fines
Iuſt. of
oier & ter.
Iuſt. of aſſ.
Iuſt. of p.
Quorum
Oier & ter.
Seſſions
Iuſt. of p.
Quorum
Recognisãs
Euidence
Moytie
Shirife
Moitie
Certifie
Eſchequer
Barons of
theſchequer
Proces
Enquests
Eſcheators

and it bee found by such inquestes, that nothyng is holden of the king, whereby the king ought to haue the warde of such landes and tenementes by reason of the inquest taken by his eschetours, that immediatlie and without anie delay the eschetours shalbee commaunded by the kynges writ, had out of the kinges Chauncerie, to put from their handes all the landes and tenements so taken into the kings possession, and if they haue taken anie profits of such landes and tenementes so taken into the kings handes by thē, frō the tyme that such landes and tenementes fell into the kings hands (they shall make full restitutyon to him or them, for whom it was found by inquestes taken by the same eschetours, that such landes ought to remaine, sauing alway to the kinge, in case that after such time as his eschetours, haue discharged their handes by force of the kinges writte, as before is sayd) if anie thing happen to be found in the Chaūcerie, or the eschequer, or in anie other of the kinges courtes, whereby the warde of such landes, whereof the eschetours haue discharged their handes, in fourme aforesaid should belong vnto the king, ẏ immediatly he in whose possessions such landes happen to bee, shall bee sūmoned by a writ out of the Chauncerie to bee afore the kyng at a certaine day whersoeuer &c. to shew if he can say any thing, wherefore the kyng ought not to haue the warde of such landes, according to the fourme of the euidences or remembrances foūd for the kyng. And if hee come in, and shew why the ward of such lands doth not belong vnto the king, but dooth shew, that it ought to belong and remaine to him selfe, hee shall go quite, and shal retaine the ward. But in case that the partie warned doth not come, or if that he come and can shewe nothing to put the kyng from the ward, the landes ⁊ tenementes shalbe forthwith reseised into the kynges handes, to bee kept in name of wardship vnto the lawfull age of such heires, as before is sayd. And if it bee found vppon the inquestes taken by the eschetours and retourned, that the ward of the same landes and tenementes conteyned in the inquest, and seased into the kinges handes, ought not to remaine vnto the king, then the eschetour shalbee commaunded forthwith to dyscharge hys handes thereof, and to restore the issues wholly. In like manner if it bee found afterward by the euidences and remembrance in the chauncerie, eschequer, or other where, as beefore is sayd, that our soueraigne lord the king ought to haue the ward thereof, ẏ king shalbe aunswered vnto for the whole issues and profites, by the handes of such as held the same landes and tenementes from the time they were first taken into the kinges handes by hys eschetours by the writtes abouesayd. And this order shalbee obserued from henceforth in the Chauncerie, notwithstanding a certaine ordinaunce lately made by our soueraigne lord the king, concerning landes and tenements taken into his hands by his officers, and not to be deliuered but by the king him selfe, and as it is cōteined in a certaine diuidenda or indēture made betweene the king him selfe and his Chauncellour, whereof one part remaineth in the custodie of the Chauncellour. Anno. 29. Edwardi. I.

2 ¶ Where the eschetour or the sheriffe seyseth lands into the kings hands (where there is no cause of seiser). And after when it is found no cause, ẏ profits taken in the meane time haue bē still reteyned and not restored, when the king hath his ouster le maine. The king will that if hereafter any landes be ceased, ⁊ after it be out of his hands by reason that he hath no cause to seise nor to hold it, ẏ issues shalbe fully restored to him to whō ẏ land ought to remaine, ⁊ which hath sustained the damage. Articuli super chartas. cap. 19.

3 ¶ Be-

ward

Chauncery Lands

Profits

Restitution

Eschequer

Sōmoned

Reseise

Restore issues

Eschetor withholds

Issues

Eschetors

3 ¶ Because that the eschetours and other the kynges mynisters, by the kinges commaundement frō ẏ chaūcerie, haue beene charged at the eschequer of the fermes and rentes, of the landes and tenements, which were taken into the kinges handes by the death of ẏ tenaunts, which held of him to the heires and other, to whom the sayd landes and tenementes ought to discend, revert, or remaine, whereof the termes of paiments were to come after such liuery made, for the rate and porcion of the time that the same lāds and tenementes were in the kynges handes: It is accorded and stablyshed, that of mannors, cities, burghes, townes, hundredes, fraunchises, and all other landes and tenementes, whereof profyt doth rise from time to time

Milles Tolls

through the yeare, as of milles, herbage, tolle, pleas and profits of courts and all such issues and profittes, euerie eschetour and other mynister, whych hath seysed such lands and tenements to the kynges vse, shalbe holden to answere to the king for the rate and porcion of the time, according to the olde course in the eschequer. And that of

Eschequer

auncient fermes, and rentes, which be to be payed at certaine termes, as rent seckue and rent seruice, whereof noe

Rent secke Rent seruice

profit ryseth till the day of payement, such fermes and rentes shalbe payd to the, which haue liuerie out of ẏ kings hand, at the termes of payementes of the sayd fermes and rentes, which followeth after such liuerie made aswell of the tyme past as of the time to cōe. An. 28. E. 3. cap. 4.

¶ *Liueries of companies & retainers.*

BEcause that dyuers people of small garison of landes or rent or other possessions do make great retinue of people, as well of esquyers as of other, in manie parties of the Realme, geuyng

Hatts

to them hattes and other liuery of one sute by yeare, taking wages towards them the value of the same liuerie, or percase the double valour by such conenaunt and assurance, that euerie of them shall mayntayne other in all

Quarels

quarelles bee they reasonable or vnreasonable, to the great mischiefe and oppression of the people: It is ordeyned and assented, that the statutes and ordinances made in such case before thys time beene kept and duelie executed. And moreouer the kynge dooth straytelie defend, that from henceforth noe such liuerie bee geeuen to anie man for maintenaunce of quarelles, nor other confederacies, vppon

Maintenās Quarrels Impris. Fyne.

peyne of imprysonment and grieuous forfaiture to the kyng. And the Justices of assyses shal diligently enquire of

Just. of ass.

all them that gather them togeither in

Fraternities

fraternyties by such deliuerie to doe

Maintenās

mayntenaunce, and they which therof shall bee found guiltie, shallbe duelie punished euery mā after the quantitie of hys defect. Anno primo R. 2. capitulo. 7.

2 ¶ No yoman, nor no other of lower estate than an esquier, frō henceforth shall not vse nor beare no liuerie,

yoman Esquier

called liuerie of companie, of any lorde

Lord

within the Realme, if hee bee not menyall and familiar continually dwelling in the house of his sayd lorde, and

that the iustices of peace shall haue po-

Just. of p.

wer to enquire of them, which do the contrarie, and them to punishe according to their discretion. Anno. 16. R. 2. capitulo. 4.

3 ¶ Whe statute made in the first yeare of hys raigne, of liueries of hats

Hatts

shall bee holden and kept vppon the payne conteyned in the same statute, and vppon payne to bee imprysoned

Imprison Fine.

and to make fyne and raunsome to the kyng. Anno secundo Richardi secundi capitulo primo.

4 ¶ Garlettes called yomen, nor none other of lesse estate then esquyer,

yoman Esquier.

shall vse nor beare noe signe of liuerie called liuerie of companie, of any lorde within the Realme, vnlesse hee bee

menial and familier or continuall officer of his said lord. And that the iustices of the peace shall haue power to enquire of thē which to do the contrarie, and them to punish according to their discretion. Anno vicesimo R. 2. cap. 2.

Just. of p.

Lord

Knight
Esquier
Yoman

5 ¶ No lord or what estate of condition so euer he be, shall vse nor ordeine any liueries of signe or company, to noe knight, esquier, nor yeman, within the realme aforesaid: Sauing alwaies ỳ our soueraigne lord the king shall giue onely his honorable liuerie to his lords temporall, whom shall please him: saiuing also that our sayd soueraigne lord shall geeue hys honourable liuerie to his knyghtes and esquyers menyall: and also to his knightes and esquyers, which bee of hys retenue and doe take of hym their yearelie fee for terme of lyfe. Moreouer it is accorded and assented by the kyng, hys Lordes and commons aforesayd, that the knyghtes and esquyers shall not in anie wise weare their sayd liueries in their countreys or counties, where they bee reseaunt or dwelling, nor in none other place wythin the Realme out of the kynges presence. And if anie Lord do the contrarie, and that duely proued, hys shall make fyne and raunsome at the kynges will. And if anie knyght or Esquyer doe the contrarie, and bee thereof duelie attainted, hee shall lose hys said liuerie and forfayt his fee for euer. And that noe yoman take nor weare anie liuerie of the kyng, nor of none other Lord vppon payne of imprysonment, and to make fyne and raunsome at the kynges wyl: Prouided alwaie that ỳ constable and marshall of England for the tyme beyng, in their retinue of knyghtes and Esquyers, maie weare the sayd liuerie of the kyng vppon the borders and marches of the realme in tyme of warre: Prouided also, that all they that will trauaile and passe ouer into the parties beyond the sea, to seeke honour, may weare the same liuerie in those partyes without beeing thereof anie wise greeued or empeached. Moreouer it is accorded e assented that no Archbishop, Byshop, Abbot, nor Prioure, nor none other man of holie Church, or temporall, of what estate or condition hee bee within the sayd Realme, shall geeue anie liuerie of cloth to any man, but onelie to hys menyall seruaunts and officers, or to them that be of hys counsell as well Spirituall as Temporal, learned in the one lawe or in the other, vppon paine to make fine and raunsome at the kynges will. And this estatute shal beginne to take place from the feast of Candelmas next to come. Anno primo Henrici quarti capitulo septimo.

Knight
Esquiers

Lord

Fine;

Forf.

Yoman

Imprison
Fine

Constable
e Marshal
of England

Marches
Warre

Archbishop
Bishop
Abbot
Prior

Fine

6 ¶ The same statut (s. of 1. H. 4. capitulo. 7. before. 5.) shalbe firmelie holden and kept, toyned thereto, ỳ the iustices of the one bench and of the other, and the Justices of Assises and of the peace, haue power and auctoritie to enquire, heare, and determine in this case by record in their presence, or by enquirie to bee made from tyme to time, and that the Dukes, Earles, Barons and baronettes of the realme maie weare the sayd liuerie in their countrey and else where. And also that the sayed knyghtes and esquyers may weare the saied liuerie in going from the kyngs house and returning to the same. Prouyded alwaies that ỳ same knyghtes and Esquyers weare not the same liuerie in their Countries or Countrey where they bee reseaunt or dwelling, vppon the payne contained in the sayd statute. Moreouer it is accorded, that the prince may geeue his honorable liueries of signe to the sayd lordes and to his menyal gentlemen. And that the sayd lordes may weare the same as they weare the kyngs liuerie, and that the menials of ỳ prince maie also weare the same as ỳ kinges menyals, and the fourme, and vppon the payne aforesaid. An. 2. H. 4. c. 21.

Just. of
both B.
Just. of all
Just. of p.

Dukes
Erles
Barons

Knights
Esquiers

Paine

Prince

7 ¶ As

7 ¶As well that statute (8. An. 1. H. 4. cap. 7. before 5.) as the statut of liuerie of Hattes made in the time of king Richard the second (8. cap. 7. before 1.) bee holden and firmelie kept, and put in due execution, ioined to the same, that if anie knight, or any other personne of lesse estate, do geeue anie such liuerie of cloth or of hats, agaynst the fourme of the sayd statutes, that he shall incurre the payne of a hundred shillings for euerie such liuerie of cloth or of hattes, to bee payed to the kyng as often as hee shall doe contrarie to this statute or ordynaunce, and that hee, which receiueth anie such liuerie of cloth or of hattes, shall likewise incurre the payne of fortie shillinges, to bee payed to the kyng as afore is sayd, and hee that wyll sue in this case, shal haue the one halfe of such paynes for his labour. And that the same paynes be in no wise pardoned. Moreouer it is ordeyned, that no congregations nor companie bee made of such liuerie of cloth nor of hattes at the proper costes of the congregation or companie, vpon payne of euerie man of the same congregation or companie, that doth contrary to this ordinaunce or statute, to pay to the king fortie shillings. The gyldes and fraternities, and also the people of misteries of Cities & burghs within the realme, that bee founded or ordeyned to a good intent or purpose onely except. And the Iustices assygned to take assises shall haue power to enquire from time to time in their sessions of the matters aforesaid, and the same to certifie in the kynges benche. Prouided alwaies that in the time of warre it shalbee lawefull to Lordes, Knyghtes, and Esquyers, which trauaile in such warre to geeue their liuerie of clothyng or of hattes, such and in such wise, as best to them shal seeme for the time of such warre, wythout beeyng anie wyse vexed or inquyeted in this behalfe by force or vertue of this statute. An. 7. H. 4. cap. 14.

Knight
Hatts
For l. C. s.
Paine xl. s.
Moitie
Paine xl. s. Gyldes
Iust. of all.
Certifie
warre Lordes Knightes Esquiers

8 ¶That the sayd statutes (that is to say. An. 1. H. 4. cap. 7. before. 5. and Anno. 7. H. 4. cap. 14. before. 7. and Anno. 1. R. 2. capitulo. 7. before. 1.) shalbe holden and kept and put in due execution according to their fourme & effect. An. 13. H. 4. cap. 3.

9 ¶Item whereas it is ordeyned by diuers statutes made in the tymes of the kinges noble progenytours, that no knyght nor none other of lesse estate, should geue anie liuery of clothes or hattes to other then to his menials, and hys officers and men learned in the one lawe or the other, vppon the paine of C. s. to be leuyed of the geuer, and xl. s. of the taker, as often as they do the contrary, and he that would sue should haue the one halfe of the payne after that that they thereof bee duelie conuict, and that the iustices of assises, and Iustices of peace in euery countie of England, should haue power from tyme to time in their sessions, to enquire of the sayd matters, and them to heare and determine, as in the said statutes and ordinances fullie appeareth which statutes and ordinaunces haue not been duelie kept, because that they that doe contrarie to the statutes and ordynaunces beefore the sayd Iustyces may not bee endicted, for great maintenaunces in this behalfe. Our soueraigne Lord the kyng willyng to expell such mayntenaunces, hath ordeined by the auctority aforesaid, that the sayd Iustices shal haue power by the same auctorities aswell at the kinges suit as the parties, to award writs of attachement and distresse against all them, which from henceforth doe the contrarie of the sayd statutes and ordynaunces, in the countyes where they hold their sessions, directed to the sheriffes of the same counties returnable before the same iustices or Iustice for the time being in their sessions. And if the sayd sheriffes returne, that they against whom such writtes shall be, haue nothing, the a capias & exigend shalbee

Knights
Hatts
Officers
Maintenãs
Iust. of all.
writts
Sessions. Shirifes.
Capias
Exigend

shalbee awarded agaynst them in the manner as shalbee done against them that bee indycted beefore Justices of peace, trespalles done with force and armes agaynst the kynges peace. And if they appeare at ane of ẏ said writs, the sayd Justices shal haue power and Examine authoritie afforesaid to examyne them of the matters afforesayd. And they whom they fynd by examination, that haue done the contrarie of the said statutes and ordynaunces shall incurre Paine the paine comprysed in ẏ same statuts that is to say the geuer C.s. and the taker forty shyllynges, as often as they doe the contrarie, in the manner and fourme as they ought if they were by enquest duely before the sayd Justices convict, so that the said statutes & ordinaunces extend them (as to examination) to liueries for to be geuen against the fourme of the said statutes thereof made, beefore this time after the feast of Christmas next cõmyng. Prouyded that the sayd ordynaunces extend alwell in the counties of Chester Chester, and Lancaster by the examinatiLancaster on and procesle as afore is sayd, of the Justice of Chester or hys lieutenaunt there, as by examination of the Justices of the countie of Lancaster, so to be made against al thẽ which shal doe the contrarie of the sayd ordynaunces in time to come. Prouided also that all the statutes and ordynaunces beefore made and not repealed of liueries of clothes by lordes geuen or to be geuen agaynst the fourme of the same statutes, shall stand in their force. And that this statute extend not as to the Maior execution of examinatiõ to the Maior, Shirifes of London for the time that Shirifs of London they shalbee officers, fericaunt of the Sergeants of the lawe at the time that they take the same estate vpon them, and them that doe cõmence in the vniuersities within the Realme of Englãd at the time of their commencement, nor to them which for the time afforesayd, shal take anie such lyueries of them. And also that all those that shall take anie such lyueries of clothe or of hattes of anie Lord spirituall or temporall, or of any great Ladie in or of England, against the fourme of the sayd statutes, they shalbee likewise examined and punyshed in the manner as that take such lyueries of knyghtes or other of lesse estate as beefore. Prouyded alwayes that in the tyme of warre it shall bee lawfull to the Lordes, knyghtes and esquiers, that do trauele in such warre Warre to geeue their liueries of clothyng or of hattes, to their Souldiours, and in Soldiers such wyse as to them best shall seeme. And that it shalbee lawefull for such souldiers to take and weare such lyueryes, of clothyng or of hattes, for the tyme of such warre, without beeyng in anie wyse molested in thys partie by force or vertue of the same statuts. And that moreouer, if any persoune of what estate or condition hee bee, after the sayd feast of Chrystmas, of hys owne authoritie and proper costes do buy or weare for hys clothyng anie clothes or hattes called liueries of the sort or of suit of anie Lorde, Ladie, knyght, esquier, or other persoune, for to haue supportation, succour or mayntenaunce in anie quarell, or in anie other manner, if he bee thereof duelie conuict by examination or other wyse beefore by the statutes declared, he shal incurre the paine beefore limitted of them that take liueryes of lordes or other persõnes afforesayd, and moreouer shall haue a whole yeares imprysonment wythout beeing lett to bayle or mainprise for their malicitie and subtill imagination in this part. Anno 8. Henrici. 6. cap. 4. Imprison

10 ¶ All statutes and ordinaũces made beefore thys tyme against anie persõnes for geuing or receyuyng of liueries and badges, shalbee fully ob- Badges serued & kept. And moreouer that noe person, of what estate, degree or condition that he be, by him self or any other for him, frõ ẏ feast of ẏ Natiuitie of saint

of saint John Baptist, which shallbee in ỳ yere of our lord god M. CCCC. lxviii. shal geue any such liuery or badg or retaine any persone other then hys meinial seruant officer or learned man in the one lawe or the other, by ante writing, othe, or promisse, & if any doo the contrary, that then hee shal renne in paine and forfaiture for euery such lyuery or badge geeuen. C.s. and the reteigner or taker of such othe writing or promisse or reteigner by indẽture, for euery such reteygning or taking of any such othe or promisse or reteigning by indenture, shall incurre the payne and forfaiture of C.s. for euery moneth that any such person is so reteigned wyth him by othe writyng, indenture, or promisse. And also that euery persone so retaigned by writing indenture othe or promisse, for euery such moneth that he is so retained, shal forfayt and lose C.s. And moreouer the king by thaduise assent and auctoritie aforesayd hath ordayned and established, that as well beefore the king in his Bench, as before ỳ Justices of the common place, Justyces of peace in their sessions. Justyces of oier and terminer and gaile delyuerye. The kinges Justices of the counties palantine of Lancaster & Chester for the tyme being, in euery of those the kynges Courtes aforesaid, before them or any of them. And in ỳ regaly and court of the archebishop of Yorke in Heramshire beefore the Justyces there. And in the court of ỳ Bishopp of Durham in the Countie palantine of Durham, before his iustices there, euery persone that will sue or complaine agaynst any persone or persones offendyng or doing agaynst this fourme of this ordinance, or any other of the premisses, shalbee admitted by the discretion of the iudges in euery of the said courtes to geue information for the kyng therein of any of the premisses within the iurisdicciõ of euery of the said courtes done or committed. And euery such informer, if hee wyll, shalbee admitted to sue for ỳ king and him selfe accions or accyon vppon the same by informatyon to be geuen or made in any of ỳ said courts agaynst as many such offendours in one bille or information to bee named as liketh hym, whych so informeth. And this information so geeuen shall stande & bee in stede of a bille or originall writte. And that therupon al such proces shallbee hadd and made as is had and made vpon an originall writt of trespas done against the kynges peace. And if any thoffendours be present in any of the sayed courtes, hee by the commaundement of euery of the iudges in the same courtes shall bee brought in and put to aunswere to such Bill or billes by such information by an othe first to bee made vppon a booke by the informer beefore any of the sayed iudges, that his complaynt is rightfull without any other or further proceese therein. And that the same iudges and euery of them in euery of the sayed courtes shal haue power in their seueral iurisdiccion, to examine al persones defendaunts and euery of them, vppon euery such information, and to iudge him or them conuict or attaynted as well by such examination as by triall as the cas requireth, after the discretion of ỳ iudges. And also shallbee charged by the iudgment in the same to the persone complainaunt or informer in this behalfe, of al the costes had in the same by the discretion of the iudges & iudge in the same. And also the same partie complainaunt to haue the one halfe of the said forfaitures, and the kyng the other halfe. And al such execution to be had for the informer in this behalfe, as is had or ought to bee had in recoueries of debt or trespas at his pleasure. And ỳ no protection nor essoyne bee allowed vppon any such information. And that no Shirife or cozoner retourne vpon any defendant being a person

writing
Oth
Forf.
Forf.
Forf.
Justices of cõmon p.
Just. of p.
Just. of oier & ter.
Lancester
Chester
Regalie
Heramshire
Durham
Informacion
Informer
Accion
Proces
Cõmaũdement
Othe
Examine
Costs
Moitie
Shirife
Cozoner

person sufficient, in any suit grounded vppon any of the premisses retourned sufficient, any lesse issues then xx. s. at the first day of the distresse: and at the second day xxx. s. & at ỳ third day xl. s. and so at euery day after moze by x. s. in issues. And if any shirike oz cozoner doo the contrary, that then hee shall forfait foz euery such retourne against the fourme afozesaid. xx. s. And also by thaduise assent and auctho3itie afozesayd it is ozdayned, that in euery Citie, Bozough, towne, and pozt of this Realme cozporat, wherein the Maire shirikes, shirike, Baslike oz baliues, oz other chiefe officer of such Citie, Borough, towne oz pozt, haue power to heare and determine personall plees: the same Maire, shirikes, shirike, Baslike oz baliues, oz chiefe officer in the court holden before them oz any of thẽ within any such Citie, bozough, towne, oz pozt, shal haue al lyke & such auctho3itie to receiue such infozmation, as to heare and determine as wel by examination as by trial by their discretion, al thinges done concerning ỳ premisses, by oz to the inhabitauntes wỉthin the iurisdiccion of the same court.

And to make and put this ozdinaunce in execution in like manner & fourme as is aboue ozdayned. And that our soueraigne lozd the kyng shall haue ỳ one halfe of the forfaiture, And the informer therein, & the Maire, Shirikes shirike, baslike oz baliues, oz chiefe officer of such citie, Bozough, Towne, oz pozt, to haue the other halfe, equally to be deuided betwirt them: Whereof ỳ part pertayning to the Maire, shirikes shirike, baslike oz bayliues, oz chiefe officer, shallbee applyed to ỳ vse of such Citie, bozough, towne, oz pozt. And ỳ al reteignynges, and euery retaigning by indenture oz other wziting othe oz promise of any persone made beefoze the sayed feast, other then to bee menial seruants, oz officer oz of his counsaile, oz lawfull seruice done oz to bee done, shalbe from the said feast vtterly void and of no force noz effect. Also it is ozdained & established, by thaduyse assent and auctho3itie afozesaid, ỳ our soueraigne lozd the king shal haue the one halfe of al the sayd paines & forfaitures in manner and fourme beefoze ozdeined: Except in Cyties, Boroughes, Townes, and dyuers other places, where any person oz persons haue by reason of their priuiledges, liberties, fraunchises, oz graunts, like forfaitures & paines: And ỳ euery such person oz persones shal haue the halfe of the said forfaitures and paines made by this act, accozding to their priuiledges, liberties, fraunchises, and grauntes, as the king should haue, if ỳ sayed priuiledges, liberties fraunchyses and grauntes had not beene hadd graũted noz made. Prouided allwaies that this act extend not noz bee prejudiciall to any gift graunt oz confirmation made oz to be made of any fee annuitie, pencion, rent, landes, oz tenementes by the kyng oz anie other persone oz personnes, to any persone oz personnes foz their counsaile geeuen oz to bee greuen, and their lawfull seruice done oz to bee done, and foz none other vnlawfull cause, noz none other vnlawfull entẽt: although that ỳ persone oz personnes, to whom such gift graunt oz confirmation is oz shall bee made bee not learned in the one law oz in the other. Also it is ozdained by thaduise assent and auctho3itie afozesaid, that euery such gift graunt, oz confirmation shalbe of like force and effect, and as good, effectuall & available, as they and euery of them were, if this act had not beene made. And by the sayed auctho3itie it is ozdayned ỳ no exigend shalbe awarded by any of the Iustyces foz the time being within the sayd counties palantine of Lancaster and Chester, oz eyther of them, oz in the sayd Bishopzich of Durham against any person oz persons, vppon any infozmation, suit oz procesle to bee made by force of this ozdinaunce. and



Issues

Foꝛf.

Citie
Towne
Poꝛt
Maioꝛ
Shirike
Bailife

Determine

Infoꝛmation

Examination
Triall

Moitie

Voyd

Moitie

Liberties
Priuiledges

Annuitie

Exigend

Lancaster
Chester
Durham

Outlawry

Lloyd

Archbishop
Bishop
Lord
Lady
Knights of the Bathe
Vniuersity
Serieants of the law
Gylde
Maior
Shirifs of London

Badges

Constable
Marshal
Armes

Wardens of marches

Trent

Marches

Badges

statut. And if any erigend bee awarded, or an outlagarie thereuppon pronounced in any informatiõ suit or proces to bee made by vertue of thys ordinaunce as beefore is sayed, that then such outlagarie shalbee vtterly voyd & of no force nor effect, without any suit by writ of errour or otherwise. Prouided also that this ordinaunce do not extend to any liuery geeuen or to bee geeuen at the kynges or Quénes coronation, or at ỳ stallatiõ of an Archbishop or Bishop, or ereccion creation or mariage of any lord or Lady of estate, or at any creation of knightes of the Bathe, or at the commencement of any clerke in any vniuersitie, or at the creation of sergeaunts of the law, or to geue by any gylde fraternitie or misterie corporat, or by the Maire & shiriffes of the Citie of London, or any other Mairs Shirife or other chiefe officer of any Citie, Borough, Towne, or port of this Realme of England, for the time beeing during that tyme, and for executing their office or occupation, nor to any badges or liueries to bee geeuen in defence of the kyng, and of this his Realme of England, nor to the constable and marshall, nor to any of them for geeuing any badge liuerye or tokẽ for any feats of armes to bee done within this realme, nor to any wardeines of ỳ marches toward Scotland for any liuerye badge or token for them to bee geeuen frõ Trent northward, at such time onely as shal bee necessary to leuy people for defẽce of the said marches or any of thẽ. An. 8. E. 4. ca. 2.

11 ¶ An. 12. E. 4. ca. 4. an act was made ỳ Prince Edward myght geue liueries & retaine notwithstãding ỳ statut.

12 ¶ An. 19. H. 8. c. 14. an act was made against reteiners and geuing of liueries and badges, to endure duryng ỳ kinges life.

¶ *London.*

IT is prouided by our soueraign lord the king, and his Justices & also graunted vnto the Citizens of London, that Archebishoppes, Bishoppes, Earles, barons, and other that haue rents in London, and for some tenementes ỳ rentes are beehinde, and can not recouer those rentes, that it shalbe lawfull for them to distrayne their tenauntes for the arrerages, so long as ante thyng is found in the fee, where by they may bee distrayned, and the tenauntes shallbee impleaded by a writte of gauelet of customes and seruices, whych may bee well done by their free men of the Cytie presented in their hustinges, for the keepynge of their suit, to gather their rentes, so that if the tenauntes do knowledge their seruices, they shall incontynent and without delay satisfie their lordes of their arrerages. And if they denie them their seruyces, the demaundantes shall immediatly name two wytnesses, whose names shallbee inrolled, and shall haue a day to bryng them forth at the next hustinges, at whych day if they bryng forth wytnesses, and it is shewed by them the full Court of theyr owne syght and hearyng, that the same playntyfes haue any tyme receyued the rentes, whych they demaund of ỳ tenemẽts, then the tenauntes shall lese their fées by award of the court, and the plaintifes shall recouer their tenements in demeane, if they wil not knowledge ỳ seruices vnto their lords as beefore is said, & likewise they shal recouer ỳ arrerages, which shalbe doubled, & they shal geue to ỳ shirife for ỳ wrongful wõ holding (if they be worth so much) the sume of an hũdred. s. wout any grudging. And if they doe not cõe in after due somons in the hustings, thẽ ỳ sãe fées shallbe deliuered vnto ỳ plaintifs in the full hustings, to bee holden and kept in their owne hands for one yere and a daye, wythin the which tyme of the tenauntes do come vnto them and doo offer to satisfie them of the arrerages

Archbishops
Bishops
Erles
Barons
Rents
Distraine
Gauelet
Hustinges
Seruice
Recouer
Arrerages
Shirifes

arrerages double, and to the shirife for his amerciament, as beefore is sayed: then they shal haue their tenements a gaine: But if it be after one yeare and a day accomplished, such tenementes shal remaine vnto the lordes of those fees by iudgment of the court in their demeane for euermore. And then such landes shalbe called forschoke, because such tenements shal remaine for euer in demeane to the lords of the fees for the default of the seruice. The same ordinaunce shalbee kept and obserued if the tenauntes doe confesse or knowledge the arrerages, and be not able to make satisfaction therefore, as it is said before. An. 10. E. 2.

Yere & day

Forschoke

Confesse

Errours

2 ¶ Because that the errours, defaults, and misprisions, which be notoriously vsed in the Citie of London for default of good gouernaunce of the Maire, of the shirifes, and the Aldermen, can not be inquired nor found by people of the same Citie: It is ordeyned and stablished, that the said Maire shirifes, & Aldermen, which haue the gouernaunce of the Citie, shal redresse and correct the defautes, errours, and misprisions aboue named, and the same duely punish from time to time vppon a certaine payne that is to saye at the first default a thowsand marks to the kyng, and at the second default two thowsand markes, & at the third defaut, that the fraunchyse and the liberties of the Citie be taken into the kynges hand. And bee it begonne to enquire vppon them at S. Michaell next comming, so that if they make not due redresse as afore is said, it shal bee enquired, if their defaultes by enquestes of people of foreine counties, that is to say, of Kent, Esser, Sussex, Hertford, Buckyngam, and Berke, aswel at the kinges suit as others that wil complaine. And if the Maire, shirifes, & Aldermen be by such enquests, thereto assygned, indicted, they shalbe made to come by due processe before the kinges Justyces, which shalbee to the same assigned out of the sayed Citie, beefore whom they shall haue their aunswere aswell to the kyng as to the party. And if they put them in enquestes, the same enquestes shalbe take by foreine people as afore is said. And if they bee attaynted, the sayed payne shall incurre and bee leuyed of the sayed Maire, shirifes and Aldermē for default of their gouernaunce. And neuertheless the plaintifes shal recouer the treble dammages against the said Maire, shirifes, and Aldermen. And because that the shirifes, bee parties to this busines, the Constable of the tower, or his lieutenant, shal serue in the place of the shirifes, to receyue the writs, aswel originals of the chaūcery as iudicials, vnder the seale of the Justices, to do therof execution in the said Citie. And processe shalbee made by attachement and distresse, and by exigend if neede bee, so ỳ at the kinges suit the exigend shalbee awarded after the first Capias returned, and at the third Capias returned, at the suit of the partie. And if the Maior, Shyrifes & Aldermen haue landes or tenementes out of the Citie, processe shalbe made against them by attachments and distresses in the same coūties, where the lands or tenementes be. And that euery of the sayed Maire, shirifes, and Aldermen ỳ wyll, may aunswere beefore the sayed Justyces particularly for him selfe, aswel at the peril of other, whych bee absent, as of him selfe. And this ordinaunce shalbee holden ferme and stable, notwithstāding any manner fraunchise, priuyledges, or Customes. And that thys ordinaunce extend to al Cities & Boroughs of the Realme, where such defaults or misprisions be vsed, and not duely corrected nor redressed. Sauing that the enquestes shalbe taken by foreine people of the same county, where such Cities or Boroughes bee. And that the payne of those of the sayed boroughes and Townes which shalbe thereof

Maior Shirifes

Punish

1000. Marks

2000. Marks

Liberties seised

Enquests

Attaint

Default of gouernance

tñ. damages

Constable of the tower

writs

Proces

Maior Shirifes

Cities Boroughs

Enquests

thereof attainted, shallbee iudged by the discretion of the Justyces which shalbe thereto assigned. Anno. 28. E. 3. cap. 10. See here folowing. 4.

3 ¶ An. 42. E. 3. ca. 7. it was enacted to endure to the next parliament that Londoners and none other might sell by retaile victailes.

4 ¶ The paines aforesaid, as well of the thousand marke, and of the two thousand marke, and of the lesion of the fraunchise, comprised in the sayed statut, that is to say. 28. E. 3. ca. 10. before. 2. shal not be limit in a certain, but that the payne in this case bee by the aduise and discretion of ỳ Justices thereto assigned, as other Cyties and boroughes be within the realme, and that the remnaunt of the same statut, and ỳ procesle thereof stand in their force. An. 1. H. 4. ca. 15.

5 ¶ Anno. 35. H. 8. capit. 10. An act is made for the repairing, making & amēdyng of the Condits in Londō. Condites

## ¶ Lone.

AN. 35. H. 8. ca. 2. a lone lent to the king was discharged and released by parliament.

## ¶ Lordes.

AN. 31. H. 8. ca. 8. an act is made concerning the placing of Lordes in the parliamēt and other assemblies & conferences of counsel.

## ¶ Mainprise & baile.

IF a clerke, for any crime or offence touching the crowne, bee arrested, & afterwarde by the kinges commaundement let to baile or replevised, so ỳ they to whom he was let to baile, haue him before our Justicers: The suerties from henceforth, nor they to whom he was let to baile, shal not bee amerced (if they haue hys body before our Justicers) although he wil not, nor can not answere before them by reason of clerks priuiledge. Marleb. c. 28. An. 52. H. 3. Clerke Crowne

2 ¶ And for as much as shirifes, & other, which haue take & kept in prison persons detected of felony & incontinent haue lett out by plevin such as were not replevisable, and haue kept in prison such as were replevisable because they would winne of the one parte, and greene the other: And for as much as before this time it was not determined, what persones were replevisable and which not, but only for them that were taken for the death of man, or by commaundement of the king, or of his Justicers, or for the forest, It is prouided, and by the kyng commaunded, that such prisoners as before were outlawed, & they which haue abiured the realme, prouours and such as be taken with the manour, and such as haue broken the kinges prison, theeues openly defamed & knowen, & such as bee appealed by prouours, so long as the prouours bee lyuinge (If they be not of good name) and such as bee taken for house burning feloniously done, or for false money, or for cōterfaitting the kinges seale, or persons excommunicat taken at the request of the bishop, or for manifest offences, or for treason touching the king, shallbee in no wise replevisable by the commō writ nor without writ, But such as be indicted of larceny by enquests taken before shirifes or bailifes by their office, or of light suspeccion, or for pety larceny, that amounteth not aboue ỳ value of xii. d. if they were not guiltie of some other larceny afore time, or guilty of receit of theeues, or felons, or of commaundemēt or force, or of aide in felony done, or guilty of some other trespasse, for which one ought not to lese life nor member, & a man appealed by a prouour after the death of the prouour (if he be no cōmon theefe nor defamed) shall from henceforth bee let out

Shirifes
Outlaw
Abiure
Prouors
Felons
Forgers of money
Treason
Excōmunicat
Larcenie

sure by sufficient surety, wherof ỳ shyrife will bee answerable, & that without getting aught of their goodes. And if ỳ shirif, or any other, let any go at large by suerty, that is not replenisable, if he be Shirife or Constable, or any other bailife of fee, which hath keping of prisons, and thereof be attainted, he shall leese his fee and office for euer. And if the vndershirife, constable, or bailife of such as haue fee for keeping of prisons doo it contrary to the will of his lord, or any other baylife being not of fee, they shall haue three yeares imprisonment, and make fine at the kings pleasure. And if any withhold prisoners replenisable, after that they haue offered sufficient suerty, he shal pay a grieuous amerciament to the king. And if hee take any reward for the deliuerance of such, hee shall pay it double to ỳ prisoner and also shall pay a grieuous amerciament vnto the kyng. Wil. 1. cap. 15. An. 3. E. 1.

Shyrife Constable

Lose office

Bailife Imprison Fine

Refuse suerties Amerce

3 ¶ An. 7. R. 2. ca. 17. it was enacted to endure to the next parliament, that in actions if the persones mainprised appeared not at the day &c. the mainparnours should pay to the playntifes a summe at the discretion of ỳ iudges.

4 ¶ Concerning letting to bayle, the statutes made beefore this tyme for that cause (and not repealed) shall bee holden in their force, and kept in al points, An. 4. H. 6. ca. 1.

5 ¶ Item where as diuers persones from day to day bee arrested & imprysoned for suspeccion of felonie, sometime of malice, and sometyme of a light suspeccyon, and so kept in prison without bayle or mainprise, to their great veration and trouble: It is ordayned established, and enacted by auctoritie of this present parliament, that euery Justice of peace in euery countie citie or towne shall haue auctoritie and power by hys or their discretion, to let such prisoners and persones so arrested to bayle or mainprise, in like forme as ỳ the prisoners and persones were thereof endicted of record beefore the same Justices in their sessions. A. 1. R. 3. c. 3. This act is repealed by 3. H. 7. ca. 3. as appeareth here following. 6.

Suspicion of felony

Just. of p.

Repealed

6 ¶ The Justices of ỳ peace in euery shire, city, & towne, or two of the at the least, whereof one to bee of the Quorum, haue auctoritie and power to let any such prisoners or persones mainpernable by the law, that beene imprisoned with in their seueral counties citie or towne, to baile or mainprise vnto the next generall session, or vnto the next gaole delyuerie of the same gaoles in euery shire, citie or towne, as well within fraunchises as without, where any such gaoles been, or hereafter shalbee. And that the sayd Justyces of the peace or any of them so taking any such baile or mainprise doo certifie the same at their next generall sessions of ỳ peace or the next generall gaoles delyueraunce of any such gaole wythin euery such Countie, Citie, or Towne next folowyng, after anie such bayle or mainprise so taken, vpon payne to forfait vnto the kyng for euery default thereuppon recorded ten pound. And ouer that it is &c. that euery Shirife, Baylife of fraunchise, and euery other persone hauynge auctoritie or power of keepyng of gailes or of prisoners for felony in like manner and fourme doo certifie the names of euery such prisoner in their keeping, & of euery prisoner to them committed for any such cause at the next generall gayle delyuery, and in euery county or fraunchises where any such gayle or gailes beene or hereafter shallbee, there to bee calendred beefore the Justices of the deliuerance of the same gayle, wherby they may as well for the kyng as for the partie procede to make deliuerance of such prisoners according to the law, vppon payne to forfayt vnto the kyng for euery default there recorded an C. s. And that the forsaid act (s. of Ann. 1.

Just. of p.

Quorum

Just. of p.

Certifie

Forf.

Shirife Baylife

Forf.

R. 3. ca.

M.3.capitulo tertio before.5.) geuing authoritie and power to anie Justice of the peace by him selfe, bee in that behalfe vtterly void and of none effect, by authoritie of this present parliament. Anno tertio Henrici septimi capitulo tertio.

See the first article of this statut altered by Ann. 1.& 2.P.& M. here following.7.

7 ¶ From & after the first day of Aprill nert comming, no Justyce, or Justyces of peace, shall let to bayle or mainprise, any such person or persons which for any offence or offences, by them or any of them committed, bee declared not to be replaised or bailed or be forbidden to be replaied or bayled by the statut of Westminster prymer (5.ca.6. before 2.) made in the parliament holden in the third yere of the raigne of king Edward the first. And furthermore that any person or persones arrested for manslaughter or felony, or suspecte of manslaughter or felony beeing bailable by the lawe, shal not after the said first day of Aprill bee lette to baile or mainprise by any Justyce of peace, if it be not in open sessions, except it be by two Justices of peace at the least, whereof one to bee of the Quorum, and the same Justyces to be present together at the tyme of the sayed Bailement or mainprise, which bailement or mainprise, they shall certifie in writting, subscribed or signed with their owne handes at the nert generall gaole delyuery, to bee holden within the Comitie where the said persone or personnes shalbe arrested or suspected. And that the said Justices, or one of them, beeing of the Quorum, when any such prisoner is brought before them, for any manslaughter or felony before any Baylement or mainprise shall take the examynation of the saied prysoner, and information of them that bringes him, of the fact, and circumstaunces thereof, and the same or asmuch thereof as shalbe material to proue the felony, shall put in writting before they make the same bailement, which said examination, together with the saied baylement, the said Justice shall certifie at the nert generall gaole delyuerie, to bee holden within the limittes of their Commission, and that euery Coroner, vppon any inquisition before him found, whereby any person or personnes shalbee indicted for murder or manslaughter, or as accessarie or accessaries to the same, before the murder or manslaughter committed, shall put in writting the effect of the euidence giuen to the iurie before him being materiall, and as well the saied Justices, as the said coroner shall haue authoritie by this act to bynd all such by recognisaces or obligation, as do declare any thing materiall to proue the said murder or manslaughter, offences, or felonies, or to bee accessarie or accessaries to the same, as is aforesaid, to appeare at the nert generall Gaole delyuerie to be holden within the cositie, Citie, or Towne corporat, where the triall thereof shalbee, then and there to geeue euydence agaynst the partie so endicted, at the tyme of his trial, and shal certifie aswel the same euydence, as such bond and bondes in writting, as hee shal take together with the inquisition or indictment before him taken and found, or before the time of his saied triall thereof to bee hadde or made. And like wyse the said Justyces shall certifie all and euerie such bond, taken before them, in lyke manner as is before saied of bailementes and examination. And in case anie Justice of peace or Quorum, or coroner, shal after the saied first daie of Aprill offend in any thyng contrarie to the true intent and meaning of this present act: That then the Justices of gaole delyuerie of the Shyre, Cytie, towne or place, where such offences shall happen to bee committed vppon due proofe thereof by examinatiou before them, shall for euery such offence

sette

Just. of p.

Manslaughter

Felony

Open sessions

Just. of p.

Quorum

Examine

Coroners

Indicted

Accessaries

Recognisaces Obligation

Just. of p.

Just. of gaole delyuerie

Fine

set such fine on euery of the same Iustices of peace & Coroner, as the same Iustices of gaole deliuery shall thinke meete & shal estrete the same as other fines and amerciaments assessed before Iustices of gaole delyuery ought to bee. Prouided alwaies and bee it &c. that Iustyces of peace, and Coroners within the Cittie of London and the Countie of Middlesex, and in other Cities, Boroughes, and Townes corporat wythin thys Realme, and Wales shal within their seuerall iurisdiction, haue auctoritie to lette to baile, felons, & prisoners, in such maner and fourm, as they haue ben here tofore accustomed: thys act or any thyng therein contayned, to the contrary not withstandyng. And also shal take examinations and bondes, as is aforesaied, vppon euery bailement by them or any of them to bee made, and shall certifie euery such baylementes, bondes and examinations by them or any of them taken or made at ỳ nert gaole delyuery to be holden within ỳ shire, Cittie, Borough or towne where their seuerall iurisdiccions extendeth, vppon the like paine and forfaiture, as is before limitted in thys present act.

Estrete

Iust. of ỳ Coroner London

Cities

Wales

Habeas corpus Certiorari

And bee it &c. that no writtes of Habeas corpus or Certiorari, shalbe hereafter graunted, to remoue any prysoner out of any gaole or to remoue anye recognysaunces except the same writtes bee sygned wyth the proper hand of the chiefe Iustice, or in hys absence of the Iustyces of the court, out of the which the same writs shalbee awarded or made, vppon payne that hee that writteth any such writs not beeyng signed, as is aforesayed, to forfayt to our sayed Soueraygne Lord the king and the Queene for euery such writte and writtes x. pound Anno. 1. & 2. P. & M. cap. 13. See prison 6. Anno. 2. & 3. P. & M. cap. 10. a like statut for prysoners that bee taken for suspeccions of felony & bee not bayled.

Chiefe iust.

Clerke

Forf.

NOne of the kings Clerkes, nor of any Iusticer, from hēceforth shall receiue the presentment of any church for the which any plea or debate is in the kings Court, without special licēce of the king, & that the king forbiddeth vpon payne to leese the Church & hys seruice. And that no clerke of any Iusticer or shirife take part in any quarrels or matters depending in ỳ kings court, nor shal worke any fraud where by common right may bee delayed or disturbed, and if any so doe, he shalbee punished by the peu aforesaid, or more greeuously, if the trespas do so require. W. 1. ca. 28. An. 3. E. 1.

Clerkes

Presentmt to a church

Licence

Clerke

Fraude

2 ¶ Because the king desireth that cōmon right be ministred to al persōs, aswel poore as rich: he cōmaundeth & defendeth, ỳ none of hys councellors, nor of his house, nor none of his other ministers, nor no great man of ỳ Realme by him selfe nor by other, by sending of letters nor other wise, nor none other in this land great nor smale, shal take vpon them to maintaine quarels nor parts in the countrey, to the lett & disturbance of the common lawe. An. 2. E. 3. ca. 14.

Great men

Quarrels

3 ¶ Wee haue commaunded & vtterly defended, that none of our house, nor of them, that bee about vs, nor o-ther, which be towardes our derre beloued companion the Quene, or our sonne prince of Wales, or towardes our courtes, nor prelates, Earles, barons, nor other great nor small of the land, of what estate or condition they be, shall not take in hand quarrelles other thē their owne, nor ỳ same maintaine by them nor by other, priuily nor apertly, for gift, promise, amity, fauor, doubt or feare, nor for none other cause in disturbaunce of lawe and hinderāce of right and reason, vppon the paynes aforesayed, but that euery man may bee free to sue for and defend his right in our courtes and elsewhere, according to the lawe. And wee haue straitly commaunded our sayed sonne, & diuers

H. houshold

Quarrels

Earles

Earles and other great mē, beīng be-
fore vs, that they on their behalfe shal
doe to be kept this ordinaunce without
default, & that they suffer none, which
be towards them to attempt agaynst
this ordinance by any way. An. 20. E.
3. cap. 4.

4 ¶ All the great men from hence-
forth shal void from their retinue, fees
and robes, all such bearers and mayn-
teinors in the coūtrey, without shew-
ing to them any ayde, fauour, or com-
fort in any maner. And more ouer we
haue ordeined to doe come before vs at
a certaine day, or before them whom
we shall depute of our counsaile, such
bearers & mainteinors of diuers coun-
ties, and them do to bee diligently ex-
amined and charged, that they from
henceforth voide them of such mainte-
nances or other procurements making
in the countrey in damage of our peo-
ple. And that vppon grieuous peynes
which to them shalbe shewed. An. 20.
E. 3. cap. 4.

Examine

5 ¶ None of his counsailloirs, of-
ficers, or seruants, nor none other per-
son within the realme of England, of
what soeuer estate or conditiō they be,
shal from henceforth take nor sustaine
any quarel by maintenace, in ỹ coun-
trey nor els where, vppon a greuous
paine, that is to say, the sayd counsel-
lours and the kinges great officers vp-
pon a paine, which shalbe ordeined by
the kyng him selfe, by the aduise of the
lords of his realme, and other lesse of-
ficers and seruuntes of the kyng as
wel in ỹ eschequer & al his other courts
as of his owne mayne, vppon paine to
lose their offices and seruices, and to be
imprisoned, & from thence to be raun-
somed at the kinges will euery of thē
after their degree, estate, and desert.
And all other persons throughout the re-
alme, vpon paine of imprisonment, &
to bee raunsomed as other aforesayd.
An. 1. R. 2. cap. 4.

Eschequer

Losse of office

Imprison

6 ¶ For the greuous complaint ỹ
is made of maynteyners of quarelles
and champertours, it is ordeyned & as-
sented, ỹ the statutes thereof made in
the first & fowerth yere of kyng Ed-
ward, graundfather to our soueraygne
lord the king that now is, & also in the
first yere of our soueraigne lord ỹ king
that now is, shalbe holden and kept, &
duely executed in al points. Ann. 7. R.
2. capitulo. 15.

Champertors

7 ¶ Al statuts heretofore made cō-
cerning maintenance, champertie and
imbracery, or any of thē, now stāding
& beeyng in their full strength & force,
shalbe put in due executiō according to
the tenours & effectes of the same sta-
tutes. And ouer that be it &c. ỹ no per-
son or persons of what estate, degree,
or condicion soeuer he or they be, shall
from henceforth bargaine, buy or sell,
or by any waies or meanes, obtayne,
get or haue any pretensed rights or ti-
tles, or take promise, graunt, or cone-
nant to haue any right or title of anie
person or persōs in or to any manors,
landes, tenements, or hereditaments,
but if such personne or persones which
shall so bargaine, sell, geeue, graunt,
couenaunt or promise the same, their
antecessours or they by whom hee or
they claime the same, haue ben impos-
sessioned of the same, or of the reuersi-
on or remainder thereof, or taken the
rentes or profites thereof by the space
of one whole yeare next before the laid
bargaine, couenaunt, graunt, or pro-
mise made, vppon paine that hee that
shall make anie such bargaine, sale,
promise, couenaunt or graunt, to for-
fait the whole value of the landes, te-
nements, or hereditamentes, so bar-
gained, sold, promised, couenaunted,
or graunted contrarie to the fourme
of this acte: And the buyer or taker
thereof knowyng the same, to forfayt
also the value of the sayd landes, te-
nementes or hereditamentes, so by
him bought or taken as is aforesayd.
The one halfe of the sayd forfaytures
to bee to the king, and the other halfe
to the party that will sue &c. In which

Champertie Imbracery

Buy titles

Forf.

Buyer

Writte

accion no essoine &c. And furthermore that no maner of person or personnes of what estate, degree or condition soeuer he or they be, do hereafter vnlawfully maintaine, or cause, or procure anie vnlawfull mayntenance in anie accion, demaund, suit or complaynt, in anie of the kynges courtes of the Chauncerie, the Starre Chamber, White hall, or elsewhere, wythin the kynges dominions of Englande, or Wales, or the marches of the same, where anie personne or personnes haue or hereafter shal haue authoritie by vertue of the kynges commyssyon, patent or writt, to hold plee of lands, or to examine, heare or determin anie title of landes, or anie matter or witnesse concerning the title, right, or interest of anie landes, tenementes or hereditamentes. And also that no personne or personnes, of what estate, degree, or condition soeuer he or they be, doe hereafter vnlawfully reteyne for maintenaunce of anie suit or plee, anie personne or personnes, to embrace anie freeholders or iurrours, or subborne anie witnesse by letters, rewardes, promises, or by anie other slyghte labour or meanes for to mayntayne anie matter or cause, or to the disturbaunce or hinderaunce of iustice, or to the procurement or occasion of anie manner of periurie by false verdict or otherwyse, in anie manner of courtes aforesayd, vppon payne of forfayture for euerie such offence tenne poundes, the one moytie thereof vnto the kyng &c. and thother moitie to him that will sue &c. in whych accion noe essoyne &c. Prouided alway and bee it &c. that it shalbee lawful to any personne or personnes beeyng in lawfull possessyon by takyng of the yearlie ferme, rentes and profites of or for anie manour, landes, tenements, or hereditamentes, to buy, obtayne, get, or haue by anie reasonable waie or meanes the pretensed right or tytle of any other person or personnes, hereafter to bee made, to, of, or in such mannours, landes, tenementes or hereditaments whereof hee or they shall so be in lawfull possessyon: Anie thyng in this act conteyned to the contrarie notwythstandyng. And for the due execution of thys present act, bee it &c. that the Justices of assise of euerie circuit within this Realme and elsewhere within the Kinges dominions, shall in euerie Countie wythin their circuites two tymes in the yeare, that is to say in the tyme of their sittinges, for the taking of Assises or delyuerie of the Gaoles, cause open proclamations to bee made aswel of this present act and of euerie thing therein conteyned, as also of all other statuts heretofore made against vnlawfull maintenaunce, champertie, embracerie, or vnlawfull reteynours, to thintent that no maner of personne or personnes hearing the same, should bee ignorannt or mysconysant of the daungers and penalties therein conteyned and specified. Prouided alway and be it &c. that thys act shall not extend to charge anie personne or persons wyth anie the penalties mencioned in the sayd act for anie offence by hym or them committed, contrarie to the sayd act, except the same personne or persons so offending, bee sued thereof by accion of debt, bil, plaint or information in anie of the kynges courtes within one yeare next after the same offence by him or them committed as is aforesaid. An. 32. H. 8. ca. 9.

Maintenance.

Retetner

Subborne witnesses

Periurie

Forf. moytie

Iust. of ass.

Proclamations

## ¶ *Malt.*

Malt.

AN. 2. E. 6. ca. 10. an act was made for the true making of malt to endure to the end of the next parliament. An. 7. E. 6. c. 11. it was continued, and after 1. M. 1. parliament ca. 3. it was continued vntil the last day of the next parliament then it expired.

2 ¶ An. 33. H. 6. c. 4. an act was made to endure for 5. yeres against Brewers for making of malt aboue an C. quarters in the yere.

Brewers

¶ If

IF any Minister of any of the sayd Courts, that is to say, of the East March & west March next Scotland, attach any person by his body, or by his goods, out of any of the said Counties of Northumberland, Cumberlād and Westmerland, or the Towne of Newcastel, to aunswere in any of the said Courts, or by colour or cause of any maner of presentment taken, or to bee taken in any of the said Courts, þ it shalbe lawful to euery person, which shall happen so to be attached, to make resistāce, and not to obey any such attachmēt. And if any persō be indamaged or greued by any such attachment, he shall haue in this behalfe an accion of trespas, or false imprisonmēt against thē which shall make or do to be made hereafter any such attachment, and in the same to recouer treble damages, if in any of the acciōs the matter pleaded passe or be iudged for the plaintife in þ same. And the defendant to haue two yeres imprisonment, and moreouer to pay to the kyng a hundred shillinges. And that the Iustices of peace in their sessions of the peace, sheriffes in their turnes, & also stewardes of leetes, in their leets by thē to be holdē shal haue power to ẽquire of al such attachemētes made or to bee made out of ante of the sayd Counties of Westmerlande, Cumberland or Northumberland, or the towne of Newcastel, And therein and vppon the same to do and proceede as they maie doe and proceede vpon presentments taken before them in their sessiōs of peace, turnes or leetes, or trespas, or of frayes made against the kinges peace. Anno. 31. H. 6. capitulo tertio.

Much
Courts
Resist
Trespas
False imprison
iij. damages
Imprison
Just. of p.
Shirifes
Stewards

¶ *Mariners.*

BEcause that diuers Maryners, after that they be arrested and retayned for the kynges seruice vppon the sea in defence of the realme, and thereof haue receiued their wages pertey-ning, doe flee out of the sayd seruice without lycence of the admirals or of their lieutenauntes, to the great damage of the kyng and his Realme, and hynderaunce of the sayd voyages: It is ordeyned and stablyshed, that all those Maryners, which from hencefoorth shall doe in such maner, and that truely found and proued before the Admirall or hys lieutenaunt, shalbee holden to restore to our said souereigne Lord the kyng the double of that they haue taken for their wages, and nenertheles shal haue one yeres imprysonment without beeing delyuered by mainprise, batle, or by other way. And the kyng will and commaundeth to all sheryffes, Maiors, and baylyffes within fraunchises and without that at the certification of the sayd Admyrals or their lieutenauntes, by their letters thereof to bee made, testifying the sayd prise, shall incontinent without tarying make an other cōmaundement of the kyng our Souereygne Lord, to take and attache all fugityue maryners by their bodie, within their bayliwykes within fraunchyses and without, and put them in prison there to abyde in good and sure keppyng, till they haue made grē to the kyng as afore is sayd, and thereof haue a specyall commaundement of our Souereigne Lord the kyng of their delyuerance. And lyke punishment shalbee made of sergeauntes of armes, masters of shippes, and all other that shall be attainted by inquiry before the Admiral or his lieutenant aforesaid, that they haue any thing taken of the sayd mariners for to suffre them to goe at large out of the sayd seruice, after that they haue ben arrested for þ same seruice. An. 2. R. 2. cap. 4.

Restore
Imprison Mainprise
Certifie Admirall
Fugitiue
Imprison
Sergeants of armes

2 ¶ Wee it enacted &c. þ the forsayd master, wardens, & assistauntes of the Trinitie house at Deptford strond aforesaid, beeing a cōpany incorporated as before, shal & may lawfully by vertue of this act, frō time to time hereafter, at their willes and pleasures, and

Irrest
wardens Trinitie house

at their costes, make, erect, and sett vp such and so many beacons, markes, & signes for the Sea, in such place or places of the sea shores, and vplandes neare the sea coastes, or forelandes of the sea, only for sea marks, as to them shall seeme most meete, needefull, and requisite, whereby the daungers maie bee auoyded and escaped, and shyppes the better come vnto their ports with out perill. And that all such beacons, markes and signes, so to bee by them or their assignes, erected, made, and set vp, at the costs and charges of the said Master, Wardens, and assistaunts, shall and may bee continued, renued, & bee maintained from tyme to time, at the costes and charges of the said master, Wardens, and assistauntes: anie thing to the contrarie hereof, notwithstandyng.

Sea marks

And be it further ordeyned and enacted by the authoritie aforesayd, that no steeples, trees, or other things now standyng, as beacons or markes for the sea, whereof to the owner or occupier of the place (where the same doth growe or stand, before the first day of March next comming) notice shalbee geuen by the Queenes Maiesties letters, vnder her Signet: shall at anie time hereafter be taken downe, felled, or otherwise cut downe, vppon paine that euerie person by whose procurement or consent such offence shall bee committed, shall forfait the summe of one hundreth pounds, whereof the one moitie to the Queens maiestie, & the other moytie to bee to the Master, Wardens, and assistaunts of the sayd Trinitie house. And if the sayd person or persons so offending, bee not of the value of one hundreth pounds: then the same person and persons, to be deemed cõuict of outlarie, ipso facto, to al constructions and purposes.

Steeples Trees

Forfeit.

Moitie

And further, be it enacted by authoritie aforesaid, that all Mariners, and Seafaring men, dwellyng about the sayd ryuer of Thames, beeing thereto licenced by the sayd master Wardens and assistaunts, and hauyng sufficient certificat of such lycence from the said master and Wardens, aswel betweene their voyages as at other tymes at their willes & pleasures, by force herof the better to keepe and refraine them selues from folly, idlenesse, and lewd companie, and for the releefe of them, their wiues, and children, shall & maie freely and quietly exercise and rowe in their owne Whirries, or anie other mens Whirries by them to be hired, or wherin they shalbe hired to worke vp and downe the sayd ryuer of Thames, to apply and follow the ordinary passyng and carryng of the Quéenes Maiesties people to and fro, as other watermen, commonly called whirry-men of the same riuer vse & accustome to doe, without impeachement, hynderaunce, or let, to the contrarie. And that such Seafaryng men, shall not thereby bee drawen vnder anie other gouernement, then vnder the sayd Master, Wardens, and assistauntes, as they were before: Anie acte, statute, prouysion, proclamation, ordynaunce, or custome heretofore agaynst the premisses ordayned or made in anie wyse notwithstanding. Anno. 8. El. capitulo. 13.

Thames

whirries

whirrymen

## ¶ *Marshalsye.*

THe authoritie of stewardes and marshalles, and of such pleas as they may holde, and in what manner. It is ordeyned that from hencefoorth they shall not keepe plea of freeholde, neyther of debt, couenaunt, nor of any contract made betweene the kynges people, but onely in trespas done with in the house or within the vierge, and of such contractes and couenants that one of the house maketh with an other within the house & none other where. And they shal plead no plea of trespas, except the partie were attached by the before the king departed from ỹ place where

Vierge

Trespas

where the treſpas was cõmitted, and ſhall pleade them ſpedily from day to day, ſo that they may bee pleaded and determined beſore that the kyng depart out of the limits of ý ſame vierge where the treſpas was done, and if it ſo chaunce that they can not bee determined within the limittes of the ſame vierge, then ſhall the ſame pleas ceaſe beſore the ſteward, and bee matters determynable at the common lawe. And from heceforth the ſteward ſhall not take cognyſaunce of debtes nor of Debts other thinges but of ſuch only as conceme them of the kynges houſe, nor ſhall hold none other plea by obligation of the determinatiõ of the ſteward or the marſhall. And if they attempt anie thing contrary to this ordinance Voyd it ſhall bee holden as voyd. And for as much as heretofore manie felonyes that haue béen committed within the vierge haue been vnpunished, and all beecauſe the coroners of the countrey hath not ben auctherized to enquire of felonies done within the vierge, but Felony Coroner onelye the Coroner of the kynges houſe, which neuer continueth in one place, by reaſon whereof there can bee no triall made in due manner, nor the felones put in exigent nor outlawed, nor noe thing preſented in the circuite the which hath been as wel to ý great dammage of the king, as to the diſturbaunce of his peace: It is ordeined ý from hencefoorth in caſes of the death of men, whereof the coroners office is to make viewe and inqueſt, it ſhall bee commaunded to the coroner of ý coũtrey that hee with the Coroner of the kynges houſe ſhall do as belongeth to his office and inroll it. And that thyng that can not be determined beſore the ſteward (where the felons can not bee attached) or for other like cauſe, ſhalbee remitted to the cõmon lawe. So that exigendes, outlawries, and preſentmentes ſhalbee made thereuppon in the circuit by the coroner of the countrey, as well as of other felonies done out of ý vierge, nevertheleſſe they ſhal not omit by reaſon hereof to make attachements freſhly vpon the felonyes Attachmẽt done. Articuli ſuper chartas. cap. 3.

2 ¶ And ý in euerie caſe, where enqueſtes bee to bee taken beſore the ſteEnqueſts ward and the marſhall of the kynges R. houſhold houſe: that ſuch enqueſtes bee taken by men of the countrey thereabout, and not by men of the kinges houſe, except it be of the contractes, couenauntes or treſpaſſes made by men of the kinges houſe of either part, and that in ý ſame houſe, accordyng to an other ſtatute thereof made in the time of the ſayd Edward the graundfather. Anno quinto Edwardi tertij cap. 2.

3 ¶ In euerie caſe, where enqueſtes Enqueſts be to bee taken beſore the ſteward or marſhall of the kyngs houſe, the ſame enqueſts ſhalbe taken by people of the countrey thereabout, and not by people of the kings houſe, except it bee of R. ſeruants contractes, couenauntes, or treſpaſſes made by the people of the ſame houſe, accoꝛding to the ſtatute thereof made, in the time of the ſame king ý graundfather. An. 10. E. 3. cap. 2.

4 ¶ Prieſtes and other people of ho- Prieſtes lie Church taken in the marſhalſey of the kynges houſe, ſhal pay ſuch fées as Fees. ley people pay reaſonably & noe more. An. 9. R. 2. cap. 5.

5 ¶ The court of the ſteward and marſhall of the kinges houſe, nor alſo the iuriſdiction of them, ſhall not paſſe the ſpace of xij. miles to bee compted a- xij. Miles bout the toncel of our ſayd ſoueraygne Lord the king. An. 13. R. 2. cap. 3.

6 ¶ Where as the marſhall of the marſhalſye of the court of our Soueraigne lord the kinges houſe in ý tyme of kyng Edward, graundfather of our ſoueraigne lord the king that nowe is, was wont to take the fees as hereafter followeth, that is to ſay, of euerie perſon that commeth by capias to the ſayd court. iiij. d. & if he be let to main- Fees prize till his day. ij. d. more, and of euery perſõ which is impleaded of treſpas

& findeth.ij. mainpernours to kepe his day till thend of the plee, to take for ỳ cause.ii.d. of the defendant, & of euerie person cõmitted to prison by iudgemẽt of the steward, in whatsoeuer manner the same be iiii.d. of euery person deliuered of felony, of euery felon lette to mainprise by the court iiii.d. which fees were wont to bee taken & payd in full court, as the kyng hath well perceiued by the complaint of the said commons thereof made in the sayd parliament: The same our soueraigne lord ỳ king to auoid al such duresses & oppressions to be done to his people, against ỳ good customes and vsages made & vsed in ỳ time of his progenitours, by the aduise and assent of the lords spiritual & temporal, and at the supplication of ỳ sayd commons hath ordeyned & established, that if ỳ said marshall or his ministers vnder him, take other fees then aboue is declared, ỳ the same marshal & euerie of his said ministers shall lose their offices, and pay treble damages to the party greeued, and that the party greeued haue his suit before the steward of the sayd court for the time being, And also it is ordeyned and established that no seruitour of bills that beareth a staff of the same court, shall take for euerie myle from the same court to the same place where he shall do his seruice, noe more then one peny, and so for twelue miles twelue pence, and for to serue a Venire facias duodecim &c. or a Distringas out of the same court, the double. And if anie of the sayd seruitours of billes do the contrarie, he shalbe punished by imprisonment, and make a fine to the kyng after the discretion of the steward of the same court, and also bee forjudged the court. And the same steward shal haue power to make proclamation at his comming to the sayd court in euerie countrey from time to time, of all the articles aforesayd, and thereof to make punishment as is aforesaid. Anno secundo Henrici quarti capitulo. 23.

Oppression

Lose office 3. damages

Officer

Imprison Fine

Proclamation

In euerie suerty from henceforth by the said defendantes to bee taken they shall not bee estopped by such record, to say that they them selues or the plaintifes in the same record specified, were not at the time of the said plea or suite thereof commenced of the kings house as by the same record is supposed, but the defendantes shall haue their auerment to saye that they them selues or the said plaintifs were not of the same house at the time of such plea or suit cõmenced. The said record or other matter within the same conteyned not withstanding. An. 15. H. 4. cap. 1.

Suerte

Tuermit

## ¶ *Masons.*

Such Chapiters and congregations shal not be from henceforth holden. And if any such be made, they ỳ cause such chapiters & congregation to be assembled & holdẽ, if they thereof be conuict shalbe iudged for felons. And that al ỳ other masons that cõe to such chapiters & congregations be punished by imprisonment of their body and make fine & raunsome at the kings wil. An. 3. H. 6. cap. 1.

Congregations

Felony

Imprison Fine

## ¶ *Matrimony & mariage.*

An. 12. H. 8. c. 25. an act was made concerning the dissolutiõ of ỳ mariage betweene the king and the Ladie Anne of Cleeues, declaring ỳ mariage to be void, and thereby is repealed, all letters patents made for ioynture or dower. And that it is treasõ to maintaine that mariage, and therin is a pardon to all them that haue cõmytted treason or misprision of treason in speaking or doing agaynst that mariage. See Crowne An. 25. H. 8. ca. 22. of degrees of mariage prohibited.

Anne of Cleue

Treason Pardon

2 ¶ An. 28. H. 8. ca. 7. mariages with certaine degrees there expressed were prohibit. But by 1. & 2. P. & M. as much of that act as concerneth prohibitiõ to mary with those degrees is repealed.

Degrees

Repealed

3 ¶ That

3 ¶That frō the firſt day of the moneth of July next cōming in the yeare of our Lord God a thouſand fiue hundreth & fortye, al & euery ſuch mariages as within this church of Englād ſhall be contracted betweene lawful perſons as by this act we declare al perſons to bee lawfull, that bee not prohibited by Gods lawe to marie, ſuch mariages beeyng contract and ſolempniſed in ỹ face of the church, & conſumate wyth bodely knowledge of fruit of children, or childe, being had therein betweene the parties ſo maried, ſhalbee by authoritie of this preſēt parliamēt afore-ſaid deēmed, iudged, & taken to be lawful, good, iuſt, & indiſſoluble, notwithſtanding any precontract or precontractes of matrimony, not conſummate with bodily knowledge, which eyther of the perſones ſo maried, or both, ſhall haue made with anie perſon or perſons before the time of cōtracting that mariage which is ſolempniſed & cōſumate, or whereof ſuch fruit is enſued or may enſue as afore: and notwithſtandyng any diſpenſation, preſcripcion, lawe, or other thing graunted or confirmed by act or otherwiſe. And that no reſeruation or prohibition, Gods lawe except, ſhal trouble or impeache any mariage without the leuiticall degrees. And ỹ no perſon of what eſtate, degree or cōdition ſoeuer he or ſhe be, ſhal after the ſaid firſt day of the moneth of July, aforeſaid, be admitted in any of the ſpyritual courtes wythin the kynges realme, or any his graces other landes & dominiōs, to any proceſſe, plee, or allegation contrary to this aforeſayd act. An. 32. H. 8. capit. 38. This article in this act concerning precōtracts, is repealed by. 2. E. 6. & the reſidue was repealed by 1. & 2. P. & M. but it is reuiued by 1. El. cap. 1.

Precōtract

Diſpēſation

Repealed

Reuiued

4 ¶An. 2. E. 6. cap. 21. it was enacted that all lawes and ordinances poſitiue prohibiting prieſts mariages, and all paines & forfaitures therin ſhoulo bee void. And after. An. 5. E. 6. cap. 12. It was enacted that prieſtes mariages ſhould be lawfull, & their children legitimate and enheritable, and the preſt to be tenant by the curteſy, & the wyfe to bee endowed. But after thoſe two actes were in 1. M. 1. parliamento capitulo. 2. repealed.

Prieſtes mariages

Children legitimat

T. by the curteſie

Dower

Repealed

5 ¶All & euery decree, ſentence and iudgement of diuorce and ſeperation betweene the ſaid king your father and the ſaid late Quēene (s. Queene Katherine) your mother, & al the proceſſes commēced, followed, geuen, made, or promulged by ỹ ſaid Thomas Cranmer then Archbiſhop of Canterburie, or by any other perſon or perſōs, what ſoeuer, whereby the ſame moſt iuſt, pure, and lawefull mariage, betweene the ſaid late kyng your father and the ſayd late queene your mother was or is pronounced, or in any wiſe declared to be vnlawfull or vniuſt, or agaynſt ỹ lawe of God, be and ſhalbee from the beginning & frō henceforth of no force validity, or effect, but be vtterly nought void, fruſtrate, and annichilate, to all intents, conſtructiōs and purpoſes as if ỹ ſame had neuer been gene, or pronounced. And be it &c. that alſwell the ſaid act of parliament entituled an act declaring the eſtabliſhment of the ſucceſſiō of the kings moſt roial maieſtie of ỹ impertall crowne of this realme, made in the xxv. yeare of the raigne of the king your father (s. ca. 22.) be repealed & be void and of none effect, as alſo all and euery ſuch clauſes, articles braunches and matters conteined and expreſſed in ỹ foreſaid act of parliamēt made in the ſaid xxviij. yere of ỹ raigne of the ſaid late king your father (s. ca. 7.) or in any other act or actes of parliamēt, as wherby your highnes is named or declared to be illegitimate, or ỹ ſaid mariage betweene the ſayd kyng your father and the ſaid Quēene your mother, is declared to bee agaynſt the word of god, or by any meanes vnlawful, ſhalbe and be repeales and be voyd and of no force nor effect, to all intents

Void

Succeſſion

Repealed

conſtruccions and purpoſes, as if the ſame ſentence of actes of parlyament had neuer been had ne made. And that the ſayd maryage had ſolempnized betweens your ſayd moſt noble father king Henry, and your ſaid moſt noble mother Quéene Katherine, ſhalbe diffinitiuely, clerely, and abſolutely declared, deemed, & adiudged to be and ſtād with Gods lawe and hys moſt holie word, and to be accepted, reputed and taken of good effect and validitie, to all intents and purpoſes. An. 1. H. 1. parliamento cap. 1.

¶ *Merchants & merchandiſes.*

Conduit

Tolles

Warre

Attach

Denizens

Corne
Wines
Victuals

ALL marchauntes (if they were not openly prohibit beefore) ſhall haue their ſaufe and ſure conduit, to entre & depart, to goe, & tary in the realme as wel by land as by water, to buy & ſell without any maner of euill tolz by the olde and rightfull cuſtomes, except in time of warre. And if they bee of the land making warre againſt vs, and be found in our realme at the begynnyng of the warres, they ſhalbee attached without harme of body or goods vntil it be knowen vnto vs or our Juſticers howe our marchauntes bee intreated there in ẏ land makyng warre againſt vs. And if our marchauntes bee well intreated there, theirs ſhalbe likewyſe with vs. Magna charta cap. 30.

2 ¶ All marchauntes ſtraungers and denizens, and all other and euerie of them of what eſtate or condition ſo euer they bee, that wyll buy or ſell corne, wynes, auer de pois, fleſh, fyſh, and al other liuings and vitaile, wools, clothes, and all other thinges vendible from whence ſoeuer they come by foreynes or denizens, at what place ſo euer it bee, citie, borough, towne, port of the ſea, faire, market, or els where within the realme, within fraunchyſe or without: may freely without interruption, ſell them to what perſones it ſhall pleaſe them, as well for foreines as denizens. Except alwaies the enemies of our ſoueraigne lord the king, & of his realm. And if happely any diſturbaunce be done to any marchant ſtrāger or denizē, or any other for the ſale of ſuch thinges in any Citie, borough, towne, port of the Sea, or other place which hath fraunchiſe, and the Maiors and bayliffes, or other which haue the rule of ſuch fraunchiſe, beeing required by the ſaid marchantes or other, thereof to prouide remedie, and doth not, & bee thereof attainted, the fraunchyſe ſhalbee ſeiſed into the kinges handes. And neuertheleſſe he & the other which hath done this diſturbāce againſt thys ſtatute, ſhalbe bound to yeld & reſtore to ẏ ſaid marchāt his double damages which hee hath thereby ſuſteined. And if ſuch diſturbance or interrupcion bee done to ſuch marchants, or to other in ſuch townes or places where no fraūchiſe is: And the lord if he be preſent, or his bailife, conſtable, or other ruler of the ſayd townes and places, in the abſence of the ſayd lordes, beeing therein required to do right, and doth not and thereof be attainted, they ſhal yeld to the party plaintife his double dammages as afore is ſaid. And the diſturbers in the one caſe and the other, as well within the fraunchiſe as without, if they be attainted, ſhal haue one yeres impriſonment. And neuertheles to be raūſomed at ẏ kigs wil. an 9. E. 3. c. 1.

Enemies

Maiors
Bailifs

ẏ. damages

Lord
Bailife
Conſtable

ẏ. damages

Impriſon

3 ¶ No alien or denizen vpon the ſame paine ſhal not be troubled, but ẏ he may freely buy ſuch thinges afore-ſaid, in the ſaid places & cary thē where it pleaſeth him, to his owne vſe, or to the profit of the king, or of the great men, or the commons of the realme. Sauing ẏ ſuch marchants aliens, ſhal cary no wyne out of the ſame realme, as is conteined in their charter. And it is enacted that the thinges afore-ſayd, ſhalbe ſurely obſerued & kept in euerie citie, borough, towne, port of ẏ ſea, & other places ẏn ẏ Realme, notwythſtanding charters of fraūchiſe graūted to them

Alien
Denizen

Wine

to them to the contrary, nor vſage nor cuſtome nor iudgement geuen vppon their charters, vſages, or cuſtomes ẏ they can alledge. Which charters, vſages, and cuſtomes if any bee, our ſoueraigne lord the king, his prelates, Earles, Barons, great men, and the commons aforeſaied, holdeth them of no force nor effect, as things graunted vſed or accuſtomed, to the derogation of the king and of his prelats, Earles, Barons, and great men of hys Realme, and to the oppreſſion of ẏ commons. Saued alway to the kyng & to other, the cuſtomes due of the ſayed marchaundiſes. An. 9. E. 3. ca. 2.

Charters

Chauncelor Treaſorer Juſtices

4 ¶The chauncelour, treaſourer, and the Juſtices aſſygned to hold the kings pleas, where they come ſhal enquire of ſuch diſtourbaunces and greuaunce, and the ſame to puniſh according as is before ordained. And neuertheleſſe the king ſhall aſſigne by commiſſion of his great ſeale certaine perſonnes, where and whē it ſhal pleaſe him, to enquire of ſuch diſturbaunces and greeuaunces, and the ſame to puniſh as afore is ſayed. Anno. 9. E. 3. capit. 1.

Enquirie

Denizens

5 ¶All marchaunts denizens, and foreins, except thoſe which bee of our enemitie, may without lett, ſafely cōe in the ſayd Realme of England with their goodes and marchaundiſes, and ſafely tary and ſafely retourne paying the cuſtomes, ſubſidies and other prouiſions reaſonably thereof due. So alwayes that fraunchiſes and free cuſtomes reaſonably graunted by vs and our auncеſtours, to the Citie of London and other Cities, boroughes, and good Townes of our realme of England be to them ſaued. Ann. 14. E. 3. ca. 2. ſta. 2.

Cuſtomes

London

6 ¶After the ſayd feaſt of ſaynt Michael, euery marchaunt of the Realme and other, may freely ſel and buy and paſſe the ſea with their marchandiſes of woolles and al other thinges, paying the cuſtomes of olde tymes vſed according to the ſtatutes beefore this time made, at the laſt parliamēt holden at Weſtm. in middel lent. An. 15. E. 3. ca. 5.

Woolles Cuſtome

7 ¶That the ſaid ſtatut that is to ſaye of 9. E. 3. cap. 1. beefore 4. in al pointes and articles contayned in the ſame bee holden, kept, and mayntained. And if that any ſtatut, charter letter patent, proclamation, or commaūdement, vſage, allowaunce or iudgement bee made to the contrarye, the ſame ſhallbee openly repealed voyd and holden for none. And moreouer that euery marchaunt and other, of what condytion bee bee, alien or denizen, that bryng wynes, fleſh, fiſh, or other vitailes, clothes, woolfelles, auoire de poiſe, or any other manner marchaundiſes or chaffer to the Cyties of London, or other Cyties Boroughes, and good Townes of England, or port of the ſea, may freely and without challenge or empechemēt of any ſell in groſſe or at retayle or by parcels at his wyll to al maner people that will bury the ſame notwithſtanding any fraunchiſes, graunts or cuſtomes vſed, or any other thing don to the contrary, ſithence that ſuch vſages and fraunchyſes bee to the common preiudice of the kyng and hys people. And that no Baire, Baylife, catchpole, miniſter, nor none other ſhall medle with the ſale of any manner vitaile vendible, brought to Cyties, Boroughes, or other Townes, nor faire nor market, but onely hee to whom the vitailes bee, and that proclamation be therof made of newe in all Countries of England, and in the Citie of London, and in all other Cities, Boroughs, good Townes, ports of the ſea, and other places within the Realme of England, where nede ſhal bee. And that the king thereuppon doo to be aſſigned his Juſtices at al times that ſhal pleaſe him, and if neede be to enquire of all thoſe that ſhall come againſt this ordinance, or do any thing

Wines Victailes

London

Groſſe ſale Retayle

Maior Bailifs Catchpole

Proclamation

Juſtices

againſt

againſt the ſame, and to punith them accoꝛding to the payne contained in ỹ ſame ſtatut made the laſt yere. And that euery perſon that wil ſue agaynſt any ſuch ſhall haue a writ in ỹ chaūcery to attache him as a diſturbour of ỹ common pꝛofit, to cauſe him to come thereof to make anſwere to ỹ kings court. An. 25. E. 3. ca. 2.

writ

8 ¶ Where as much people of the Realme, which haue made contractes with Lombardes that bee named of the companies dwelling in the ſāe realme, which Lombardes after ỹ they haue made their obligations to theire creanſours, haue ſodainely eſcaped out of the realme wꝫout agreement made to their creanſours, in diſceipt & great damage of the people: It is accoꝛded & aſſented, that if any marchaunt of the company, knowledge him ſelfe bound in that manner, that then the company, ſhall anſwere the debt. So ỹ an other marchaunt, which is not of the compaūie, ſhal not be thereby greued noꝛ impeched. Anno. 25. Edwardi 3. capitulo. 23.

Lombards

9 ¶ All marchauntes ſtraungers, which be not of our enemnite, of what land oꝛ nation that they be, may ſaufe ly and ſurely vnder our pꝛoteccion and ſaufeconduit come & dwell in our ſayd Realme and landes where they will, and thither to reſourne wꝫ their ſhips, wares, and all manner marchaundyſes, and freely ſell their marchandiſes at the ſtaple and elſe where wythin ỹ ſame realme and landes, to any that will buy them, paying the cuſtomes thereof due. And moꝛe to aſſure the marchauntes ſtraungers and other bꝛinging goodes and marchaundyſes within the ſayd realme and lands, we will and graunt foꝛ vs & foꝛ our heirs and ſucceſſoꝛs, that nothing ſhall bee taken ouer the cuſtomes afoꝛeſayed, noꝛ taken of them to our vſe by colour of ſale, noꝛ in other manner againſt their will, noꝛ by the miniſters of vs oꝛ of our heires: noꝛ by the miniſters of any of the pꝛelates dukes, Earles, barons, loꝛds, noꝛ ladies, noꝛ of none other great noꝛ ſmall. And if any miniſter, oꝛ other by colour of his office, oꝛ in other manner take any thyng of them againſt their agreement, he ſhall be incontinently arreſted by ỹ Paires and Baillifs of the place, if it bee out of the ſtaple, oꝛ by the Paire oꝛ myniſters of the ſtaple, if it bee within ỹ ſtaple. And ſpedy and redy pꝛoces ſhal be made againſt him from day to day and from houer to houer, accoꝛding to the law of the ſtaple, and not at the common lawe, as well out of ỹ ſtaple as within at euery mans complaint ỹ ſo ſhalbe greued. And if he be thereof attaynted, he ſhal pay to the marchant the double of that that hee hath taken, and as much to vs. And that no commiſſion be made to take ſuch pꝛices of the ſayd marchauntes, & if any commiſſion bee made it ſhallbe holden foꝛ none. Anno. 27. Edwardi tercii capitulo. 2.

Officers

Arreſt

Pꝛoces

ij. damages

10 ¶ Al marchaunts aſwel aliens as denizens, may buy woolls, lether, woolfelles and led thꝛough our realme and landes wꝫout couin oꝛ colluſion to abate ỹ pꝛice of the ſaid marchandiſes So alwaies that they bꝛing the ſame to the ſtaples. And that no marchaunt Engliſh, Welſh, noꝛ Iriſh, ſhall cary any maner of woolles, lether, woolfels, oꝛ lead, out of the ſaid Realme & lands vppon the paine of life and member, and of foꝛfaiture of the ſaid marchandiſes, and of al their other goodes and catteis againſt vs, and of foꝛfaiture of al their lands and tenements againſt the chiefe loꝛdes. And the chiefe loꝛds ſhall haue a writ of Eſchete on ỹ caſe. And that no ſtraunge marchaunts by couin beetwixt them and Engliſh, Iriſh, oꝛ Welſhe marchauntes, ſhall bꝛing the ſaid wares and marchaundiſes of Engliſh, Iryſh, oꝛ Welſhe, marchaunts, in part oꝛ in al. Noꝛ that no marchāt Engliſh, Iriſh noꝛ welſh, noꝛ other make couyn oꝛ colluſion wꝫ

Denizens
Woolles
Leather
Lead

woolfels

Foꝛf.

marchants

Gold
Siluer

Foꝛf.

Back

Alien

marchaunts ſtraungers, to cary their woolles, leather woolfelles or lead to the parties beeyond the Sea, out of the Realme and landes aforeſaeid vnder the name of marchants ſtraungers, nor ſhall ſend nor hold their ſeruaunts, or other their attorneis in the parties beyond the ſea, out of our ſayd Realme and lands for to ſel or to ſurvey the ſale of their ſaid wolls, lether woolfelles and lead there, or to receiue the money comming of the ſale of the ſayed wolles, lether, wolfelles, & lead. Nor that no Engliſhman, Iriſhman, nor Welſhman, by him ſelfe nor by other take payment of gold nor of ſilver, nor of other thing in recompence or commutation, or in ỹ name of payment in the parties beyond the ſea out of the realme and landes aforeſayed, of marchandiſes ſold in England, Ireland, or in Wales touching ỹ ſtaple, but al ſuch payment ſhallbee made in gold or in ſilver or marchaundyſe in England, Ireland, or Wales, where the contract was made, vpon the forfaytures and paynes nert aforeſayed. Nor that the marchaunts ſtraungers nor denizens make beetwirt thẽ pryuily nor appertly any company or cõfederacy in fraud or diſceipt of this ordinance, nor that none mainteine the ſame for gaine, nor in other manner to do any ſuch fraud or diſceipt, vppon the ſame paines & forfaitures. And al waies it is to bee vnderſtanden, that euery Engliſhmã, Iriſhmã, or welſh mã may freely bring their own wols, lether, woolfel and lead to the ſtaple to ſel there wout being compelled to ſell thẽ in the countrey. And ỹ euery marchant that ſhal ſel his wol at ỹ ſtaple be bound to warrant the packing of ỹ ſame wolles. An. 27. E. 3. ca. 3. ſtat.

Gold Siluer

Forf.

Packing

11 ¶All marchants aliens & denizens, & other, that do bring wynes, and other wares or marchaundiſes, what ſo euer they be to the ſtaples, cyties, boroughes, & good townes, or to ports of the ſea within our ſaid realme & landes, may ſaufely & without challenge & impechement of any ſell them in groſſe or at retaile, or by parcelles at their will, to all maner people that will buy the ſame. And that no marchaunt, priuy nor ſtraunger, nor other of what condition that hee bee, go by land nor by water againſt ſuch wines wares, or marchaundyſes commyng into our ſaid realme and landes, in the ſea nor elſe where, to forſtal or buy thẽ or in other manner to geue ernest vpon them, before that they come to the ſtaple, or to the port where they ſhalbe diſcharged, nor entre in the ſhyps for ſuch cauſe, til the marchandiſes bee ſet to land to be ſold, vpon the paynes and forfaitures cõtained in the ſame third article aforeſaid. An. 27. E. 3. cap. 11. ſtat. ſtapul.

Aliens

Groſſe Retaile

Forſtall

12 ¶If any marchaunt priuy or ſtraunger, be robbed of his goodes vpon the ſea, and the goodes ſo robbed come into any parties wõin our realm and landes, and wil ſue for to recouer the ſaid goodes, he ſhalbee receyued to proue ỹ ſaid goods to be hys owne by hys markes, or by his carte or cocket, or by good and lawefull marchaunts priuy or ſtrãgers. And by ſuch proues the ſame good ſhallbee delyuered to the marchauntes, wythout makynge other ſuit at the common lawe. And in caſe that any ſhips going out of the ſaid Realme & lands, or comming to the ſame, by tempeſt or other myſfortune breake vpon ỹ ſea bankes, and the goodes come to the land, whych may not be ſaid wrecke, they ſhallbee forthwith wout fraud or deceipt delyuered to the marchaunts, to whom the goods be, or to their ſeruãts by ſuch proofe as before is ſayd, paying to thẽ that haue ſaued and kept the ſame conuenable for their trauaile, that is to ſay by the diſcretion of the Shiriſes and bailifes, or other our miniſters in the places gildable, where other Lordes haue no fraunchiſe, and by the aduyſe and aſſent of ſower or fyre of the beſt or moſt

Stolles goods

Wrecke

Shiriſes Bailifes

or moſt ſufficient diſcrete men of the countrey. And if that it bee within the fraunchiſe of other lordes, then it ſhal bee done by the ſtewards and bailifes, or wardens of the ſame fraunchyſes, and by the aduiſe of iiii. or vi. diſcrete men of the countrey, as afore is ſayd, without any delay. Anno. 27. E. 3. capit. 13.

Stewards

13 ¶ No marchant ſtraunger be impeched for an others treſpas, or for an others debt, whereof hee is not debtour pledge nor maimpernour.

Prouided alwaies, ỳ if our liege people marchaunts or other, bee indamaged by any lordes of ſtraunge landes or their ſubiectes, and the ſaied lordes (duely required) fayle of right to our ſayed ſubiectes, wee ſhal haue ỳ lawe of Marque, and of takyng them againe, as hath been vſed in times paſt, without fraud or deceipt. And in caſe that debate ſhoo ryſe (whych god defend) betwixt vs and any Lordes of ſtraunge landes: Wee wyll not that the people and marchauntes of ỳ ſayd Landes bee ſodeyncly ſubdued in our ſayed Realme and landes becauſe of ſuch debate, but that they be warned, and proclamation thereof publiſhed, ỳ they ſhall voyd the ſayed Realme and landes with their goodes freely within xl. dates after the warnyng & proclamation ſo made. And that in the meane time, they be not impeched nor let of their paſſage, or of making their profit of the ſame marchaundyſes, if they will ſell them. And in caſe that for default of wind or of ſhippe, or for ſickenes, or for other euoſt cauſe, they can not auoyd our ſaid realme & landes within ſhort tyme, then they ſhall haue other xl. dates or more if nede bee within which they may paſſe conuenably, with ſelling their marchandiſe, as afore is ſayd. Ann. 27. E. 3. capitulo 17. ſtatut.

Marque

Proclamation

40. Dayes warning

14 ¶ It is contained in the charter of our graundfather, graunted to the marchaunts ſtraungers, & by vs confirmed, that of marchaundyſes, which they ſhall bring into our ſayed realme and landes, and whereof in. d. of the pound ought to bee paied by the ſaid marchants ſtraungers, according to the ſame graunt, faith and credence ſhalbe geuen to thē vpon the valour of ỳ ſaid marchādiſes by letters, which they may ſhewe of the ſame goods of their lordes and companions. And if they haue no letters, they ſhallbee beleued by their oth in this behalfe. And nowe of late it is done vs & our counſel to vnderſtand, by the complaint of the ſaid marchauntes, that albeit they haue letters teſtifiinge the valour of their marchaundiſes, the Shyrifes, Maires, Bayliſes, and miniſters of many places do conſtraine them to ſwere for the ſayd marchaundiſes, againſt the fourme of their ſaid charter and neuerthelefe after the oth made, enſeale their barrels, fardels, & bales, for which they haue made their othe, and the ſame lett lie iiii. or v. dayes ſo enſealed, beefore ỳ they will ſe the ſame, and ſo they take away from the ſaid marchants ỳ ſale of their goods to their great damage: wee not willing, that the marchaunts ſtraungers, that come with their marchaundiſes into our ſaied Realme and landes, for the common profit of the ſame, ſhalbee in ſuch manner greued, wil, graunt, and ſtabliſh, that the ſayd charter bee holden, and that the barels, fardels, and bales, and the other goodes of the ſaid marchants, for which they haue ſhewed their letters that bee not ſuſpicious, or made the othe as is contayned in the ſame charter immediatly after the othe made, or ſuch letters ſhewed their goodes ſhalbe deliuered to them without delay, thereof to do their profit, without any thing taking of thē ouer the cuſtome of in. d. of the pound, ſo that the ſhirifes, Maires, bayliſes, or other miniſters ſhal medle no more of the ſame goodes, vppon paine of impriſonment, and to pay to ỳ partie greued

Oth

Shirifes

Cuſtome
Maiors
Bailifes

Impriſon

greeted by this cauſe his quatreble da- dij. damages
mages, and aſmuch to bs, and vpon ẏ
ſame right ſhalbee done in our chaun-
cery at euery mans complaint. Ann.
27.E.3.ca.26.

15 ¶An.37.E.3.ca.5.an act was
made ẏ marchãts ſhould vſe but one Repealed
marchaundiſe, but it was repealed by
38.E.3.ca.2.

16 ¶Al maner of merchants as Aliens Denizens
well aliens as denizens, may ſell and
buy al manner of marchaundiſes, and
freely cary them out of thys Realme Cuſtomes
paying the Cuſtomes and ſubſidies
thereof due, except that the Engliſhe
marchaunts ſhal not paſſe out of this Woll Woolfels
realme with wooll or woolfels, Anno.
38.E.3.ca.2.

17 ¶All marchaunts aliens, of what Aliens
Realmes, Countries, or leignouries,
that they come which be of the amity
of the king & of his Realme, may frõ
henceforth ſauſely and ſurely come võ
in the Realme of England, and in all
maner Cities, Boroughes, portes of ẏ
ſea, faires, markettes or other places
vẏn the ſame Realme, vẏn franchyſe
and without, and abyde wyth theyr
goodes and all maner marchaundiſes
vnder the ſaufegarde and protection
of the king, as long as ſhal pleaſe thẽ,
wythout diſtourbaunce or denying of
any perſonne. And that as well thoſe
marchaunts aliens and denizens and
euery of thẽ, that will buy or ſel corne, Victaile
fleſh, fiſh, and all manner other vy-
tailes and ſuſtinaunce, and alſo al ma- Spices
ner of ſpyceryes, fruite, Furre, and al Furres
manner of ſmall wares, as ſilke gold- Sylke
wire, or ſiluer wire, couerchiefes, and Goldwyer
other ſuch ſmall wares, may frõ hence
forth freely and wythout denying or
any manner diſturbaunce as well in
the Citie of London as in all Cities, London
Boroughes, portes of the ſea, faires,
markets, and other places within the Froſe Retaile
Realme, ſell and buy in groſſe and by
parcels to whom and of whom them
pleaſe, denizen or foraine, except the
kinges enemies, Except ẏ al maner
of wynes alwel ſweete as other ſhall wynes
be ſould by the ſaid ſtraũgers in groſſe
and by whole veſſelles, as they bee
brought into the realm, and not at re-
taile by any in the ſaied Cities, Bo-
roughes, and other Townes fraun-
chiſed, but onely by the inhabitauntes
and free men in the ſame. And as to al Freemen
other great wares as cloth of gold and
ſilver, Silke, Sendall, Napery lin-
nen cloth, canuas & of other ſuch great Linnen cloth
wares, and alſo all manner of other
great marchandiſes, not abeue expreſ-
ſed, what ſoeuer they bee from hence-
forth as well aliens or Denizens as
well in the Citie of London as in o-
ther Cities, Boroughes, portes of the Cities
ſea, Townes, faires, markettes, and Faires
elſewhere through the ſayed Realme, Markets
within franchiſſe and without, may ſell
the ſame in groſſe to euery perſone fo- Groſſe
reine or denizen that wil buy the ſame
freely and without any denying, ex-
cept to the kinges enemies, aſwel by
the bale, cloth, or by the hole peeces at
their pleaſure, and not at retayle, vpon
payne of forfaiture of the ſame mar- Forf.
chaundiſes, but onely the citizens and
Burgeſes in their owne cities and bo-
roughes, and other good townes frã-
chiſed, to whom and to none other
ſtraunge marchaunt of their franchiſe
they may, and it ſhallbe lawful to thẽ
without impechment to vnfold, vndo
and cut in the ſame their proper cities,
and Boroughes, the great marchaun-
dyſes, and other great wares afore-
ſaied, and aſwell the ſame, as wines
and their marchaundyſes, there to ſell
in groſſe and at retaile at their plea- Retaile
ſure, paying al the cuſtomes and ſub- Cuſtomes
ſidies due notwythſtandyng any ſta-
tutes, ordinances, charters, iudgmẽts
alloẅaunces, cuſtomes, and vſages Repealed
made or ſuffered to ẏ contrary: which
Charters and franchiſes, if any there
bee, they bee vtterly repealed and an-
nulled, as a thyng made, vſed or graũ-
ted agaynſt the common profit or op-
preſſiõ of the people. Hauing alwayes

to Pre-

to Prelates and Lords of the realme wholy their liberties and fraunchiſes, that they may make their purueiaunces and buyinges of vitailes & of other their neceſſaries, as they were wount to do in old time, and ſauing that ẏ ordinaunces made before this time of ẏ ſtaple of Caleys bee holden in theyr force & vertue. And it is not ẏ kinges mind, that the marchants ſtraungers and denizens, that wyll buy & ſel their woolles woolfells, wares clothes, yron, and other marchandiſes at faires and markettes in the countrey, ſhould be reſtrained or diſturbed, by this ſtatut, to ſell or buy freely in groſſe or at retaile, as they were wont to do here tofore. And if it ſo happen, that from hencefoorth diſturbaunce be made to any marchaunt alien or Denizen or other vppon the ſale of ſuch thinges, in Citie, Borough, Towne, port of the ſea, or other place that hath fraunchiſe againſt the fourme of this ordinance, and the Maire, bayliſes or other that haue the kéepyng of ſuch fraunchyſe, required by the ſayd marchaunts or other in their name thereof to make remedy, do not the ſame, and thereof bée attainted, the fraunchiſe ſhalbe ſeyſed into the kinges hand. And neuertheleſſe, they that haue done ſuch diſturbance againſt this ſtatut, ſhalbe holdé to reſtore and yeld to the plaintife hys double damages that he hath ſuffered by this occaſion. And if ſuch diſturbaunce bee made to ſuch marchantes, or to other in townes or places where no fraunchyſe is, and the Lord if he be preſent or his Bailife, conſtable or other wardeyne of the ſayed Townes and places in abſence of the Lordes thereof required to do right, and do not and thereof bee duely attainted, they ſhall yeeld to the plaintife hys double damages as afore is ſayd, and the diſturbours in the one caſe and the other aſwel within fraunchiſes as without, if they be attainted ſhal haue one yeres impriſonment, and be raunſomed at ẏ kinges will. And it is ordained & ſtabliſhed, that the Chaūcelour treaſorer, and Juſtices aſſigned to hold pleas of the king in the places where they cōe ſhall diligently enquire of ſuch diſturbaunces and greuaunces and doe puniſhment according as afore is ordayned. Ad neuertheleſſe the king ſhal aſſigne by commiſſion certaine people, where and when ſhal pleaſe him to enquire of ſuch diſturbaunces & greuāces & to puniſhe the offenders in this partie, as before is ſayd. An. 2. R. 2. ca. 1.

18 ¶ Al marchants of Jene, venice Cateloigne, Aragon, & other realmes, landes and countries towards ẏ weſt being of the kings amitie, ẏ wil bring to Hāpton or elſe where within ẏ realme carakes, ſhippes, galeis, or other beſſels charged or diſcharged, may freely ſel their marchaundiſes to whom pleaſe them by the manner as afore is ſaid, and there recharge their beſſells of woolles, lether, woolfelles, tinne & of other marchaundiſes of the ſtaple, and freely bring them into their countrey towardes the weſt, paying at the ports where they charge them, al maner cuſtomes and ſubſidies, and other duities of Caleys, as much as they ſhould pay if they ſhould bring ẏ ſame marchaundiſes to the ſtaple of Caleis, ſo that they find ſufficient ſuertie, that they ſhal bring the ſame ſo towardes the weſt, and to no place elſe where towardes the Eaſt, but to the ſtaple of Caleys, if pereale they wil go, vppon paine of ẏ forfaiture ordained beefore this tyme. Anno 2. Rychardi 2. capitulo 3.

19 ¶ All manner of marchaunts ſtraungers, of what ſoeuer natyon or countrey they bee, being of the amity of the king and of his realme, ſhalbee welcome, and freely may come within the realme of Englād & elſe where within the kinges power as wel within fraunchiſe as without and there to be conuerſant, to marchandiſe & tary as long as them liſteth, as thoſe who

our

Staple

Wooll
Woolfels
Iron
Faires

Maior
Bailifs

Franchiſes ſeiſed

ij. damages

Diſturbāce

Conſtable

ij. damages

Impriſon

Chauncelor
Treaſorer
Juſtices

Enquirie

Hampton

Woolles
Leather
Woolfels
Tinne

Cuſtome

Suertie

Forf.

Protection

our ſaid ſouereigne lord the kyng by the tenour herof taketh into his protection and ſaufgard, with their goods marchaundyſes, and all manner familiars. And for ſo much the king wil and commaundeth, that they & euerie of them bee well, frendely, and marchauntlike intreated and demeaned in al parties within his ſaid realme and power, with their marchaundiſes and all manner goodes, and ſuffered to go and come, and into their proper countrey peaceably to returne without diſturbance or impechement of any. An. 5. R. 2. ca. 1. ſtat.

Statuts

20 ¶ The ſaid ſtatuts of An. 9. E. 3. ca. 1. 2. 3. before 2. 3. 4. & An. 25. E. 3. c. 2. before. 7. ſhalbe frõhenceforth firmly holden kept maintained & fully executed in all the pointes and articles of the ſame, notwithſtanding any ordynaunce, ſta. charter, letters patents, franchiſe, proclamation, commaundement, vſage, allowance, or iudgmẽt made or vſed to the contrary. And yf any ſtatut ordinaunce, charter, letters patents, franchiſes, proclamation, cõmaundement, vſage, allowaunce, or iudgement, bee made or vſed to the cõtrary it ſhalbe vtterly repealed anoied and holden for none. Anno. 11. E. 3. capit. 7.

Repealed

21 ¶ Marchaunts ſtraungers, repairing into the Realme of England, ſhallbee well and curteoully and right fully entreated and gouerned in yᵉ ſaid realme, to the intent yᵗ they ſhall haue the greater courage to repaire into the ſame. An. 14. R. 2. ca. 9.

22 ¶ No marchant ſtraunger ſhal alien, ſell at retaile, nor buy, nor marchaundiſe within the realme wyth an other ſtraunge marchaunt alien, to ſel againe, nor yᵗ no ſtraunge marchaunt alien ſhal ſel to retail within the ſame realme, nor ſhal not put to ſel no maner of wares nor marchaundiſes, except liuings & vitailes, and alſo that all aliens ſhal ſell wines by hole veſſels, & ſpicery by hole veſſels and bales, and in no other maner. And that no maner of ſpicerie, after that it bee brought in the Realme, ſhallbee caried out of the ſame Realme by alien nor by denizen, vppon paine of forfaiture of the ſame. And moreouer the kynge will yᵗ the ſayd ſtatuts of An. 9. E. 3. ca. 1. before 1. & An. 25. E. 3. ca. 2. before 7. & Anno. 11. R. 2. ca. 8. before. 20. in al articles and pointes ſhalbe ſtrictly holden & kept. An. 16. R. 2. ca. 1.

Alien Retaile

Vitailes Wines Spicerie

Forf.

Statuts

23 ¶ The ſaid ſtatut of An. 2. E. 3. which is in Staple 21. ſhalbe holden & kept in al points & duely executed, notwithſtanding any ordinance or vſage to the contrarie. An. 20. R. 2. cap. 4.

24 ¶ All the marchants ſtrangers and denizens, which bring marchandiſes into this Realme of England, & the ſame doe ſel within the Realme, & receiue Engliſh money for the ſame, that they ſhall beſtow the ſame money, vpon other marchãdiſes of England, for to bring the ſame out of the Realme of England, without caryng any gold or ſiluer in coygne, plate, or maſſe, out of the ſaid Realme, vppon paine of forfeiture of the ſame. Sauing alwaies their reaſonable coſts. An. 4. H. 4. cap. 15.

Denizens

Money

Gold Siluer Forf.

25 ¶ All the marchants, ſtrangers of what eſtate or condicion that they be. comming, dwelling, or repayring, within the realme of England, ſhalbe entreated or demeaned within yᵉ ſame realme, in yᵉ maner, forme & cõdition, as the marchauntes Denizens be or ſhallbee entreated or demeaned in the parties beyond the ſea, vppon payne to forf. to the king al the goods & catels of ſuch marchants ſtrangers & vppon paine of impriſõmẽt of yᵉ body of ſuch marchãts ſtrangers. An. 5. H. 4. c. 7.

Forf.

Impriſon

26 ¶ For the better keping of gold & ſiluer wtin the realme of Englãd, & for the encreaſe of yᵉ cõmodities of yᵉ ſayd realme: It is ordained & ſtabliſhed, yᵉ yᵉ ſtatuts therof made at yᵉ laſt parliamẽt ſhalbe holden & kept & put in due execution, ioyned to yᵉ ſame, that the

Gold Siluer

Cuſtomers

Money

Sell

Exchange

Forf.

Forf.

Hoſtes Maior Shyrife Baliffe

Cuſtomers and Comptrollers of our ſoueraigne lord the king in al ỹ portes of England ſhall take ſufficient ſuerties for al maner marchãdiſes brought by the marchaunts aliens & ſtraũgers comming and repairing to the ſayed portes, to thentent that the money taken for the ſayed marchaundiſe ſhalbe employed vppon the commodities of the realme: Sauing their reaſonable coſtes as in the ſame ſtatut more fully is contained. And moreouer it is ordained & ſtabliſhed, that ỹ ſaied marchauntes aliens and ſtraungers ſhall ſell their ſaied marchãdiſes ſo brought within the ſaied Realme, within a quarter of a yere next after their cõming into the ſame, and alſo that the money which ſhalbe deliuered by exchange in England be employed vpon the commodities of the Realme within the ſame Realme, vppon payne of forfaiture of the ſame money. And ỹ no marchaunt alien or ſtraunger ſell no maner of marchaundiſe to any other marchaunt alien or ſtraũger, vppon paine of forfaiture of ỹ ſame marchandiſe. And alſo it is ordained and ſtabliſhed, that in euery citie Towne and port of the ſee in England, where the ſaid marchaunts aliens or ſtraungers bee or ſhalbee repairing, ſufficiẽt hoſtes ſhalbe aſſigned to ỹ ſame marchauntes by the Maire, Shyriffes or Baliffes of the ſaid cities, Townes, & portes of the ſea. And that the ſayed marchants aliens & ſtraungers, ſhall dwell in none other place, but wyth their ſayd hoſtes ſo to be aſſygned, and that the ſame hoſtes ſo bee aſſygned, ſhall take for their trauaile in ỹ maner as was accuſtomed in old tyms. An. 5. H. 4. ca. 2.

27 ¶ The ſaid ordinaunce (of An. 5. H. 4. ca. 9. before 26.) be vtterly void and annulled for euer. And ỹ the ſame marchaunts aliens and ſtraungers be at their liberall diſpoſition to ſell their marchaundiſes in the manner as they dyd before the making of the ſaied ordinaunce, Sauing alwaies the fraunchiſes and liberties of the citie of London. And alſo prouided alwaies that ỹ ſayd marchauntes aliens and ſtraungers ſhall not cary nor do to be caried out of the Realme any marchãdyſes brought within the realme by ỹ marchauntes aliens and ſtraungers aforeſaid. An. 6. H. 4. ca. 4. London

28 ¶ Where as at the greuous cõplaint made by the comens it is ſhewed, howe that in old time it was vſed & accuſtomed, that alwell the clothmakers & clothiellers, of whatſoeuer place of the Realme they were, repayring & hauing recourſe to the city of London, as other marchants with diuers marchandyzes, as wine, yron, oyle, & ware and other thinges perteining to marchandiſe, ſoretailing, repayring, and hauing recourſe to the ſaied Citie, hath bought and ſold in groſſe, alwell with aliens as with denizens, of the clothes and other marchandyzes aforeſaid, at their will and pleaſure, paying in this behalfe onely the cuſtomes and other deuoyrs thereof reaſonably due, & neuer in all the ſaid time were diſturbed, or in any maner lett to ſell or buy in groſſe with marchants, aliens, or denizens of ſuch clothes and marchãdiſes at their wil and pleaſure, but onely to retayle, & now of late alwell ỹ ſame clothmakers as other the marchants aforeſaied, by the Maire, ſhiriffes, Aldermen, Drapers, and marchaunts of London bee dayly diſtourbed and lett to ſel and buy in ỹ maner aforeſayed, alwel in groſſe as in retail, & grieuouſly and continually conſtrayned to ſell their ſaid clothes and marchaundyſes onely to the marchauntes and inhabitauntes of the ſaid Citie, to the ſingular profit and aduantage of them of London, and alwel of ỹ dammage and loſſe of the lordes ſpirituall & temporall, and the comons of this realme as of the ſaid clothmakers & marchãts ſo greeued, and an euident enſample and occaſion to ſuch clothmakers and marchaunts Clothiers London

Marchantes ſo greued, to withdraw them ſelf from the ſaid city from hēceforth, if remedy be not rather prouided in this behalfe. It is ordeined and ſtabliſhed, that aſwell the clothmakers and clothſellers as other merchaunts, with their ſundry merchandiſes, as of wine, yron, Myle, and Ware, & other things pertcining to merchandiſe, ſhal bee free to ſell in groſſe their clothes, yron, Myle, and Ware, & other their merchandiſes, aſwell to all the Kings liege people, as to the citizens of London, notwithſtanding any fraunchiſe or libertie graunted to the contrary. Anno. 7. H. 4. cap. 9.

Clothſellers
wine
Iron
Myle
ware
Graſſe ſale

29 ¶An. 4. H. 5. ca. 5. It is enacted that the ſtatute of An. 5. H. 4. cap. 7. before. 25. cōcerning the treating of merchant ſtraungers, & the ſtatute of An. 5. H. 4. c. 9. before. 26. concerning the hoſtes of merchant ſtrangers ſhall bee kept & put in execution.

30 ¶No merchant alien ſhal conſtraine nor bind any of the kings liege people, by promiſe, couenant, nor liege to make him paiment in gold, for any maner of debt, which to him may bee due, nor refuſe to receiue paiment in ſiluer for any maner of ſuch duty or debt, vppon the paine of the double valeure of the ſame. And alſo to eſchue the great loſſes, which diuers perſons of this realme of England haue had, and alſo be likely ſo for to haue for their ſommes made of their merchādiſes to merchantes aliens, which haue fled with the ſame, and daily take ſanctuaries: It is ordeined that no Engliſhman ſhall ſell within this realme, nor do to be ſold frombenceforth to any merchant alien, any maner of merchandiſes, but onely for readie paiment in hande, or els in merchandiſes for merchandiſes to be paid and contented in hād, vppon paine of forfaiture of the ſame. An. 8. H. 6. cap. 24.

Gold
Siluer
Redy paiment
Forf.

31 ¶An. 9. H. 6. cap. 2. It was enacted to endure at the kinges will, that Engliſh merchauntes might ſell their clothes to merchaunt ſtraungers, vppon leding, fro vi. moneths, to vi. monethes, not withſtanding the ſtatut of An. 8. H. 6. capitulo. 4.

Lend' vi. moneths

32 ¶An. 18. H. 6. ca. 4. an act was mad to endure for vii. yers, concernig merchant ſtraungers to haue hoſtes and ſurueiours, and to ſell their wares within viii. monethes, and to employe the money thereof vppon Engliſhe goods &c.

Hoſtes
Surueiors
Money

De cuſtome An. 20. H. 8. ca. 5. ỳ cuſtomers, & other officers ſhall not occupy merchandiſe.

Cuſtomers

33 ¶An. 27. H. 6. ca. 2. an act was made to endure to ỳ next Parliament againſt bringing of merchādiſes made or growing in the lands of ỳ Duke of Burgoine, except they reſourme an ordināce made againſt vttering of Engliſh clothes in his countrey.

34 ¶An. 27. H. 6. ca. 3. an act was make to endure to the next parliament for merchant ſtraungers bringing in of vitails to employ the mony vppon ỳ commodities of the realme, and not to carie out any money, gold, or ſiluer, receiued for any ſuch vitails.

Vitailes
Money
Gold
Siluer

35 ¶An. 28. H. 6. cap. 1. an act was made to endure for vii. yeares againſt bringinge in of marchandiſe made or growing in the Ilands of the duke of Burgoin, except he reſourme an ordynance made againſt vttering of Engliſh clothes in his countrey.

36 ¶See ertaciō. 4. of impoſicions and tares taken by officers of merchants & of puniſhment for the ſame.

37 ¶An. 4. E. 4. ca. 3. it was enacted ỳ no merchandiſe made or growing in the Duke of Burgoins lāds & in other countries beyond the ſea there named, ſhuld be ſold or brought into Englād vppon paine of forfaiture, vntil ỳ Duke of Burgoin ſhuld make reſeaumation of an ordinace that he had made for banifhing of Engliſh cloths out of his countries, this act to endure at ỳ kigs will, ſauing the liberties of the Stillard.

Forf.
Stillyard

38 ¶ An. 4. E. 4. ca. 6 an act was made to endure to the next parliamẽt, concerning Cuſtomers, & Comptrollers to take ſuertie of marchant ſtrangers for employing of the money that they ſhould receiue for their marchandiſes, vpon Engliſh cõmodities.

Cuſtomers
Comptrollers
Suertie
Money

39 ¶ No marchant borne ſubiect of our ſaid ſouereigne Lord the king, denizen nor ſtraunger, nor other perſon after the feaſt of ſaint Michael tharchangel next comming, ſhal bring, ſend, nor conuey, nor doe to be brought, ſẽt, nor cõueied into this Realme of England, and ſeignorie of Wales, any of theſe chaffers or wares vnder written, that is to ſay, any woollen caps, woollen clothes, laces, corſes, rybandes, frenges of ſilke and of threede, laces of threed, ſilke twyned, ſilke in any wyſe embrowdred, laces of gold of ſilke or gold, ſadels, ſtroppes, or any harneis pertayning to ſadles, ſpurres, bolles for bridels, and pirons, gredirons, any maner of lockes, hammers, pinſors, firetonges, drippingpannes, dyce, tenes balles, pointes, purſes, gloues, girdels, harneis for girdels, of Iron, laten, ſtyle, tynne or of alkemine, ante thing wrought of any tawed lether, anie tawed furres, buſkyns, ſhoes, galoches or corks, knyues, daggers, wood knnes, botkins, ſhieres for taylours, cuſours, raſers, cheſſemen, playing cardes, combes, patins, peinted dels, and peynted ware, forcers, caskets, ringes of coper, or of laten gilt, chaſtindiſhes hangyng candelſticks, chaſtingbalkes ſacringbelles, rynges for curteines, ladles, ſcommers, counterfayt baſyns, ewers, hattes, buſhes, cardes for wool or any white wier or any of thoſe wares or chaffers to be vttered and ſolde within the ſame realme of England, or in the countrey of Wales by waie of marchandiſe, vppon paine to forfayt the ſame marchandiſes at euerie time and as often as they may be found in the handes of any perſon or perſonnes to bee ſold. The one halfe of the ſame forfayture to bee payed to thuſe of our ſouereigne lord the king, and the other halfe to him which will firſt ſeyſe the ſame for the king. The ſame halfe ſo ſeyſed for our ſouereigne lord the king to be deliuered by ỳ ſaid ſeyſour thereof to theſchetour of ỳ countrey or place where the ſame ſeiſin ſhalbe by indenture betwixt them made, duely to anſwere thereof in his accompt. Prouyded alwaies that if any of the ſaid wares or chaffers made out of this land, bee taken vpon the ſea without fraude or collucion, or commeth into thys realme of England, or in the countrey of Wales, by way of wrecke, ỳ thoſe be in no wiſe take with this ordinance or ſtatute, but that they may be ſold in this realme of England or Wales, this ordinance or ſtatute notwythſtanding. Prouided alſo that al wares and chaffers made and wrought in the lãd of Ireland or Wales, may be brought and ſold in this realme of England as they were wont beefore the making of this ſtatute, this ordinaunce or ſtatute notwithſtanding. Alſo our ſouereigne lord the king hath ordeined and eſtabliſhed by thaſſent and authorite aforeſayd, that the Maſters or Wardens for the time being of euery craft and miſterie in euerie Citie, Burgh, Towne and village, where anie ſuch craft or miſterie is vſed or occupied, ſhal haue ſufficient power and authoritie in euerie ſuch Citie, towne, burgh and village where they for the time being, ſhalbee wardens or maiſters of anie ſuch craft or miſtery. And ỳ Maior of ſuch Citie, burgh, towne or village for the time being, if any Maior be, or the bayliffes or bailliffe of ante ſuch cytie, burgh, towne or village for ỳ time beyng, if anie bailliffes or bailliffe there bee and no Maior, or ſergeant, or anie other officer to them aſſigned by the ſayd Maior, bailliffes or bailliffe, in euerie ſuch citie, burgh, towne and village wher any ſuch craft or miſtery is vſed or occupied, where noe ſuch maiſters nor

Alien
Denizen

Wares
made be-
yond ſea

Ireland

wardens

Maior

Bailiffs

Officers

Wrak
Forf.

Wottie

noꝛ wardens of any ſuch craft oꝛ myſ-
teric bee, that the maſters oꝛ wardens
of the craftes and miſteries of the cy-
tie Towne Boꝛough oꝛ village nert
adioyninge to the ſame, and ỹ conſta-
ble of ſuch citie boꝛough towne oꝛ vil-
lage, ſhall haue powꝛ and authoꝛitie
to ſearch in their owne craftes & mil-
teries and in al other craftes and myſ-
teries, bieringe by way of ſale anie
ſuch chaffers, aſwell within cities bo-
roughes townes and villages of ỹ ſãe
Realme of England and of the coun-
trey of Wales, as within the liberties
and fraunchiſes of the ſame cities bo-
roughs townes & villages at al times
reaſonable by their diſcretiõ at faires
and marketes, ſhoppes open, and
warehouſes, al maner wares chaffers
and marchaundiſes pertayning to e-
uery of their pꝛoper crafts & miſteries
which ſhalbe made by any alyen arti-
ficer man oꝛ womã, oꝛ any other per
ſonne oꝛ perſonnes within the ſame
realme of Englãd oꝛ wales, oꝛ which
at any time ſhalbee occupied by anie
of the ſaid crafts oꝛ miſteries, in whoſe
handes ſo euer they may bee found.
Pꝛouided alſo that the ſayed maiſters
wardens and other named in the ſayd
ordinaunce to be ſearchcours, ſhal not
enter in any place exempt by pꝛyuy-
ledge, fraunchyſe oꝛ cuſtome to make
in the ſame any ſearch as is aforeſayd,
but by the ſurueying of ſome officer of
euery ſuch place ſo exempt, whereof any
ſuch ſearch ſhall happen to be made.
And if the ſayed ſearchcours by the
ſame ſearch doe finde that ſuch chaffers
wares oꝛ marchandiſes, oꝛ any part
thereof, bee not pure lawfull and able
chaffers wares oꝛ marchandiſes and
rightfully boꝛought and made, as they
ought to bee, and that ỹ ſayed ſearch-
ſhal therfor ſhalbee lawfull to ſuch
ſearchcours to take and ſeyſe al ſuch
chaffers wares and marchandyſes,
which ſhall ſo be found not good pure
lawful oꝛ able and rightfully wrought
as a true ſeruant. The one halfe of
the ſame forfaiture to be paid to thuſe
of our ſayed ſouereigne Lord ỹ king,
and ỹ other halfe thereof to ſuch maſ-
ters oꝛ Wardens, whych ſo ſhall
make ſearch and find the ſame. And
that this preſent ordinaunce oꝛ ſtatut
concerning the ſayed artyficers ſtand
and bee in hys force as long as ſhall
pleaſe our ſouerayngne lord the kyng.
Pꝛouided alwaies that this ordinance
and act noꝛ none other ordinaunce oꝛ
act made oꝛ to bee made in this pꝛe-
ſent parlyament, ſhall not extend noꝛ
in any wyſe bee pꝛeiudiciall oꝛ hurt-
full to Robert Stylington clerke,
Deane of the free chappell of our ſo-
uereigne lord the king of ſaint Mar-
tin the graund of London, noꝛ to his
ſucceſſours of the ſaied chapell hereaf-
ter foꝛ the time beeing in any maner,
noꝛ to the ſayd Robert Deane & cha-
piter of the ſame chapell, as in and foꝛ
all manner pꝛiuiledges, liberties fran-
chiſes, rightes and cuſtomes in anie
manner partayning to them beefoꝛe
this parliament. Noꝛ to any perſon oꝛ
perſonnes dwelling oꝛ inhabiting, oꝛ
which ſhal hereafter inhabit and dwel
within the ſanctuary and pꝛemict of ỹ
ſame chapel, and eſpecially within the
lane, commonly called ſaint Martins
lane. An. 3. E. 4. ca. 6.

4 ¶ Euery marchant alien, euery
victailer & other ſtraunger not beyng
Denizen, which ſhall reſoꝛt into anie
place oꝛ poꝛt of thys Realme oꝛ wales
after the feaſt of Eaſter, ſhal duely
employ al the money to be receiued
by him within any part of the ſame
realme oꝛ wales, vppon the marchan-
diſes oꝛ other commodities of thys
realme, oꝛ without any fraud, he ſhall
put ỹ ſame in the payment to ỹ kings
liege people within this Realme, the
ſame imployment to paſſe or truely to
be pꝛoued by the marchant alien victa-
ler oꝛ other ſtraunger before his depar-
tyng out of ỹ ſame poꝛt, by writing to
ſuch marchãt oꝛ marchants, to whom
ỹ ſaid marchant alien victaler oꝛ other

Faires Marketes

Serchours

Places pꝛi-uileged

Foꝛf. Wouſe

S. Mar-tin

Franchiſes

Sanctuary

Alien Victailer

Money

Bullion

Hellmaiſter

Certifie

Forf.

Imprſon

Juſt of p. Dier & ter.

Judgemẽt

Embaſſa-dour

Money

ſtraunger hath imploied or paied hys money by him receiued for his marchandiſes brought into this land, witneſſing that hee hath ſo done by ſuch perſones as ſhall ſeeme reaſonable to the cuſtomer or comptroller of ỹ ſame port, and Maior, bailife, or other chiefe gouernor of any ſuch citie, borough, or towne, where ſuch port ſhalbee, vpon payne of forfeiture of all his goods being within this Realme, and to haue one yeres imprſonment. Sauing alwaies to euery ſuch marchant vitailer and ſtraunger his reaſonable coſtes by the ouerſight of the ſaid chiefe gouernour of the Port or place where ſuch marchant vitailer, or ſtranger ſhal arryue. The ſame forfeiture to bee deemed, iudged, executed, and departed in like maner and fourme, by like accions proceſſe, and execuciõ, as is limitted of other forfeitures in this act before declared. And becauſe that many forfeytures touching the aforeſaid ſtatutes made before this time hath fallen before the ſayd feaſt of Eaſter, and by likelyhod will more fall by perſonnes not doubting to offend and breake the lawe, which perſons ought by reaſon to be puniſhed in diſcouraging of other hereafter to offend: It is ordeyned by the auctoritie aforeſayd, that the iuſtices of peace ſhal haue power to heare and determine all maner defaults and forfeytures touching euery of the premiſſes had or done before the feaſt of Eaſter next enſuyng, to be had & done againſt the forme of any ſtatut before this time therof made. The ſame forfeitures & euerie of thẽ to be iudged, deemed & departed in like maner & forme by like actiõ, proces, & execuciõ as before is limitted and declared of & for ỹ ſaid forfeitures before rehearſed in this preſent act and ordinaunce. Prouyded alwayes, that this act extend not to anie Embaſſadour or other ſtraunger, commen or to come into this realme, or to paſſe out of the ſame by ỹ kinges licence, as for any money of Gold and

Plate Jewels

Herald

Calais

Proclamation

wales Cornewall Cheſter

Prince of Wales

Siluer, Plate or veſſell or Jewell, or anie ornament of Siluer or Gold concernyng his perſonne, brought by him into this realme, or to anie Embaſſadour of the king, Herauld, Purſeuant or Meſſenger, which ſhall paſſe out of this realme beyond the ſea by the kinges licence, or to anie marchaunt goyng ouer the ſea to buy anis wyne to bee brought into this realme, as for to carie with hym onelie a little cuppe called a taſter for wyne. Prouyded alſo, that this act extend not to any of thinhabitauntes denyzens or ſtraungers to come or goe to and fro the towne of Caleys or the marches of the ſame, nor to the dwellers and traunglers of the ſame, for anie money by them or anie of them to bee conueyed or caryed to anie places or countrey out of the ſayd towne and marches, other then the money of this realme, or money of other countreis to bee caryed out of thys realme. And to the intent that due notice may bee hereof had to the kynges liege people in this partie, letters of proclamation vnder the kynges ſeale vppon this ordinaunce ſhalbee made to euerie countie of this realme and other places neceſſarie in all good haſte: This ordynaunce to endure from the ſayd feaſt of Eaſter, till thend of ſeuen yeares then next folloſwyng. Prouyded alſo that this act, as for the part of anie forfayture conteyned in the ſame, which may perteyne to the kyng, ſhall not extend to geeue hym anie ſuch part of ſuch forfeyture to bee had or made within the prynceplytie of Wales, the Duchie of Cornewall, nor the Earledome and Counties Palantines of Cheſter and Flynt, nor anie of them. Alſo it is ordeyned by the auctoritie aforeſayed, that the noble and excellẽt prince Edward ỹ kynges firſt begotten ſonne, prince of Wales, Duke of Cornewal, and Earle of Cheſter, ſhall haue, perceiue & enioy, & to his heires princes of wales, dukes of Cornwall, & Earle of

Cheſter

Chester being the first begotten sones of the king of England, all and euerie such part of forfaitures, which shalbee made or forfait within the said principalitie, Duchie, Earledome, counties, palantines or anie parcell of anie of them, in as ample and large forme as the King ought or may haue such part of forfaiture in any other place by reason of any other act made in this parliament: any act made or to bee made in this present parliament to the contrary notwithstanding. Prouided also that this act for the deuision and partition of any forfaiture therin contained, shall not extend to or for any forfaiture to be had or made with in the liberties or fraunchises of William Bysshop of Durham. And it is ordeyned by the said authoritie, that William Bishop of Durham and his successors Bysshops of Durham, shall haue all such punicions and forfaitures which shall happen within the said liberties and fraunchises, in as ample and large fourme as the king should or ought to haue in any other place by force of this act. Prouided alwaies that this act nor none other acte or statute made or to bee made in this present parliament, shall extend to be preiudiciall or hurtfull to the abbot of the monastere of westminster for the time being, or to the Abbot and conuent of the same monastere for the time being, nor to any person for the time dwelling resident or being within the same monastere, or within any place pertaining to the same monastere, or within any place within the precinct fee or franchise of the said Abbot or of ỹ said conuent, or to any of ỹ rights, preuileges, liberties, fraūchises, fraunchises, immunities or other thing granted by ỹ King or any of his progenitours or possessoures of the royall estate and crolone of England, to the Abbot and conuent of the sayde monasteris and their successoures iointly or seuerally in any manner heretofore pertaining. Prouided also that the Abbot of the said monasteris and conuent of the said monastere and their successours, shall haue hold and enioy freely and effectually all the said ryghts, liberties, pauileges, fraunchises, immunities, and all other things in the forme aforsaid to the grāted, by what soeuer nāe or names they be named or called iointly or seuerally in any letters or writting thereuppon made, any act or ordinaunce made or to bee in other manner or thing to the contrarye notwithstanding. Prouided alwaies that this acte nor none other act ordinaunce or statute made or to bee made in this parliament, shall bee in any wise preiudiciall or hurtfull to the Deane for the time being of the kinges free chapell of Saunct Martins le grande in London, nor to the Deane and chapiter for the time being of the same chapell, nor to any person or persons for the time dwelling resedent or being within the same chapel, or within any place or places within the precinct fee or franchise of the said Deane or Deane and chapiter. Nor to any of the said rightes, pauileges, liberties, fraunchises, immunities, or other things by the king or any of hys progenitours predecessours, or possessours of the royall estate and crowne of England, to the deane & chapiter of the said chappell and their successoures iointly or seuerally in any maner graūted or in any maner hertofore perteyning. And also prouided that the deane of the said chapel and deane and chapiter of the said chapell haue held and enioy entierly freely and effectually all ỹ rightes, pauileges, liberties, fraunchises, immunitys and all other thinges in fourme aforesaid to them graunted by what former name or names they be named or called iointly or seuerally in any letters or writting thereuppon made, any act, ordinance or statute, made or to be made in any other maner or thing to the contrary notwithstanding.

Fyl.

Liberties

Durham

S. Martins.

Abbot of Westminst.

ſtanding. Anno. 17. E. 4. cap. 1.

41 ¶ An. 1. R. 2. cap. 9. an act was made that marchants of Italy ſhould ſell their marchaundiſes within eight monethes & employ the money vppon Engliſh marchaundiſes, and that noe marchant ſtraunger ſhould holl or ſojorne wyth any ſtraunger of another coũtrey &c. vpõ a penaltie, and there is articles agaynſt buying of woolle and cloth &c. And Ann. 1. R. 3. capit. 8. is a part of an act agaynſt ſtraungers for buying of woolles, but ſmuch of thoſe two actes as concerne thoſe matters be repealed by 1. H. 7. ca. 10.

Italians

Money

Woolles

42 ¶ No marchant ſtraunger, after the feaſt of Eaſter next cõming, ſhall bring into this realme of England to be ſold any maner girdels, nor no harneis wrought for girdels, pointes, leather, laces, purſes, polwches, pynnes, gloues, knyues, hangers, taylours ſheres, ſyſeurs, aundyrons, cobbardes, tonges, fireforkes, gredyrons, ſtockelockes, keyes, hinges and garnettes, ſpoones, peynted glaſſes, peynted papers, peynted forcers, peinted ymages peynted clothes, beaten gold, or beaten ſiluer wrought in papers for peinters, ſaddles, ſeddeltrees, horſharneys, bootes, byttes, ſtyrroppes, bocles, cheines, laton, nayles wyth Iron chaunbes, turnettes, hangyng candelſticches, holy water ſtoppes, chafyngdiſhes, hanging lawers, curteyne rynges, cardes for wolle, Roome cardes, claſpes for garmentes, sheres, buckles for ſhoes, brooches, belles, hawkes belles, except Tynnen and leaden Spoones, wier of laton and Iron, Iron candelſticks, grates, hornes for lanternes, or anie of the ſayd wares made and wrought perteining to the crafts aboue ſpecifyed, or anie of them, vppon paine to forfayt al the ſaid wares ſo brought into this realme contrary to this act or the paine of the ſame, in whoſe hãds they or anie of them ſhalbe found: The one halfe of ſuch fines & forfaitures to be to the king, & the other halfe to him or the

Foreine wares

Forf.

Moitie

that ſhall ſeyſe or purſue for the ſame by acciõ of debt, by writ, or bill at ỳ cõmon lawe, or by bill or plaint after the cuſtome of the citie or Towne where any ſuch fines, forfaitures & penalties ſhal hereafter happen to be or ſal. And ỳ the defendant in ſuch accion bee not admitted to wage his lawe: Nor ỳ anie protection or eſſoine in the kynges ſeruice ſhalbe allowed in ỳ ſame for anỳ ſuch defendant. An. 1. R. 2. ca. 12.

43 ¶ Except reſerued onelie to the king to be at liberty, to haue and enioy all maner ſeyſours, forfeytrs & penalties in the ſaid acts (s. An. 1. R. 3. ca. 8. 9. before. 41.) ſpecified. And ỳ it ſhalbe lawful to ỳ king to graũt to the ſaid be ſechers, marchãts of Italy, his letters of ſafe conduit & letters patents ſurely to be enioyed, according to the tenours therof ỳ aboueſaid act & acts notwithſtanding, in as ample wiſe as though they had neuer ben had nor made. An. 1. H. 7. cap. 10.

Forf.

Safe conduit.

44 ¶ The ſaid act made the xvij. yere of king E. ỳ 4. s. ca. 1. before. 40. all thinges comprized in ỳ ſame touching the paſtices (s. in the ſaid act of 17. E. 4. cap. 1. before. 40.) and euery prouyſion made in the ſame be good, effectuall and to endure for euer. Alſo it is enacted by the ſaid auctoritie that euery marchant of Ireland, Jerſella, and Garnſa, ỳ bringeth any marchãdiſe into this realme, ſhall employ ỳ money receiued for the ſame marchandiſe his reaſonable expences deducted vpon the commodities of this land, or els without fraude put the ſame money in due paiment within this realme. The ſaid employment or paiment to be proued as is afore (s. in the ſaid act of 17. E. 4. ca. 1. before. 40.) vpon paine of forfaiture of the value of the marchandiſe ſo brought into this land. And it is ordeined by the ſaid auctoritie ỳ euerie cuſtomer or comptroller ſhal take ſufficient ſuertie, for euerie of ỳ ſaid marchant vitailer or other ſtranger, to emplote the value of ỳ ſãe marchãdiſe, or to put

Money

Forf.

Cuſtomers

or to put ỹ ſame money for the marchandiſes receiued in due paiment, his reaſonable expences alway deducted, vppon paine of forfaiture of the value of the ſaid marchandiſes, the one halfe of the ſayd forfaiture to the king, thother halfe to the partie that will ſue. This to begin & take effect at ỹ feaſt of Chriſtmas next comming. An. 3. H. 7. capitulo. 8.

Fail.

Polite

45 ¶ Euery Engliſh man being the kings true liege man from henceforth haue frée paſſage, reſort, courſe, and recourſe into the ſaid coaſtes of Flanders, Holland, Zeland, Brabant, or other places thereto nigh adioining vnder thobeyſance of the ſayd Archeduke to the martes there hereafter to bee holden, to his or their marchaundyſes goodes and wares there to buy and ſel and make their exchanges frélie at his or their pleaſure without exaccion, fine, impoſition, or taxis, or contribution to bee had, leuied, taken or perceiued of them, or of anie of them before or by anie Engliſhe perſonne or perſonnes to his or their alowe vſe, or to the vſe of the ſaid fraternitie or felowſhippe or of anie other kinde, except ourlie ten markes ſterling. And that noe perſon Engliſh as is aforeſayd, hereafter take to his owne vſe or ỹ vſe of the ſayd fraternitie or felowſhippe thereof anie other Engliſhe perſon of what eſtate, degree or condiſſion that he be of, ſo alwaie that hee bee the kynge our ſoueraigne lordes true liege man, anie fine, exaccion, impoſition or contribution for hys libertie or freedomie to buy and ſell anie goodes, wares, or marchaundiſes in or at anie of the ſaid marts more or aboue the ſumme of x. marks ſterling only, vpō paine of forfaiture to our ſaid ſoueraigne lorde for euery time that he doth the cõtrarie of this act xx. li. & alſo to forfait to ỹ party greeued in this behalf x. times ſo much as he cõtrary to this preſent act taketh of him. And ỹ ỹ ſaid parties ſo greeued ſhal haue in this behalf an accion of debt for the ſaid forfeiture of x. times in any of the kings courts within this realme by writ, plaint, bil or informatiõ. And ſuch proces to be made in the ſame as is or ought to be made in or vppon an accion of debt, at the common lawe & ỹ triall thereof to bee had in ſuch ſhire citie, towne or place where the ſaid accion is commenced or ſued. And that ỹ defendaunt in anie ſuch accion bee not admitted to wage his lawe, nor none eſſoine or protection before ſuch defendãt admitted or allowed in ỹ behalfe. An. 12. H. 7. ca. 6.

Fynes

Marts.

10. Marks

Felowſhip

Fine

Forfaiture

Accion of debt

Proces

46 ¶ An. 26. H. 8. ca. 10. It is enacted ỹ the king during his life might by proclamatiõ by his letters patents, alwell repeale ỹ act made, An. 23. H. 8. ca. 7. for ỹ bringing in of wines, & al ſtatuts made ſince the beginning of the parliament for ỹ reſtreint of Engliſh marchaundyſes to bee carried out of thys realme & for the reſtreynt of outward marchaundiſes to be brought into thys realme, as alſo reuiue thoſe ſtatuts &c.

Proclamation

L. patents

47 ¶ That it ſhal not bee lawful to or for anie perſonne or perſons whatſoeuer, from & after the firſt day of September next comyng, to lade or put or cauſe to be laden or put, ouer or from any wharfe, haye, or other place on ỹ land into any ſhip, veſſel, crayer, lighter, or bottome, anie goodes, wares or marchaundiſes whatſoeuer, fiſh taken by your highnes ſubiects onelie excepted, to be tranſported into any place of the partyes beyond the Sea, or into the realme of Scotland, or to take vp, diſcharge and lay on land or cauſe or procure to bee taken vp or diſcharged, out of any lighter, ſhip, crayer, veſſel or bottome being not in a leke or wracke, & layd on land any goods, wares or marchaundiſes whatſoeuer, fiſhe taken by any of your highnes ſubiectes, and ſalt onely excepted to be brought from any the parties beyond the ſea, or ỹ realme of Scotland, by way of marchandiſes but onelie in the day light, that is to ſay from the firſt day of March, vntill the

Lading and vnlading of merchãdizes

Daylight March Septẽber

laſt of September, betwirt the ſunne
riſing and the ſunne ſetting, and from
the laſt of September, vntill the firſt
of March, betweene the howers of ſe-
uen in the morning, and fower at the
afternoone, and in, and vpon ſome ſuch
open place, key wharfe, places, keis, or
wharfes, as your highneſſe, your heirs
or ſucceſſours, ſhall on this ſide the ſaid
firſt daie of September, thereſore aſ-
ſigne and appoynt by vertue of your
highnes commiſſion or commyſſions,
within your graces ports of London,
Southampton, Briſtow, weſtchester,
Newcaſtell, and the ſuburbes of the
ſame and euerie of them, and in ſome
open place, key, or wharfe, places, keis
or wharfes, in al other portes, creekes
Hauens or Roades, Hull onelie ex-
cepted, where a cuſtomer comptroller
and ſearcher of ſuch Portes, Hauens,
Creekes or Roades, and euerie of
them, or the ſeruauntes of anie of
them haue by the ſpace of tenne yeres
laſt paſt beene accuſtomably reſydent
or hereafter ſhalbe reſidēt, vpon paine
of forfaiture of all ſuch goods, ware
or marchaundiſes ſo laden or diſcharg-
ged cōtrary to ỹ true meaning of thys
acte or the paine thereof. And bee it
further enacted by thauctheritie afore-
ſayd, that no maner of perſonne or
perſonnes, after the ſayd daie ſhall
receiue or take into any ſhippe, craier,
or other veſſell, any goodes, ware,
or merchaundiſes (except before excep-
ted) to bee tranſported into any place
beyonde the ſea, or into the Realme of
Scotland, by way of Merchaundiſe,
nor ſhall diſcharge and lay on lād out
of any ſhippe, craier, or other veſſel, a-
ny goodes, ware or merchaundiſes,
(except before excepted) beyng brought
from any place beyond the ſea, or out
of the Realme of Scotland, by way
of merchaundiſe in any other place or
places, or at any other howers, or
times then is beefore limitted and
appointed, vpon peine that the owner
or owners, maſter or maſters, or
other perſonne or perſonnes, which
ſhall take charge or guyding of anye
ſuch Shippe, Craier, or Veſſell, or of
the Merchauntes goodes, during and
for that vyage, ſhall forfaite and leſe
for euery ſuch offence a hundred pound
of lawfull money of England. And
bee it further enacted by the auctharyt-
tie aforeſaid that noe Maiſter ſhipper,
or purſer, or other perſonne or perſons
taking charge of the vyage, or of the
Merchauntes goodes, ſhall after the
ſayd daie, receyue or take into anie
Shippe, Craier, or other veſſel any
goodes, ware or merchaundiſe, (ex-
cept before excepted) to bee caried or
tranſported into any of the parties be-
yond the Sea, or into the Realme of
Scotland before hee ſhall haue ſignifi-
ed to the Cuſtomer of the Porte,
where hee ladeth, and other officers
there in the open Cuſtome houſe if any
ſuch be there, or els where the ſaid of-
ficers their deputies or ſeruantes or a-
nie of them bee or ſhalbee vſually reſi-
dent, that hee intendeth to lade, and
to what place hee intendeth to paſſe,
nor ſhall after his or their full lading
depart out of the Porte, Creekes, or
Streames where hee ſhall ſo lade, be-
fore he do in like maner ſignifie vnto
the Cuſtomer & other officers, as is a-
foreſaid, of his lading, and what mer-
chauntes and other perſons ſhall haue
lading with him or in his Ship, cray-
er, veſſel, or bottom. And further tru-
lie doe anſwere to ſuch queſtions as
ſhall bee miniſtred to him or them by
the cuſtomer or other officers concer-
ning ſuch ware or merchandiſes, as
he ſhall haue laden being examined vp-
on his or their oth, or otherwiſe in the
open cuſtome houſe, or otherwiſe as is
aforeſaid, vpon paine to forfait for e-
uerie ſuch defaulte not truely mener-
tiſing nor anſwering as in aforeſayd
a hundred pound. And bee it further
enacted by the auctheritie aforeſayd
that noe owner, maiſter, purſer, or o-
ther perſon taking charge of any ſhip,
craier,

Wharfes
Keyes

London

Cuſtomer

Forf.

Ship

Scotland

Forf.

Examine
Othe

Forf.

Maſter of
ships

craier, beſſell or bottome, wherin any goodes, wares, or marchandyſes, except before excepted, ſhalbe laden and brought into the parties beyonde the Sea, or the Realme of Scotland, ſhall after the ſayd day diſcharge into any lighter or bottome, or lay on land or procure, cauſe or willingly ſuffer to be diſcharged into any lighter or bottome, and to bee layde on land out of ſuch ſhippe, craper, beſſell or bottome any goodes, wares or marchandyſe whatſoeuer, before ſuch owner, maſter, or purſer, or other perſone or perſonnes taking charge of the Shippe, Craper, Bottome, or beſſell, or the marchants goods for the voyage ſhal haue ſignified and declared to the cuſtomer or other officer of the port, haue or creeke where he arriueth, ỳ names of euery of the marchantes or laders, and ſhal haue truely and wel to ſuch queſtions and interogatorie, touchyng or concerning ſuch goodes, wares or marchandiſe, as ſhalbe then laden in any ſuch ſhippe, beſſel, or bottome, as ſhalbe to him miniſtred by ſuch cuſtomer or other officer openly in the cuſtome houſe, or in ſuch other places as is aforeſaid, vppon his or their oth, if needs ſo require, vppon paine ỳ euery ſuch maſter purſer, or other perſon or perſonnes taking charge of ſuch ſhippe, craier, or other beſſell, for the voyage ſhall forfait and loſe for euery ſuch default not truely anſwering as is aforeſayd, an hundred pound. Anno 14 And be it further enacted by the authority aforeſaid that from and after the ſaid day, no perſonne denizen ne ſtraunger to take vpon him to enter or doo or cauſe to bee entred into bookes of any cuſtomer or other officer or officers, of any port or hauen, wtin this realme, or his or their deputy or deputies, ſeruant or ſeruants, any maner goodes, wares or marchandiſes whatſoeuer, comming or brought into your highnes realme, from any ỳ parties beyonde the Sea, or from the Realme of Scotland or going or to be tranſported out of the ſame your highneſſe realme, into any the parties beyonde the Sea or into the Realme of Scotland, in the name or names of any other perſon or perſonnes then the very true owner or owners of ỳ ſame goodes, wares, or marchandiſes being not ſold, bargained or contracted, for, to or with any other perſonne or perſonnes, before ſuch entre, or before the arriuall of ſuch goodes wares or marchandiſe in the partes beyonde the ſea, vppon paine of forfaiture of ỳ value of the goodes ſo entred. And be it further enacted by the auctority aforeſaid, that if any wharfinger, crane keeper, ſearcher, lyghterman, weigher or other officer partayning to the ſubſidie cuſtome, or cuſtome houſe, doo at any time after the ſaid day, conſent or knowe any offence or thing to bee committed or done contrary to ỳ true meanig of this act, or any article therin contained, and doo not within one moneth next after knowlerge therof had, diſcloſe the ſame to the chiefe cuſtomer or other officer of ỳ port where or within whoſe office or charge any ſuch offence ſhalbe committed or done or elſe to the Lord Treaſorer, Chauncelor, vnder Treaſorer, or one of ỳ Barons of the chequer, or thatturney generall for the time being, ſhall for euery ſuch concelement, or not diſcloſing ſuch offence as is aforeſaid, forfait a leſſe ſum of good and lawful money of England.

And be it further enacted by auctoritie aforeſayd, that the Cuſtomer of Hull, ſhall haue a ſeruaunt or deputie continually reſident at the Cytie of Yorke, and euery other Cuſtomer comptroller and ſercher of euery port ſhall from and after the day aforeſaid aſſigne and appoint, for and in euery of the places aboue mencioned, and in al and euery port, creeke or road, where the ſeruaunt or any of them haue bene continually reſident by ỳ ſpace of tenn yeares,

Oths

Forf.

Denizen

Forf.

wharfinger Officers of the cuſtome houſe

L. treaſorer Chaūcelor Barons of the chequer K. atturney

Forf.

yorke

yeares, or hereafter shalbe as is aforesaid, one able and sufficient deputie or seruaunt at the least, and that aswell al and euerie of the Customers comptrollers and searchers as al and euerie his or their deputy or deputies, seruant & seruauntes, shall from time to time, doo his and their diligent attendaunce at the howers times and places aforesaid appointed aswell in the custome house or elsewhere, as it shalbe most expedient & conuenient for ỹ speedy dispatch of the marchant and his goods, wares and marchandise, and for the due execution of this act in such thinges as to him or them shal appertaine without restraint, or consenting to any thyng or thinges, which may be to the hurte or damnage of your highnesse, your heires or successours. In the full answering of your highnes due customs and subsidies, vppon payne that euerie such customer, comptroller & searcher shall forfait and lose for euery offence by him or them committed or done, in his or their seueral office or offices, an hundreth pound of lawful money of England, the moitie of all which forfaitures shalbe to your highnesse your heires and successours, and the other moitie to him or them that will sue for the same in any your highnesse courts wherein no essoine, protection, wager of law, or iniunction shalbee admitted & allowed. And where of late yeares there hath beene much greater quantitie of sweete wines brought into this realme thē in times past, hath beene accustomed, which beene also brought from the same place, where the wynes commonly called malmesey, is brought and is of the same nature of grape. And neuertheles either by negligence, ignorance, or corruption of the officers, there hath not ben such Custome and subsidie receyued for the same, to the vse of your highnesse, and your progenitours as ys due and ought of very right to bee payd for such sweete wines comming through the straights, commonly called the straightes of Marroke, otherwyse malegaye, to the great losse and hynderaunce of your highnesse, and the burden of vs your louing subiects, for thauoydyng of al ambiguitie and doubtes, and to thintent the officers may more certaynely knowe what they ought to receyue for such kind and nature of marchaundyse. Be it enacted and declared by thys present act, and by auctoritie aforesayed, that lyke Custome and subsidie is of very right to bee payed and shall from hencefoorth bee paied for such sweete wines as is aforesaid, as is, and hath beene accustomed to bee paid for malmesey, any negligence, mone payment, vsage or Custome, to the contrary in any wise notwithstanding. Sauyng to all and euery lord Marcher & other person or personnes, whatsoeuer body politike or corporat al and euerie such right, title and interest, as they or any of them, haue and of right ought to haue in the payment or hauing of any fraunchise, liberties custome and subsydie or any of them, any thynge in thys act to the contrary notwithstanding. Prouyded alwayes, and be it enacted, that it shalbee lawfull to Shyppe, lade and transport into the partes beyond the Sea, all maner of Corne and graine out of the countries of Norfolke and Suffolke and eyther of the at such places as heretofore hath ben accustomed, and before the howers in that case appointed, when the same Corne and graine shall not exceede the seuerall prices mencioned in the Statute made in the fifte and sixte yeare of the late Soueraigne Lorde kyng Edward the sixt, intytuled an act agaynst regratours, forestallers, and ingrossers, the Customes and subsidies therefore due, beyng well and truely payed, any thyng in this act or any other act or statut to the contrary notwythstandyng. Prouyded alwayes that thys act, nor any thyng therein

Deputie

Forf.

Moitie

Sweete wines

Warrode

Custome

Malmesey

L. Marcher Bodies politike

Corne

Custome

therein contayned bee not preiudicial or hurtfull, to the Ile of Angleſey, ỹ Shires of Carnaruan and Flynt in Northwales.

But that the inhabytaunts thereof and euery of them, may receyue, lade, and diſcharge accordynge to their old auncyent vſe cuſtomes or lybertes, graunted to them or ante of theyr predeceſſours, by the late kyng of famous memorie, kynge Henry the eyght, or any other his progenitors. So that they and euery of them pay the Cuſtomes and ſubſidies that ſhal bee due and diſcharge, and lade wythin the tymes and howers, before mẽcyoned, anie thyng in thys preſent act to the contrary not wythſtanding. An. 1. El. ca. 12.

Shippe

Skinnes & wools

Leather

Tranſporte

Forfl.

48 ¶ It may bee enacted &c. that yt ſhall not bee lawefull to or for any manner perſonne or perſones whatſoeuer, from and after the firſt day of May next commyng, to make any peltes, that is to ſaye, to pull, ſheare, clippe, or take away the wool of any Sheepe ſkinne or lambe skin or to buy anie ſkynne of any Stagge, Hynde, Bucke, Doe, Goat, Fawne, or laydde, or the peltes or ſkynnes of any of them, vnleſſe ſuch perſone or perſonnes ſo makyng anie peltes, or buying ſuch ſkynnes as is aforeſaid, doo make or cauſe to bee made thereof tawed or lawefully tanned leather or parchement, or other wiſe conuert the ſame into ſeirwittes, pannels, or other their owne neceſſary vſes, vpon payne that euery perſonne ſo making peltes or buying any of the ſkynnes or peltes aforeſayed, contrarie to the meaning of thys act, ſhall forfaict and loſe the value of all ſuch peltes, or ſkynnes ſo made and bought, x ſhe ſhyllyngs ſixe pence, for euery ſkynne or pelte ſo bought, or pelt ſo made, as is aforeſaid. And be it further enacted that it ſhall not bee lawfull to or for any perſonne or perſones whatſoeuer, from and after the feaſt aforeſaid, to

Peltes

Skinnes

Leather Parchment

Forfl.

ſhippe or conuey, or cauſe or procure to bee ſhipped or conueyed, in or to any ſhippe, boate, or veſſell, in or vpon the Sea, or in or vpon any Hauen, Ryuer, creeke or place, within thys Realme of England & Wales or eyther of them, ante maner of Sheepe ſkynnes, woolls, ſhorelings, morlynges, or the ſkynnes of anie Stagge, Hynde, Bucke, Doe, Goat, Fawne, or laydde, or the peltes or ſkynnes of any of them or the leather made of them or any of them, to thintent to tranſport or cary ỹ ſame into any the partes beeyond the ſeas, there to be vttered, bartred or ſold, by way of marchaundyſe or otherwyſe vpon payne of forfayture of all ſuch ſkynnes or peltes, bought lade ſhypped or tranſported contrary to ỹ true meanyng of thys act, or the value of them, and alſo two ſhillings vi. pence of lawfull money of England, for euerie fell shorelynge, morling, pelt or ſkynne aforeſaid, bought, laden ſhipped, or tranſported, contrary to ỹ true meaning of this preſent act, the moitie of all which forfaitures ſhall bee to our Souerayngne Ladye the Quecnes maieſtie, her heires & ſucceſſores, and the other moitie to hym or them that will ſue for the ſame by accyon, bil, plaint, information, or otherwiſe, in any of the Queens maieſties courtes: In which accion no eſſoine, protection or iniunction ſhalbee admitted or allowed. Prouided alway that it ſhall and maie bee lawefull to the marchauntes of the ſtaple, the marchauntes of Newcaſtell vpon Tine, Hartipoole, & Berwicke, their ſeruauntes, factours, and attourneies and euery of them to cary and tranſporte all ſuch lawfull wares as heretofore they haue bene accuſtomed and lawfully might, anything in this act to the contrary not withſtanding. An. 5. El. ca. 7.

Moitie

Staple Newcaſtell Hartipoole Berwicke

49 ¶ Be it declared & enacted &c. that the ſayed firſt braunch of the ſaid ſtatute

Statute

statut (s. quinto Elizabeth capitulo 2. for the makyng of pelts) beyng not agaynst the sayd intercourse shal fromhencefoorth bee putt in due execution.

And be it ge. that so much of the said statut as concerneth the transporting of Alwed leather, to bee made of sheepeskinnes and lambskynnes, shal fromhencefoorth as touching onely the transporting of such tawed leather, be repealed and voyd: any thing in the said statut to the contrary notwithstandinge. Anno. 31. Elizabeth. cap. 14.

Tawed leather

Repealed

¶ *Meane.*

When chiefe lords distraine in their fee for Customes and services to them due, and there is a meane which ought to acquite the tenant, sithence it lyeth not in the mouth of ỳ tenant after that hee hath replevied the distresse, to deny the demaund of ỳ chiefe Lord which awaeth in the kynges court, that the distresses is lawefully taken upon his tenant, which is upon the meane, and many have beene sore greeved by such distresses, in so much as the meane (notwithstanding that he hath sufficient, whereby he may bee distrayned) both make longe delayes, before he will come into ỳ court to avoid twere for his tenant unto the writt of meane, and most parte of all when ỳ meane had nothing. In case al ỳ when the tenaunt was ready to doo his services and Customes unto hys lord, and the chiefe Lord would refuse to take such services and customes by the handes of any other then of his next tenaunt, and so such tenderinges, in deed meane lost: fromt whiles the proffittes of their landes fayd time, and somes whiles for their hole time, whitherto no remedy hath ben provided in this case: A remedy is provided, & ordained by this statute, that so often as ỳ tenant in demand shewing a meane betweene him and the chefe lord) is distrained, in continent ỳ tenant shall purchase his writt of meane. And if ỳ meane having land in the sãe countie, absẽt him selfe until the great distresse be awarded, the plaintife shall have such day geuen him in his writte of great distresse, as foze the commyng whereof two counties may bee holden, and the sheryffe shalbee commanded to distraine the meane by the great distresse, like as it is contained in the writt, and nevertheless the shirife in two full counties shall cause to bee proclaimed solemnpliy, that the meane doo come at a day contained in the writt, for to answere his tenaunt, at which day if he come, the plea shal passe betweene the after the common vlage. And if hee do not come, then shal he lese the services of his tenant, and from thenceforth, the tenaunt shal not answere him in any thing, but the same meane beeing excluded, hee shall answere unto the chefe lord for such services & customes as the meane vsed to doo before ỳ time. Neither shall ỳ chiefe lord have power to distraine, so long as ỳ aforesaid tenant doo offer him the services & customes due. And if the chiefe Lord exact more then the meane ought to do, the tenaunt in such case shall have against him all such exceptions as the meane should. And if the meane have nothing within the kynges dominion the tenaunt shall nevertheless purchase hys writt of meane, to the shirife of the shire, wherein he is distrained. And if the shirife returne, ỳ hee hath nothyng whereby hee may bee sommoned, then shall the tenant sue his writt of attachment. And if ỳ shyrifs returne, that hee hath nothyng to be attached by, hee shall nevertheless sue his writte of great distresse, & proclamation shalbe made in foure the aboueshiers. And if the meane have no land in the shire, where the distresse is taken, but hath land in some other shire, then a writt original shall issue to

Distreine

Tenant

Countie
Shirife
Distreine

Proclamation

Chiefe lord

to ſomon the meane, vnto the ſhiryſe of the ſame ſhire (where the diſtreſſe is taken) and when it is retourned by the ſhirife, that he hath nothyng in his ſhire, a writte iudicial ſhall iſſue to ſomon the meane, vnto the ſhirife of the ſame ſhire, in which it ſhallbee teſtified that hee hath land, and ſuit ſhall bee made in the ſame ſhire, vntill they haue paſſed vnto the great diſtreſſe, & proclamation as aboue is ſaid, where the meane hath land in the ſame ſhire in which the diſtreſſe is taken. And nertheleſſe ſuit ſhalbe made in ỳ ſame ſhire, where he hath nothing, as aboue is ſaid of ỳ meane, that hath nothing, vntyll the proces come to the great diſtreſſe and proclamation, and ſo after proclamation made in both counties, the meane ſhallbee forjudged of his fée and ſeruice. And where it happeneth many times, that the tenaunt in demeane is infeffed to hold by leſſe ſeruice, then the meane ought to doo vnto the chiefe Lord, when after ſuch proclamation the tenaunt hath attorned to the chiefe Lord, and the meane beeyng excluded, the tenaunt muſt of neceſſitie aunſwere vnto ỳ chiefe lord, for al ſuch ſeruices and Cuſtomes, as the meane was wont to do to hym. And after that the meane is come in to the court, and hath confeſſed, that he ought to acquite his tenaunt, or be cõpelled by iudgment to acquite, if after ſuch confeſſion or iudgment it is complained, that the meane doth not acquite his tenant, then ſhal iſſue a writte iudiciall, ỳ the ſhirife ſhal diſtraine the meane to acquite the tenaunt, and to bee at a certaine day beefore the Iuſticers, for to ſhewe why hee hath not acquited hym beefore, and when they haue proceeded vnto the great diſtreſſe the playntiffe ſhallbee heard. And if ỳ plaintiffe can proue, that he hath not acquited hym, hee ſhal yeld dammages, and by award of the court, ỳ tenaunt ſhall goo quite from the meane, and ſhall attourne vnto the chiefe Lord.

Forjudge

Diſtreins

And if he come not at ỳ firſt diſtreſſe, a writt ſhal goo forth to diſtraine hym agayne, & proclamation ſhalbe made, and as ſone as it is retourned, they ſhal proceede in iudgement as beefore is ſaid. And it is to be vnderſtanden, that by this eſtatut tenaunts are not excluded, but they ſhal haue a warrantie of the meanes & their heires, if they be impleaded as they haue had beefore, nor alſo the tenauntes, but that they may ſue againſt their meanes, as they vſed hertofore, if they ſée that their proceſſe may bee more anayiable by ỳ old Cuſtome, then by this eſtatut. And it is to weete, that by this eſtatut no remedy is prouided to any meanes, but onely in caſe where there is but one onely meane betweene the Lord that diſtraineth, and the tenaunt, and but in ſuch caſe where the meane is of full age, and but in ſuch caſe where the tenaunt may attourne vnto the chiefe lord without preiudice of an other thẽ of his meane, which is ſpoken for women, holding in dower, and tenaunts by the curteſſe, or otherwiſe for terme of life, or in fee taile, vnto whom for certaine cauſes, remedy is not yet prouided, but (God willing,) there ſhalbe at an other time. Wil. 2. cap. 9. Ann. 13. E. 1.

Judgemẽt

Full age

## ¶ Monaſteries, Abbeis, Priories, Colledges, Free Chappels, Hoſpitals, Chauntries & their Abbots, priours, & gouernours, & the lands, poſſeſſions & goodes of the premiſe ſes & religious perſonnes.

IF any wrongs or extorcions be done to abbottes, or other prelates of the Church, and they haue lued their right for ſuch extorcions, and bee preuented with death beefore iudgement geuen therein, their ſucceſſours ſhall haue actions to demaund the goes of their Church

Wronges Extorcions

Succeſſors

Church out of the handes of such tres-
passers. Moreouer the successours shall
haue like accõ for such things as were
lately withdrawen by such dyolẽce frõ
their house and church before the death
of their predecessours, though it so be,
Lands that the said predecessours dio not pur-
sue their right during their liues. And
Intrude if anie intrude into the landes or tene-
mentes of such religious personnes in
Vacation time of vacation, of which lands their
Predeces- predecessours died seysed, as in ỳ right
sors of their church, ỳ successours shall haue
a writ to recouer their seisin: And da-
mages shalbe awarded them, as in as-
sise of nouel disseysin is wont to bee.
Marleb. ca. 28. An. 52. H. 3.

1 ¶ Where, by an act of parliament
made the 31. yere of king H. 8. for and
concerning ỳ enablement of professed
& religious persons, to purchace to thẽ
& to their heires in fee simple, fee taile,
for terme of life, for yeres, or at will,
manors, lãds &c. & other hereditamẽts
& things whatsoeuer &c. Since which
time there hath ben certeine ambigui-
ties & doubts growen & risen, & are like
to grow, whether ỳ said religious per-
sons ought or should as heires, be en-
heritable to their auncestors, of al and
euery things descended vnto thẽ after
their departing out of religion, yea or
no: Be it therefore ordeined &c. that
Religious all & euery of the same late religious &
professed person & persons, shal & may
by authoritie of this act, be enabled to
all intẽts, constructions & purposes, at
al time & times hereafter to betaken,
Heire dẽmed, and iudged, as heire or heires,
& enheritable to all & euery their aun-
Purchace cestor or aũcestors, & to haue, challẽge
or enioy, receiue and take, all manors,
lãds, tenements & hereditaments, and
euery other thing & things, to them or
any of thẽ fallen, come, growen or dis-
cended from any their auncestours, by
any maner of waies, since the time of
their seuerall dereinmẽts, or departing
out of their religion, in as ample and
large maner, forme & condition, as
they had neuer ben professed nor ẽtred
into religion, ỳ same profession or reli-
gion, or any lawe, custome or vse vsed
in this realme, to the cõtrary therof in
any wise notwithstanding. Prouyded
&c. ỳ none of the said religious persons
shal or may by vertue of this act at a-
ny time hereafter, be takẽ, dẽmed or
iudged for heire or heires of inheryta- Heire
ble to any person or persons, to any cõ-
structiõ or intẽt in ỳ lawe, by reasõ of
any former right, title, interest, mat-
ter, or cause, had, made, done, discended
or growen to any respect, or purpose
before their said seuerall dereinmentes
or departing out of their religion, anie
thing before in this acte, or in the sayd
former act, contained to the contrary
hereof in any wise notwithstanyng.
An. 5. E. 6. cap. 13.

2 ¶ The king willeth & commaun-
deth, ỳ the peace of holy church & of ỳ
land be well kept & mainteyned in all
pointes, And ỳ common right be done
to all, as well poore as riche, without
respect of persons. And because ỳ Ab-
bots, and the religious of the land haue
bẽn ouercharged & sore greeued by the
resort of great men & other, so ỳ their
goods haue not ben sufficient for them
selues, wherby they haue ben greatly
hindered & empouerished, ỳ they cãnot
maintayne them selues, nor such chari-
tie, as they haue beene accustomed to
do: It is prouided, that none shal come
to eate or lodge in any house of religiõ Lodge
of any others foundation, then of hys
owne at the costes of the house, vnlesse
he be required by the gouernour of the
house before his cõming thither. And
that none, of his owne costes, shal & tro
& come to lie there against the will of
thẽ ỳ be of ỳ house. And by this statut
ỳ king entendeth not, ỳ ỳ grace of hos-
pitalitie should be withdrawen from such
as nede, nor ỳ the foudours of such ma-
nasteries should ouercharge, or greue
them by their often comming. It is
prouided also, that none high nor lowe,
by colour of kinred, affinitie, or alliãce
or by

or by any other occasion, shall course in any parke, nor fish in any pond, nor come to eate, or to lodge in the house or manour of a Prelate, or ante other religious persomne, against the wil of the lord or his bailife, neither at ẏ cost of the lord, nor at his owne. And if hee come in, or enter with the good will or against the wil of the lord or his bailife he shal cause no dore, locke, nor wyndowe, nor nothing ẏ is shut, to be opened or broken by him selfe nor any other, nor no maner of vitaile nor other thing shal take by colour of buying nor otherwise. And that none shall thirdly corne, nor take corne, nor any maner of vitail nor other goods of Prelat, mã of religion, or any other clerke, or lay persone by colour of buying nor otherwise, against the wil & licence of hym, to whom the thing belongeth, or of the keper, bee it within market towne or without. And that none shal take horses oren, ploughes, cartes shippes, nor barges, to make cariage without the assent of him to whom such things belong. And if he do it by the assent of ẏ partie, then incontinent hee shall pay according to the couenaunt made betweene them. And they that offend agaynst these actes, and thereof bee attainted, shalbe committed to ẏ kinges prison, and after shall make fine, and bee punished according to the quantitie and maner of the trespas: and after as the king in his court shal thinke conuenient. And it is to bee knowen, that if they, to whom such trespas was done, will sue for damages they shall be thereto receiued, and shalbee awarded & restored to the double. And they that haue done the trespas, shalbe lyke wise punished in the maner aboueiaid.

And if none will sue, the kinge shall haue the suit, as for a thing commypted against his commaundement, and against his peace. And the kyng shall make inquirie frõ yere to yeare, what persons do such trespalles, after as hee shall thinke necessarie and conuenient.

And they that bee indicted by such inquestes, shalbe attached and constrayned by the great distresse, to come at a certaine day contayning the space of a moneth in the kings court or where it shal please the king. And if they rõe not at that day, they shallbee distrayned againe of newe by the same distresse, for to come at an other day, containing the space of vi. weekes at the least, and if they come not then, they shalbe iudged as attainted, & shal yelde double damages (at the kinges suyt) to such as haue taken hurt or damage, and shall make a grieuous fine after the manner of the trespas. And ẏ king forbiddeth and commaundeth, that none from henceforth doo hurt, dammage, or grieuaunce to any Religious man or person of the church or any other, because they haue denied meat or lodging vnto them, or because that any complaineth in the kynges court, that hee hath ben grieued in any of the thinges aboue mencioned. And if any do, & therof be attainted, he shal incure the paine aforelaied. And it is further prouided, that ẏ points aforelaied shall as well bynd our Counsailours, Iusticers of forestes, and other our Iusticers, as any other persons, and that the forelaid pointes bee maynteyned, obserued and kept. Likewise the kyng forbiddeth vpon grieuous forfaitures, ẏ no Prelat, Abbot, man of religyon, or bailife or any of them, or of other, receiue any man contrary to ẏ forme aforelaid. And that none shal send to the house or maner of a man of religiõ or of any other persone, his men, horse or dogges to soiourne, nor none shall them receiue, and he that doth (seynge the king hath commaunded the contrarie) shalbe grieuously punished. Yet is it further prouided, that Shirifes from henceforth shall not lodge wyth any person, with any moe then .v. or vi. horses. And ẏ they shall not grieue religious mẽ nor otherby ofte cõming or lodging, neither at their houses, nor

Hunting Fishing

Purueiors

Imprison

ij. damages

Enquirie

Indict Enquests

Distreine

ij. damages

Attaint

Shirifes Lodge

not their manners. VII. 1. cap. 1. An. 13. E. 1.

3 ¶ It is desired that our soueraigne lord the king and the great men of the Realme do not charge religious houses and spirituall personnes for Cozodies, pencions, or sojourning in religious houses and other places of the Church, or with takinge by house and cartes, whereby such houses are impouerished and goddes seruice diminished, and by reason of such charges, prestes, and other ministers of the Church deputed into diuine seruice are oftentimes compelled to depart from the places abouesaied. The answere. The kinges pleasure is that vpon the contentes in their petition frō henceforth they shall not bee vnduely charged. And if the contrary bee done by great men or other, they shal haue remedy after the fourme of ỳ statutes made in the time of kyng Edward father to the king that now is. And like remedy shallbee done for Cozodies & pensions exacted by compulsiō, whereof mencion is made in the said statut. Articuli cleri ca. 11. An. 9. E. 2.

Cozodies
Suruciozs
Pencions

4 ¶ An. 35. E. 1. a stat. was made intituled statut de asportat religiosozū edit Anno. 35. E. 1. apud carliolen. In which is enacted that no payment or tare should bee payed or sent by anie religious house to any superiour out of England, nor that any religious should goe out to a visitation, nor that any religious out of England should set any tare or paine vppon any Religyous house in England, vppon forfayture of all that they may forfayt, saiuing to religyous aliens their visitations in England &c. And in that act is matter concernyng the seales of Abbots of Cistercienses and Premonstratenses.

Tare
Visitation
Forf.
Seales

5 ¶ Where as Archbishops, Bysshoppes, Abbats, Priours, abbesses & priorelles, hath ben before this tyme sore greued by the kinges desires and his progenitours, which hath desired them by great threats for their clerks and other seruants, for great pensions prebendes, churches, and cozodies, so that they might nothing geue or doo to such as had done them seruice, nor to their friendes, to their great charge and dammage: The king graunteth ỳ from henceforth hes will no more such things desire, but where he ought. An. 1. E. 3. stat 2. ca. 10.

Cozodies

6 ¶ The statut late made and affirmed at Karlile (that is to say, An. 31. E. 1. before 4.) that Religious persons should make no cariage bayōd the sea, shalbe mainteined, kept, and obserued in all points. An. 4. E. 3. ca. 6.

Cariage

7 ¶ The statut made at Karlile in the time of the same kinge (that is to say, An. 31. E. 1. before 4.) wherein is contayned ỳ religious men shal make no cariage out of the Realme, shalbee holden, kept, and maintayned in all points. An. 5. E. 3. cap. 3.

Cariage

8 ¶ An. 4. H. 5. ca. viii. it is enacted that the king shal haue the possessiōs of Priors, aliens, if they bee no denizens.

9 ¶ This statute shal haue and enioy to him and to his heires for euer, all and singuler such monasteries, priories, & other religious houses of mōks, canons, and nonnes, of what kindes or diuersities of habites, rules, or order soeuer they be called or named, which haue not in lands, tenementes, rents, tithes, portions, and other hereditamentes, aboue the clere yearely value of two hundred pound. And in like maner shall haue and enioye all the sites and circuites, of euery such Religious houses, and all and singuler the mannours, granges, mylles, landes, tenementes, rentes, reuersions, seruices, tithes, pensions, churches, chappelles, aduoysons, patronages, annuities, rights, conditions, and other hereditamentes, appertaining or belongyng to euery such monasterie, Priorie or religious house, not hauing as is afore sayed, aboue the sayed cleare yearely

Lands
200. li.

valur

value of CC.li. in as large and ample manner, as the abbots, priors, abbesses, and other gouernours of such monasteries, priories, & other religious houses now haue or ought to haue ỳ same, in the right of their houses. And ỳ also his highnes shall haue to him & to his heires al & singuler such monasteries, abbeys, & priories, which at any tyme within one yere next before the making of this act hath bene geuen and graunted to his maiestie by any abbot priour, abbesse, or prioresse, under their conuent seale, or that otherwise hath bene suppressed or dissolued, and al and singuler the manors, lands, tenemẽts rents, reuersiõs, tithes, pencions, porcions, churches, chappels, aduowsons patronages, rights, entries, conditiõs, & al other interest and hereditaments to the same Monasteries, Abbeys, and priories, or to any of them appertayning or belonging. To haue and to holde all and singuler the premisses with all their ryghtes, profites, reuersiõns and commodities vnto the kyngs maiestie and his heires and assignes for euer, to doe and vse therewith his and their owne willes to the pleasure of almightie God, and to the honour and profit of this realme.

Geuen

Conuent seale

Suppressed

L. patents

And bee it &c. that all and euerie persoñe and persoñes and bodies politique which now haue or hereafter shal haue any letters patents of the kinges highnesse of anie of the sites, circuites, manours, landes, tenementes, reuersions, seruices, tythes, pencions, porcions, churches, chappelles, aduowsons, patronages, tythes, entries, cõditions, interest, or other hereditamentes, which appertayned to anie Monasteryes, Abbeys, or Priorye heretofore geuen or graunted to the kynges highnesse, or otherwise suppressed or dissolued, or which appertayneth to anie of the Monasteryes, Abbeys, priories, or other religious houses that shalbe suppressed or dissolued by authoritie of this act, shal haue and enioy the sayd sites, circuites, manors, landes, tenementes, rentes, reuersions, seruices, tithes, pencyons, porcions, churches, chappels, aduowsons, patronages, tithes, entries, cõditions, interest and al other hereditamentes, contayned and expressed in their letters patentes now being therof made and to bee contayned and specified in anie letters patentes, hereafter to bee made, according to the tenour, purport, & effect of anie such letters patẽts. And shal also haue al such actions, suites, entries and remedies, to all intentes and purposes, for anie thing or thynges contayned in euerie such letters patentes now made, or to bee contained in such letters hereafter to bee made, in like manner, fourme and condition as the Abbots, Priors, abbesses, prioresses or other chiefe gouernours of anie religyous houses, which had the same, might or ought to haue had if they had not been suppressed or dissolued. Saueing to euery persoñe and persoñes, and bodies politique, their heires & successours, (other then the Abbots, Priours, Abbesses, Priouresses, or other chiefe gouernours of the sayd religious houses especyfied in this act, and the conuents of ỳ same and their successours, and such as pretend to bee founders, patrons or donours, of such religious houses, or of anie landes, tenementes, or hereditamentes, belonging to the same & their heires and successours) all such ryght title, interest, possessions, leases for yeares, rentes, seruices, annuities, cõmodities, fees, liberties and lyuinges, pencyons, porcions, corodies, stipendes, profites, and all other profites, as they or anie of them hath, ought or myght haue had in or to anie of the sayd Monasteries, Abbeys, Priories, or other religious houses, or in or to anie mannours, landes, tenementes, rentes, reuersions, tithes, pencyons, porcyons, or other hereditaments appertainyng or belongyng, or that appertayned to

Bodies politike

any of the said monasteries, priories, or other religious houses, as if the sāe monasteries, priories, and other religious houses, had not beene suppressed by this act, but had continued in theire essenciall bodies and states that they now be or were in. Prouided alwaies and bee it enacted, that for asmuch as diuers of the chiefe gouernours of such religious houses &c. haue lately fraudulently, and craftely made feoffements, estates, giftes, graunts and leases, vnder their couent seales or suffered recoueries of their manours, landes, tenements and hereditaments, in fee simple, fee taile, for terme of life or lyues, or for yeres, or charged the same with rents or corrodies to the great decay & diminution of the houses, that all such craft and fraudulent Recoueries, feoffementes, estates, gyftes, grauntes, and leases, and euery of them made by any of the sayd chiefe gouernours of such religious houses vnder theyr couent seales, within one yeare next before the making of this acte, shalbee vtterlie voyd and of none effect. Prouided alwaies, y such person & persōs as haue leases for terme of lyfe or yeres, whereuppon is reserued the olde rentes and fermes accustomed, & such as haue any offices, fees or corodies, y hath beene accustomed or vsed in such religious houses, and haue bought any liuery or liuing in any such houses, shal haue and enioy their sayd leases, offices, fees, corodies, liberties, liueries, & liuinges, as if this act had neuer been made. And it is &c. that the kinges highnesse shall haue and enioy to hys owne proper vse, all such ornamentes Jewels, goodes, cattels, and debtes, which appertained or belonged to anie of the chiefe gouernours of y sayd monasteries or Religious houses in the right of their said monasteries, or houses at the first daie of Marche, in the yeare of our Lord God. M.D.xxvb. or anie time sithen, whersoeuer, or to whose possessiō so euer they shall come or bee found, except onely such beastes graine and woodes, & such other lyke cattell and reuenues as they haue sold before the sayd first daie of Marche, or sithen, for the necessary or reasonable expences or charges of anie of the sayd Monasteries or houses &c. And be it &c. that the kinges highnesse shall haue and enioy according vnto thys act, the actuall and real possession of al and singuler such Monasteries, Priories, and other religious houses, as shall appeare by the sayd certificat remayning in the kynges Eschequer, not to haue in landes, tenementes, rentes, tythes, portyons, and other hereditamentes aboue the sayd cleare yerelie value of twoe hundred poundes: So that his highnesse may lawfully geue, graunt and dyspose them, or anie of them at hys wyll and pleasure to the honour of God, and the wealth of this Realme, wythout further inquisitions or offyces to bee hadd or found for the same. Prouyded alwayes that thys act or anie thinge therein conteyned, shall not extend nor bee preiudiciall to anie Abbottes, or pryours of any Monasteries or Priories, beeing certified into the kynges Eschequer to haue in possessions and profites spirituall and temporall aboue the sayd clere yerelie value of two hundred pound, for or cōcernyng such Celles of religious houses appertaining or belonging to their monasteries or priories, in which cells the prours or other chiefe gouernours thereof bee vnder the obedience of the Abbots or prours to whō such celles belong, as the Monkes or chanons of the couent of their monasteries or priories, and cannot sue nor bee sued by the lawes of this realme, or by their owne proper names, for the possession or other thinges appertaining to such Celles, whereof they bee priors & gouernours, but must sue and bee sued in & by the names of the abbots or priors to whom they bee now obedienceres, & to whom such celles belong. And also bee

Collusion
Feoffemts
Gifts
Leases

Rents
Corodies

One yere
Voyd

Leases
Offices
Fees
Corodies

Ornamēts
Jewels
Goods
Cattels
Debts

Cattell

Possession

Certificat

200.li.

Celles

bee prȳors or gouernours, datife or re-
mouable from tyme to tyme, and ac-
Profits comptes of the profites of such Celles
at the onelie pleasure and will of the
Abbots and prȳours to whom such
Celles belong, but that euerie such
Celle shalbee, and remayne vndisso-
ued in the same estate, qualitie and
condition, as if this act had neuer bin
made, any thing in this act to the con-
trarie hereof notwithstanding.

Sauing alwayes and reserving vnto
Founders Patrons euerie personne and personnes, being
founders, patrons, or donours of anie
Abbeys, prȳories, or other Religious
houses that shalbee suppressed by this
acte, their heires and successours, all
Right such ryght, tytle interest, possessyon,
rentes, annuities, fees, offices, lea-
ses, commons, and all other profites
whatsoeuer they bee, which anie of
them haue or should haue had without
fraud or couen by anie maner of mea-
nes, otherwise then by reason or occa-
sion of the dissolution of the sayd Ab-
beys, prȳories or other religious hou-
ses, into or vppon anie of the said Ab-
beys, prȳories or other religious hou-
ses, whereof they bee founders, pa-
trons, or donours, or into or vppon a-
nie landes, tenementes, or other here-
ditamentes appertayning or belōging
to the same in like maner, fourme and
condition as other personnes and bo-
dies politike be saued by this act, as is
afore rehearsed & as if the sayd abbeis,
prȳories or other religious houses had
not beene suppressed and dissolued by
this act, but had continued still in their
essentiall bodyes and estates as they
be now, any thing in this act to ỳ con-
trarie hereof notwithstanging. And
further bee it &c. that all and singuler
persons and bodies politike and corpo-
rate to whom the kynges matestȳ, his
heires or successors hereafter shal geue
graunt, let, or demise any site or prē-
cinct, with the houses thereupon buil-
Demeanes ded, together wᵗ the demeanes of anie
monasteries, prȳories, or other religi-
ous houses, that shalbee dissolued or
geuen to the kinges highnesse by thys
act, his heires, successours or assignes,
of euerie such person, bodie politike,
and corporate, shalbe bounden by au-
thoritie of the act vnder the penalties
hereafter to kepe or cause to bee kept
an honest continuall house and house-
Houshold hold in the same site or precynct, and
to occupie yearely as much of the de-
Husbandry meanes in plowing and tilling of hus-
bandrie, that is to say, as much of the
said demeanes, which hath been com-
monly vsed to be kept in tillage by the
gouernors, abbots or prȳors of ỳ same
houses, Monasteries, Prȳories, or by
their fermer or fermers, occupying the
same within the time of xx. yeres next
before this act. And if any personne or
persons, bodies politike or corporate,
that shalbee bounden by this acte, doe
not kepe an honest household of husbā-
drie and tillage, in maner and fourme
Tillage as is aforesayd, that then he or they so
offending, shall forfait to the kynges
Fork. highnesse for euery moneth offending
vj.li.xiij.s.iiij.d. to be recouered to his
vse in any of his courts of record. And
ouer that it is &c. that all Justyces of
Just. of p. peace in euerie shire, where anie such
offence shalbe committed & done, con-
trarie to the true meaning and entent
of this present act, shall in euery quar-
General sessions ter & general sessions within the limit
of their commission, enquire of ỳ pre-
Enquire Oier & ter. misses, and shall haue full power and
authoritie to heare and determine the
same, and to taxe and assesse no lesse
fine for euerie of the said offēces, then
is afore limitted for the same offēce, &
Estrets estretes thereof to be made & certified
Eschequer into the kinges eschequer, according
& at such time and fourme, as other es-
tretes of fines, issues & amerciaments
ben made by the same iustices An. 27.
H. 8. in an act by it selfe not printed.
And in this act bee certeyne articles,
that the Abbots and prȳors &c. of those
houses and their succeties, bee discharg-
ed or their first fruites. And that the
First fruits

king will prouyde pencions for them, and that the conuentes shal haue capacities, to be put into great houses.

And that the Bishops & other chargeable for the collection of the tenthes of spiritualties shalbee discharged of collection of the tenthes for the houses.

Pay debts L. patents

And that the king shal pay all the true debts of these houses, and that the king may declare by letters patents whych of their houses shall continue &c. And other matters be in this act, which I leaue out, because the time of thys is past, or els they concerne certeine particuler persones.

L. patents

10 ¶ Uppon al and singuler letters patents to bee made vnder ỳ great seals of England of any manors, lands, tenements & hereditaments belongyng or appertaining to any of the said houses cõpiled in ỳ said act (s. An. 27. H. 8. before. 9.) & cõmitted to the hanny of the said court (s. of Augmentatyons,) to any perso or persons, or body politike for any estate of inherytaunce, there shalbe alwaies reserued to the kynges highnesse, his heires and successours a tenure by knightes seruice In Capite, and a yearely rent of the tenth part of the yerely value of the landes to be cõpiled in euery such letters patents, according to such rate, as the same manours, lands, and tenementes geuen, shalbe erpressed to be of yearely value in the same letters patents, any thing or clause conteyned in warrant to the contrary therof notwithstanding. And ỳ the said rent so reserued vpon any such estate, shalbe cõtented and payd to the officers of the said court of the kynges bse accordyng as other reuenues there shalbe payd. And that none auerment shalbe made or admitted by or for the king or any other person, that the same manours, landes, and tenementes bee of more yerely value then in the same letters patents shalbe declared. Anno 27. H. 8. cap. 27.

Surney Court of augmentatiõ

Knights seruice Rent

Rent

Auerment

11 ¶ Where diuers & sidry Abbots Priors, abbesses, priorelles, & other ecclesiastical gouernours & gouernesses of diuers monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious & ecclesiastical houses & places, within this our soueraigne lord the kinges Realme of England & Wales, of their owne free & voluntary myndes, good willes, & assents, without constraint, coaccyon or compulsion of any maner of person or persons sithen the iiii. day of Februarie, the xxvij. yeare of the reigne of our now most dread soueraigne Lord, by the due order and course of the common lawes of this Realme of England, & by their sufficient writinges of record vnder their court and common seales haue seuerallie geuen, graunted, and by the same their writinges seuerallie confirmed al their said monasteryes, abbathies, priories, nunries, colledges hospitalles, houses of friers and other religious and ecclesiasticall houses and places, and all their sites, circuites, and precincts of the same, and all and synguler their manours, lordshipes, granges, meases, landes, tenementes, medowes, pasture, rentes, reuersyons, seruices, woods, tithes, pencions, porcions, churches, chappels, aduowsons, patronages, annuities, rights, entries, conditions, commons, leetes, courtes, liberties, priuiledges & fraunchises appertayning, or in any wise belongyng to anie such monasterie, abbathie, priorie, nunry, colledge, hospital, house of fryers, and other religious and ecclesiasticall houses and places or to anie of them, by whatsoeuer name or corporation, they or any of them were then named or called, & of what order, habit, religion, or other kind of qualitie soeuer they or any of them then were reputed, knowen or take. To haue & to hold all ỳ said monasteries, abbathies, priories, nunries, colledges, hospitals, houses of fryers and other religious and ecclesiasticall houses and places, sites, circuites, precincts, manours, landes, tenements, medowes, pastures, rentes,

Geuen Graunted

rentes, reuersions, seruices, and all other the premisses to our sayd soueraygne Lorde, hys heires and successours for euer, and the same their sayd monasteries, abbathies, priories, nunries colledges, hospitalles, houses of friers and other religious and ecclesiasticall houses and places, sites, circuites, precincts, manors, lordshyps, graunges, meases, landes, tenementes, medowes, pastures, rentes, reuersions, seruices, and other the premisses voluntarily as is aforesaid, haue renounced, left and forsaken, and euery of thē hath renounced, left and forsaken.

Be it therefore &c. that the king our soueraigne lorde shall haue, hold, possesse & enioy to him, his heires & successours for euer, all and singuler such late monasteries, abbathies, priories, nunries colledges, hospitals, houses of friers, & other religious & ecclesiasticall houses and places, of what kindes, natures, qualities, or diuersities of habits, rules professions or orders, they or eny of them were named knowen or called, which sith the said xxiij. day of Februarie the xxvij. yere of the raygne of our said soueraigne lord, haue ben dissolued, suppressed, renounced, relinquyshed, forfaited, geuen vp, or by any other meane come to his highnesse, & by the same auctoritie, & in like maner shall haue, holde, possesse, and enioy all the sites, circuites, precinctes, manours, lordships, graunges, meases, landes, tenements, medowes, pastures, rentes, reuersions, seruices, woodes, tythes, pencions, porcions, personages appropried, vicarages, churches, chapels auowsons, nominations, patronages, annuities, rights, interests, conditions, commons, leetes, courts, liberties, priuiledges, fraunchises & other whatsoeuer hereditamentes, which appertayned or belonged to ỹ said monasteries, abbathies, priories, nunries, colledges hospitals, houses of friers & other religious or ecclesiasticall houses & places, or to any of them, in as large & ample maner & forme, as the late Abbottes, priours, abbesses, prioresses, and other ecclesiasticall gouernours & gouernesses of such late monasteries, abbathies priories, nūries, colledges, hospitals, houses of friers, & other religious and ecclesiasticall houses and places, had, held or occupyed, or of right ought to haue hadde, holden, or occupied in the ryght of their sayd late monasteryes, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other religious or ecclesiastical houses or places at the time of the sayd dissolution, suppression, renoūcing, relinquishyng, forfaiting, geuing vp, or by any other maner of meane cōming of the same to the kinges highnesse sithen the xxiij. day of Februarie aboue specified. And it is &c. that not onely all the sayd late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious & ecclesiastical houses and places, sites, circuites, precinctes, manours, lordships, graunges, meases, landes, tenements, medowes, pastures, rentes, reuersions, seruices, and all other the premisses, forthwith immediatly and presently: but also all other monasteries, abbathies, priories nunries, colledges, hospitals, houses of friers, & al other religious and ecclesiasticall houses and places, which hereafter shal happen to be dissolued, suppressed, renoūced, relinquished, forfeited, geuen vp, or by any other meanes come vnto the kynges highnesse, and also al the sites, circuites, precynctes, manours, lordships, graunges, meases, landes, tenemēts, medowes, pastures, rentes, reuersions, seruices, woodes, tythes, pencions, porcions, personages, appropriat, vicarages, churches, chapels, medowes, nominations, patronages, aduowsons, annuities, rights, interests, sites, cōmons, leetes, courts liberties, priuiledges, frāchises & other hereditamēts whatsoeuer they be, belōging or appertayning to ỹ same or to any of them wheresoeuer & as large as they

Dissolued
Suppressed

shalbee so dyssolued, suppressed, renoū-
ced, relinquished, forfayted, geuen vp
or by any other meane come vnto the
kings highnes, shalbe vested, deemed
& iudged by auctoritie of this present
parliamēt in ỹ very actual & real seasō
& possessiō of ỹ kig our soueraigne lord
his heires & successours for euer, in the
state & condition as they now bee, & as
though all the sayd late monasteryes,
abbathies, prioryes, nunries, colledges,
hospitals, houses of friers, & other reli-
gious & ecclesiasticall houses & places,
so dissolued, suppressed, renounced, re-
linquished, forfeited, geuen vp, or come
to the kynges highnes, as is aforesaid,
as also the said monasteries, abbathies
prioryes, nunries, colledges, hospitals,
houses of friers, and other religious &
ecclesiastical houses and places, which
hereafter shal happen to bee dissolued,
suppressed, renounced, relinquished,
forfaited, geuen vp, or come vnto the
kynges highnesse, lites, tironites, poe-
sessyons, manours, lordships, graūges
lands, tenements, & other the premis-
ses whatsoeuer they be, & euery of thē,
were in this present act, specially and
particularly reherced, named & expres-
sed by expresse wordes, names, titles,
& faculties, & in their natures, kindes,
and qualities. And be it &c. that al the
sayd late monasteries, abbathies, prio-
ries, nunries colledges, hospitals, hou-
ses of friers or other religious & eccle-
siasticall houses and places, which
beene dissolued, suppressed, renounced,
relinquished, geuen vp, or come to the
kings highnes by any maner of mea-
nes as is aforesaid, & al the manours,
lordships, graūges, lands, tenements,
and other the premisses (except such
thereof as be cōmen to the kings hāds
by attainder or attainders of treason.)
And all the sayd monasteryes, abba-
thyes, prioryes, nunries, colledges, hol-
pitals, houses of friers & other religious
and ecclesiasticall houses and places,
which hereafter shall happen to be dis-
solued, suppressed, renounced, relinqui-
shed, forfeited, geuen vp, or come vnto
the kinges highnesse, and all the ma-
nors, lordshyps, graūges, landes, te-
nementes, medowes, pastures, rents,
reuersions, seruices, woodes, tythes,
porciōs, pencions, personages, appro-
priat, vicarages, churches, chappels,
aduowsons, nominatiōs, patronages,
annuities, rightes, interesses, entries,
cōditiōs, commons, lētes, courts, li-
berties, priuiledges, franchises & other
hereditamentes whatsoeuer they bee,
belonging to the same, or to anie of
them (except such thereof which shall
happen to come to the kynges highnes
by attainder or attainders of treason)
shalbe in the order, survey, and gouer-
naunce of our sayd soueraygne Lorde
the kings court of Augmentations of
the reuenues of his crowne, and of the
chaunceller, officers and ministers of
the same. And al the fermes, illues, re-
nernues and profits, comming and gro-
wing of the premisses, and of euerie
part thereof (except before excepted)
shalbee ordered, taken and receyued to
the kings vse by the said chaunceller,
ministers & officers of the same court,
in such and like maner and fourme as
the monasteries, prioryes sites, circuits
manors, graūges, meases, lāds, tene-
ments, rēts, reuersiōs, seruices, tithes,
penciōs, porcions, aduowsons, patro-
nages, rights, entries, conditiōs, and
other hereditamentes, late appertay-
ning or beloging vnto ỹ monasteries,
abbathies, prioryes, or other religyous
houses, late by auctoritie of parlia-
ment suppressed, ben ordered, surueied,
& gouerned. Sauing to al & euery persō
or persōs, & bodies politik & their heirs
& successours, & ỹ heires & successours
of al & euery of thē, other thē ỹ said late
Abbots, priours, abbesses, prioresses,
& other ecclesiastical gouernours & go-
vernesses of the said late monasteries,
abbathies, prioryes, nunries, colledges,
hospitals, houses of fryers, and other
religious and ecclesyastical houses and
places & their successours, & the succes-
sours

Possession

Attainder Treason

Leetes Courts

Augmentation

Chaffecelly

Bodies politike

Founders Patrons

sours of euery of them, and such as pre tend to be founders, patrones, or be nours of such monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other ecclesiasticall houses and places, or of any manours messuages, lands, tenements or other hereditamentes belonging to the sāe, or to any of them, their heires, and successeures, and the heires and successours of euerie such founder, patron or donour, & the nowe Abbots priours, abbesses, prioresses, & other ecclesiasticall gouernours, & gouernesses of such monasteries, abbathies, priories, nunnes, colledges, hospitalles, houses of friers, and other religious and ecclesiasticall houses and places, which hereafter shall happen to bee dissolued, suppressed, renounced, relinquished, forfaited, geuen vp, or come to the kinges highnesse, & such as pretend to be founders, patrons, or donours of such monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other ecclesiasticall houses and places, of any manors, messuages, lāds, tenements, or other hereditamentes to the same belonging, or to anie of them, their heires and successours, and the heires and successours of euery of the, all such right, title, claime, interest, possession, rentes, charges, annuityes, leases, fermes, offices, fees, liueries, and lyinges, portions, pencyons, corodies, commons, shrodes, pasture, and other profites, which they or any of them, haue, clayme, ought, make, or might haue had, in or to the premisses, or to anie part or parcell thereof, in such like maner, forme and conditiō to all intents, respectes, constructions, and purposes, as if this act had neuer been had nor made, rentes seruyces, rentes seche, and all other seruices and suites onely except. Prouided alwaies and bee it &c. that if anie late Abbot, Prior, abbesse, prioresse, or other ecclesiasticall gouernour or gouernesse shall within one yere next before

Right.

Rents Seruices

One yere.

the dissolution, suppressiō, renouncing relinquishing, forfeyting, geuing vp, or comming to the kinges highnesse of his late monasterie, abbathie, priorie, nunry, colledge, hospitall, house of fryers, or other religious or ecclesiastical house or place, hath made anie lease or graunt, vnder his couēt or comon seal, or other wise, for terme of life, or for terme of the yeres of lyfe, circuit and precinct of his said late monasterie, abbathy, priory, nunry, colledge hospitall, house of friers, or other religious or ecclesiastical house or place or of any part thereof, or of any manors, messuages, graunges, landes, tenementes, personages appropriate tithes, pencyons, portions or other hereditaments, which belonged or appertained to his said late monasterie, abbathy, priorye, nunry, colledge, hospitall, house of fryers or other religious or ecclesiasticall house or place, which manours, messuages, graunges, landes, tenementes, personages, appropriat, tithes, pēcōs, porcions, or other hereditamēts, were not before the same lease commenly vsed to be set nor let to ferme, but kept and reserved in the manurāce, tillage, or occupation of the said gouernour or gouernesse for the maintenāce of hospitalitie and good house keeping, or within one yere as is aboue sayd, hath made anie lease or graunt for terme of life, or for terme of yeares, of anie manours, messuages, landes, tenementes, medowes, pastures, woods, personages appropriate, tithes, pensions, portions, churches, chappelles, or other hereditaments, whatsoeuer they bee, whereof, or in the which any estate or interest for terme of life, yere or yeres, at the time of making of such graunt or lease, that hadd his beeing or continuaunce, and then was not determined, finished, or expired, Or within the time of one yeare as is aboue sayd, hath made anie lease or graunt for terme of lyfe, or for terme of yeres, of any manours, messuages,

Lease Graunt

One yeres Lease.

landes, tenements, medowes, pastures, woodes, parsonages, appropriate, tithes, pencions, porcyons, churches, chappelles, or other hereditamentes, whatsoeuer they bee, vppon the which leases and graunte, the vsual and old rentes and fermes accustomed to bee yelden and reserued by the space of xx. yeres next before the first day of this present parliament, is not bee not thereupon reserued and holden. Or if anie such gouernour or gouernelle, hath made any bargain or sale of his woods within one yere, as is afore sympytted, whych woodes bee yet growyng and standing: that then all and euerie such lease, graunte, bargaines and sale of wood or woodes, shalbee vtterlie voyd and of none effect. And it is ec. that all feoffements, fines and recoueries had made, knowledged, or suffered by any gouernour or gouernelle, without the kinges lycence vnder hys great seale, within one yere next before the dissolution, renouncing, relinquishing, forfaiting, going vp, or comming to the kings highnesse of his said monasterie abbathie, priorie, nury, colledge, hospitall, house of fryers, or other religious or ecclesiasticall house or place of anie manors, meases, lands, tenements or other hereditamets, whatsoeuer they be, which the said late Abbot, priour, abbesse, prioresse, & other ecclesiasticall gouernors or gouernelle or anyof the or anyof their predecessors had or holde of the gift, graunt or confirmation of our said soueraigne Lord, or of anie of his highnes progenitors, or of y which monasteries, abbathies, priories, nunries, colledges, hospitals, houses of fryers, or other religious & ecclesiasticall houses or places, our sayd soueraigne lord was founder or patron, or whych manors, meases, lands, tenements or other hereditamentes were of the auncient or olde foundation or possession of the sayd late monasteryes, abbathyes, priories, nunries, colledges, hospitals, houses of fryers or other religyous or ecclesiasticall houses or places, shalbee vtterlie voyd and of none effect. And it is ec. that if anie Abbot, priour, abbesse, prioresse or other ecclesiasticall gouernour or gouernelle of anie Monasterie, abbathie, priorie, nunrie, colledge, hospytall, house of fryers, or other religious or ecclesiastycall house or place, whych hereafter shall happen to bee dyssolued, suppressed, renounced, relinquished, forfayted, gonne vp or come to the kinges highnesse within one yeare next before the first day of this present parliamēt hane made, or hereafter do make any lease or graunt, maier his conent or common seale, or otherwise for terme of yeres or life or lines of the syte, circuit & precinct of his sayd monasterie, abbathy, priory, nunry, colledge hospitall, house of friers, or other religious or ecclesiastical house or place or of any part thereof, or of any manors, meinages, lads, tenements, perlonages, appropriat tithes, pencions, porcions or other hereditaments belonging or appertaining to hys said monasterie, abbathy, priory, nunry, colledge, hospital house of friers or other religious or ecclesiastical house or place, which manours, meales, granges, landes, tenements, personages, appropriat, tithes pencions, portions, or other hereditaments, whatsoeuer they be, were not before the same lease commonly vsed to be let nor let to ferme, but kept and reserues in the manurance, tillage, or occupation of y said gouernour or gouernelle for the maintenance of hospitalitie & good house keping, or now bee in the manurance, tillage or occupatiō of the sayd gouernour or gouernelle, for the maintenaunce of hospitalitie & good housekepyng, or within one yere next before the first day of this present parlyament, hath made, or hereafter shal make any lease or grāt for terme of life, or for terme of yearrs, of anie manours, meales, lands, tenements, medows, pasture, woods, personages appro-

Old rents

Woodsale

Voyd
Feoffements
Fines
Recoueries

Voyd

Lease
Graunt

One yere

Lease

appropriate, tithes, pencions, porciõs, churches, chappels, or other hereditamentes, whatsoeuer they bee, whereof, and in the which any estate or interest for terme of life, yere or yeres, at the tyme of makynge of any such graunt or lease then hadd hys beeyng or continuance, or hereafter shall haue his being or continuance, and then was not determined, finished, or expired, or that the time of any such lease to be made, shal not bee determined, finished or expired. Or within one yeare next beefore the first day of this present parliament hath made, or hereafter shall make any lease or graunt for terme of lyfe, or for terme of yeres, of any manours, messuages, landes, tenements, medowes, pasture, woodes, personages appropriate, tithes, pencions, porcions Churches, Chappels, or other hereditaments, whatsoeuer they bee, vppon the whych leases and graunte, the vsual and old rents, and termes accustomed to bee yelden and reserued by the space of xx. yeares next beefore the said first day of this present parliament, is or bee not, or hereafter shall not bee thereuppon reserued and yelden. Or if any such gouernour or gouernesse of any such monasterie, abbathie, priorie, nunrie, Colledge, hospital house of friers, or other religious or ecclesiasticall house or place, whych hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfaited, geuen vp, or come to the kings highnesse, within one yere next beefore the first day of thys present Parliament, hath made or hereafter shall make any bargain or sale of his woods which woodes bee yet growyng and standing, that then all and euery such lease, graunt bargaine & sale of wood or woodes, shallbee vtterly voyd & of none effect. And it is &c. that all feoffements, fines & recouries had, made, knowledged or suffered vnto one yere next beefore the first day of thys present parliament, or hereafter to be had made, knowledged or suffered by any gouernour or gouernesse of any monasterie, abbathie, priorie, nunrie, colledge Hospital, house of friers or other religious or ecclesiastical house or place which hereafter shal happen to bee dissolued, suppressed, renounced, relinquished, forfayted geuen vp, or come to ỹ kings highnesse, without the kynges lycence vnder his great seale, of any manours, meases, lands, tenementes or other hereditamentes, whatsoeuer they bee, which the sayed abbots priours, abbesses, prioresses, and other ecclesiastical gouernours or gouernesses whych hereafter shall happen to bee dissolued, suppressed, relinquished, forfayted, geuen vp, or come vnto the kinges highnesse, as is aforesayed, or any of them, or any of their predecessours had or held, or haue and hold of the gift graunt or confirmation of our said soueraygne lord, or of anie of his highnesse progenitours, or of the which monasteries, abathies, priories nunries, Colledges, Hospitalles, houses of fryers, or other religious or ecclesiasticall houses or places, our sayed soueraigne lord is founder or patrone or which manours meases landes tenementes, or other hereditamentes, were or be of the auncient or old foundation or possession of the sayd monasteries, abbathies, Priories, Nunries, Colledges hospitals houses of friers, or other religious or ecclesiastical houses or places shalbe vtterly voyd & of none effect, Prouided alway &c. that if any Abbot, Prior, abbesse or prioresse, or other gouernour or gouernesse abouesaid, within one yere next beefore the first day of thys present Parliament or if any late Abbot, prior, abbesse priorsse or other late gouernour or gouernesse abouesaid, within one yeare next beefore any such dissolution suppression, renouncinge, relinquishing, forfaityng, geeuyng vp, or commyng to the kyngs highnesse of ỹ premisses or of any parcel therof, as is aforesaid, haue

One yere
Lease Graunt
Old rents
One yere
Woodsales
Voyd
Fyne
Recouries
One yere
K. licence
Foundor Patron
Old foundation
Voyd
One yere
Dissolution

Lease Graunt

have made any demise lease or graunt to any person or persones for termes of yeares, of any mannours meases, landes, tenementes, personages appropriat tithes, pencions, porcions, or other hereditaments aforesayd, which personne or personnes at the time of ỹ said demise, lease or graunt hadde, and holde the same to ferme for terme of yeares then not expired: that then the saied personne or personnes to whom any such demise lease or graunt hath beene so made shall haue and hold the same for terme of xxi. yeres only from the time of the makyng of the said demise lease or graunt, if so many yeres be by the same demyse lease or graunt specified limitted and expressed, or else for so many yeares as in such demyse lease or graunt bene expressed, so that the old rent bee thereupon reserued & so that ỹ same lease or leases excede not xxi. yeares.

xxi yeres

Old rent

This act or any thing therein contayned to the contrary notwithstanding.

Prouided also &c. that if any Abbotte, priour, abbesse, prioresse, or other late gouernour or gouernesse wythin one yeare next before any such dissolutyon suppression renouncing relinquishyng forfaiting giuing vp or comming vnto the kinges highnesse of the premysses or of any parcel thereof, as is aforesaid

One yere

Lease Graunt

have made any demise lease or graunt to any personne or persones for terme of life or lyues of any manours, meases, lands, tenements, personages appropriate, tithes, pencions, porcions, or other hereditaments aforesaid, which personne or persones, or any of them at the time of the saied demise, lease or graunt had and held the same for term of life or lines, or for term of yeres thē not expired: that then the sayed person or persones, to whom any such lease or grant hath bene so made shall haue and hold the same for terme of their life or lines, so that the old rēt be there vpon reserued. This act or any other thing therin contayned to the contrary

Lines Old rent

thereof notwithstanding.

Prouided also &c. that all and singuler leases and grauntes, made by copy to any person or persones of any of the said messuages, lands, tenements, personages appropriat, tithes, pencyons, porcions, or other hereditamentes, aforesaid for term of life or lines which by the Customs of the countrie hath been vsed to be demised letten or granted by copy of court roll, shalbee good and effectuall in the lawe, so that the old rent bee reserued by & vppon euery such leale & leases, this act or any thing therin contained to the contrary in any wise not withstanding.

Leases Graunts Copyhold

Custome

Old rent

Prouided alwaies &c. that all leases heretofore made of any the premysses by authoritie of our soueraygne Lord the kinges court of augmentatyons, of the reuenues of his crowne and all such leases feoffementes and woodsales made by the sayed gouernours and gouernesse, or any of them, vnder their couent seales or vnder their couent or common seale of any of them, within one yeare next before the dissolution, suppression, renouncing relinquishing forfaiting geuing vp or comming to the kynges highnesse, of the sayd monasteries abbathies, priories, nunries colledges hospitals, houses of freers or other religious or ecclesiasticall houses or places, which said leases graunts feoffementes and woodsales haue bene examined, enrolled decreed or affirmed in our said soueraigne lord the kynges court of augmentations & the decree of the same put in writing, sealed with the seale of the sayed court of augmentations, shalbe good & effectual according to the same decree, anie clause or act heretofore in this present act, to the contrary notwithstanding.

Leases

Augmentation

Woodsales

Examined Enrolled Decreed

Prouided alway &c. that if any person or persones haue iustly & truely without fraud or couine, payed or geuen anie summe or summes of money to any ỹ sayed late gouernours or gouernesses for the bargaines & sales of any landes

Woodsales

tening

being & growing in, or vpon any manours lands tenements or hereditaments which appertained or belonged to the saied late monasteries abathies priories nunries Colledges Hospitals houses of friers or other Religious or ecclesiasticall places, or vnto anie of them, which bargaine and sale by auctoritie of this act is made voyd and of none effect and by meanie thereof, the kinges highnesse may haue and take the commodity and profit of such woodes so bargained and solde: that then the chauncellour and other officers of our sayed Soueraigne lord the kings court of augmentacions, or three of them, whereof the chauncellour for the time being shalbe one of our sayed soueraigne lord the kynges Treasure, remaining in the treasory of the same court, shall satisfie and recompence euery such person and personnes, such summe of money, or other recõpence as the same Chauncellour and officers or three of them, whereof the said Chauncellour shalbee one, shal thinke meete and conuenient. And if any other person or persons shal happen to take profit & commoditie, by reason of anoiding of such wood sales by auctoritie of this act, that then euery person or persons which may or shal take any such profit shalbe ordered for satisfaccõ to be made to the parties ỳ shall happen to be greeued by this act by ỳ sayd Chauncellour & other the officers of the same court.

Chaficelor

Recompẽce

Prouided also &c. ỳ al & euery person & persons their heires & assignes which sith the sayed iiii. day of Februarij, by licence, pardõ confirmation, release assent or consent of our said Soueraigne Lord the kinge vnder his great seale heretofore geuen had or made, or here after to be had or made, haue obtained or purchased by indenture fine feoffement recouery or otherwise of the said late abbotts priors abbesses prioresses or other gouernours or gouernesses of anie such monasteries, Abbathies, priories nunries Colledges hospitales houses of friers, or other Religious or ecclesiastical houses or places, any monasteries priories colledges hospitalls manours lands tenements medowes pastures woods churches Chappelles personages tithes pencions porcyons, or other hereditaments, shal haue and enioy the same according to such wrytings and assurances as bene thereof before ỳ day of this preſẽt parliament or hereafter shalbe had or made, sauing to al and euery person and persons and bodies politike their heirs & successors and to the heires and successours of euery of thẽ, other then the said late abbottes abbesses, priours prioresses and other gouernors & gouernesses & their successours & ỳ successours of euerie of them, and such as pretend to bee founders patrons or doneurs of the sayed monasteries abathies priories nũries colledges hospitals & other religious or ecclesiastical houses or places or of any of them, or of any manours meſnages landes tenementes or other hereditaments late beelonging to the same or to any of thẽ & their heires successours and the heires and successours of euery Foundour Patrone or donour all such right title interest possession rents annuyties, commodities offices fees liueries & liuings, porcions, pencions, corodies, smodes priories, and other profittes which they or any of them haue ought or mought haue had in or to any the said monasteries abbathies priories colledges hospitals manours, lands tenementes rentes seruyces reuersions tythes pencions porcyons or other hereditementes at anie tyme beefore any such purchase indentures fines feoffements recoueries or other lawfull meane betweene any such parties had or made as is abouesayed: this act or any thinge therein contayned to the contrary notwithstãding. And where our said soueraigne Lord sith the iiij. day of Februarij, the sayd xxxij. yeare of the raygne of our sayed

Licence

Purchace

Wodies politike

Foundors Patrons

Heires

Right

soueraigne

soueraigne Lorde hath obtayned and purchased aswel by exchaunges as by gyftes bargaynes fines feoffementes recoueries deedes enrolled and otherwise of diuers and sundry personnes, many sundry and diuers honours castelles, mannours, landes tenementes, medowes, pastures, woodes, rentes, reuersions seruices, and other hereditamentes, and hath not onely payed dyuers and sundry great summes of money for the same, but also haue geuen and graunted for the same vnto diuers and sundry persones diuers and sundry manours, landes tenements, and hereditamentes, and other recompenses in and for full satisfaccion of all such Honours, Castelles, mannours, landes tenements rentes reuersions seruices, & other his hereditamentes by his highnesse obtained or had as is aboueslaid. Be it therefore enacted by the authoritie aboueslaid, that our said soueraigne lorde the kinge his heires & successours, shall haue, hold, possesse & enioy all such honours, Castelles mannours, landes, tenementes and other hereditamentes, as his highnesse sith ỳ said xiii. day of February, the xxvii. yeare aboueslaid, hath obtained & had by way of exchaunge bargayne purchace or other whatsoeuer meane or meanes according to ỳ true meaning and intent of hys highnesse bargaine exchaunge or purchase, misrecital misnaming or nonrecital or not naming of the said honours, castels, manours, landes tenementes and other hereditamentes, comprised or mencioned in the bargaines or writinges made betweene the kynges highnesse and any other partie or parties, or of ỳ townes or Counties, where the said honours, Castelles, mannoirs, landes tenementes, and hereditamentes lye and beene, or any other matter or cause whatsoeuer it bee in any wyse notwythstandynge.

Saueing to all and euery persone and personnes, and to their heires, bodyes polytyke and corporat, and to their successours and to euery of them other then such person and persons, and their heires, and their wiues & the wyues of euery of them, bodies polytike and corporat and their successours and euery of them, of whom the kynges highnesse hath obtayned by exchange gift bargayne fine feoffement recouerie, deede enrolled or otherwyse anie such honours, Castelles, mannours, landes, tenementes, and other hereditamentes, as is aforesayed, all such right title vse interest possession rents charges annuities commodities fees, and other profits (rentes seruices, and rents seches onely except) which they or any of them haue might or ought to haue had, in or to the premisses so obtained and had, or in or to any parcell thereof, if this act had neuer bene had nor made: this present act or any thing therein contained to the contrary notwythstandinge. And where it hath pleased ỳ kings highnesse of his most aboundant grace and godnesse aswell vpon diuers and sundry consideracions his maiestie specially moving, as also otherwise to haue bargained, sold, chaged or geuen and granted by his graces seuerall letters patents indentures or other writynges aswell vnder hys highnesse duchy of Lancaster, and the seale of the office of thaugmentations of his croune, vnto diuers and sundry of his louing and obedient subiects, diuers and sundry honours castels manours monasteries, abbathies, priories lands tenements rents reuersions seruices personages appropriated, aduowsons, liberties tithes oblations porcions pencions franchises priuiledges liberties & other hereditaments commodities & profites, in fee simple, fee taile, for terme of life, or for terme of yeres. For auoiding of which said letters patents & of ỳ contents of ỳ same diuers sundry and many ambiguities, doubts & questions might hereafter arise be moued and stirred, aswel for misrecitall

Bodies politike

King

Letters patents

Lancaster

Misrecital
Misnaming
Nonrecital

Fee simple

Doubts

Misrecital

Non recital

cital or non recital, as for diuers other matters thinges or causes to be alledged obiected or inuented against ỹ said letters patents, as also for lacke of finding offices or inquisitions, whereby ỹ title of his highnesse therin ought to haue bene found, before the making of the same letters patents, or for mistecital or non recital of leases, as wel of record as not of record, or for lacke of the certeintie of the values, or by reason of misnaming of the honours, castels, manors, monasteries, abbathies, priories, lands, tenements, & other hereditaments, comprised & mencioned within the same letters patents, or of the Townes and counties where the same honours, castels, manours, monasteries, abbathies, priories, landes, tenements, rents, and other hereditamentes, lien & bene, as for diuers and sundry other suggestions & surmyses, which hereafter might happen to bee moued, surmised and procured against the same letters patēts, albeit ỹ wordes in effect contained in the said letters patents be according to the true intēt & meaning of his most rotall maiestie: Be it therefore enacted by the authoritie of this present parliament, that al wel al and euery the said letters patents indentures or other writinges & euery of them vnder ỹ seals or Sealez aboue saied, or any of them made or graunted by the kinges highnesse sithē the said xiii. day of Februarye, the sayed xxvii. yeare of his most noble raygne, as al and singuler other his graces letters patentes indentures or other writinges to be had made or graunted to any person or persons within iii. yeres next after the making dō of this present act of any honours Castells manours monasteries abbathies priories nūrieз Colledges Hospitals houses of fryers or of other religions or ecclesiasticall houses or places fits circuits precincts landes tenementes personages tithes pencions portions aduousons nomynations and al other hereditaments & possessions of what kynde nature or quantitie soeuer they bee, or by whatsoeuer name or names they or any of them bee named knowen or reputed, shal stand and bee good effectual and auayable in the lawe of this realme, to all respectes, purposes constructiōs and intents, against hys maiestie his heires and successours, without any other licence dispensation or tollerance of the kynges highnesse his heires or successours or of any other persone or persones whatsoeuer they be, for anie thing or thinges contained or hereafter to be contained in any such letters patents, indentures or other writings: any cause consideration or thinge materiall to the contrary in any wise not withstanding. Sauing to al and singuler personnes, bodies, politike and corporat, their heires and successours, and the heires and successours, of euery of them, other then his highnesse, hys heires and successours, and ỹ saied gouernours and gouernesses & their successours donours founders & patrons afore named and their heires and successours, and all other personnes clayming in their rightes or to their vse, or in the right or to thuse of any of the al such right title claime interest possession reuersion remaynder offyces annuities rent charges and commōs which they or any of them haue, ought or mought haue had, in, or to any of the sayed honours Castelles mannours monasteries, abathies priories landes tenemētes and other hereditaments in the sayed letters patentes made or hereafter to be made, comprised at any tyme beefore the makynge of the sayed or such letters patents: thys act or any thyng therein contained to the contrary notwithstanding. And where diuers and sundry Abbotts, Priours, Abbesses prioresses and other ecclesiastical gouernours and gouernesses of the saied late monasteries abbathies priories nunries colledges Hospitalls houses of friers, and other religious & ecclesiasticall

Offices Inquisitions

Leases

Value

Misnaming

L. patents Indentures

Right

3. yeres

ecclesiasticall houses and places, haue had, possessed and enioyed diuers and sundry personages appropriate, tythes pencions, and portions, and also were acquited and discharged of and for the payment or paymentes of tythes, to be paid out of for their said monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious & ecclesiasticall houses and places, manors, messuages, lands, tenements and hereditaments. Be it therefore enacted by the auctoritie aboueſaid, that as well the king our soueraigne Lord, his heires and successors, as all and euery such person and persons, their heires & assignes, which haue or hereafter shal haue any monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, or other ecclesiastical houses or places, sites circuites, precincts of ỹ same, or of any of them, or any manors, messuages, personages, appropriat, tithes, pencions, portions, or hereditaments what soeuer they be which belonged or appertained, or which now belong or appertaine vnto the saied monasteries, abbathies, priories, nunries, colledges hospitals houses of friers, or other religious and ecclesiastical houses or places, or vnto any of thē shall haue hold retayne keepe and enioy as well the said personages appropriat tithes pencions & portions as the said monasteries, abathies, priories nunries, colledges, hospitals houses of friers, & other religious and ecclesiastical houses and places, sites, circuites, precincts, mannours, meases, lāds tenemēts & other hereditaments, whatsoeuer they be & euery of thē, according to their estates and titles, discharged and acquited of payment of tithes as freely and in as large & ample maner as the sayd late abbottes priours abbesses prioresses & other ecclesiasticall gouernours & gouernesses or any of them had held, occupyed possessed vsed retained or enioyed the same or any parcel therof at the dates of their dissolution, suppression renouncing, relinquishing, forsaytyng geuing vp or comminge to the kyngs highnes of such monasteries abathies Priories, nūries Colledges Hospitals houses of fryers, & other religious or ecclesiastycal houses or places, or at the day of the dissolution, suppressiō, renoūcing relinquishing, geuing vp or comming to the kings highnesse of any of them: this act or any thing therin contained to the cōtrary notwithstanding. Sauing to the kings highnes his heirs and successours all and all manner of rentes, seruices, & other duties whatsoeuer they be, as if this act had neuer ben had nor made. And bee it ꝛt. ỹ such of the said late monasteries abbathies priories nunries colledges Hospitalls houses of friers, or other religious & ecclesiasticall houses and places, and all churches & chappels, to them or any of them belonging, which before ỹ dyssolution suppression renouncing relinquishing forsaiting geuing vp or comming into the kinges hands, were exempted from the visitation or visitations and all other iurisdiccion of the ordinary or ordinaries within whose dioces they were situat or set, shal from henceforth be within the iurisdiccion & visitation of the Ordinaries, within whose diocesse they or any of thē be situate and set, or within the iurisdiccion and visitation of such person as by the kings highnesse shalbe limitted or appointed: this act or any other exempcion liberty or iurisdiccion to ỹ contrary notwithstanding. And where before this time it hath pleased ỹ kinges maiestie at the contemplatiō and humble petition of the right noble, Thomas Duke of Norff. to giue his royall assēt & licence by his graces word without any maner of letters patents or other writinge to purchace & receiue to hym & to his heires for euer, of William Flatbery, late abbot of the monastery of Sipton in the county of Suff. and Conuēt of ỹ same late monastery now beyng

Personages appropriat

Tithes

Tithes

Rentes Seruices

Visitatiōs

Ordinaries

Duke of Norf.

being dissolued, all the same monaste-
ries together with al and singuler ma
nors lordships lands tenemẽts woods
waters cõmons, courts, lẽts, aduou-
sons patronages personages Vicara-
ges chauntries free chappels tithes por
cions of tithes pensiõs annuities rẽts
suites seruices reuercions remainders
and all other thinges which were the
hereditaments or the possessions of ẏ
said late monastrie whersoeuer they
lay or were wythin ẏ realme of Eng-
lãd. And in likewise our said soueraign
Licence Lorde gaue like licence by his graces
word vnto ẏ right honorable George
L. cobham Lord Cobham, to purchase & receyue
to his heires for euer of the late mais-
ter and brethren of the Colledge or
chauntry of Cobham in the countie of
Kent. now being vtterly dissolued, the
site of the same college or chantrey, &
all and singuler their hereditaments &
possessions, aswel temporal as eccles-
asticall wheresoeuer they lay or were
within the realme of England. Be it
therfore ẽacted by thauctority of this
present parliament that the act aboue
writen or any thyng therin contained
shal not in any wise be preiudiciall or
hurtful to ẏ said Duke & lord Cobham
or to either of them, or to the heires or
assignes of either of them, but that the
same Duke and lord Cobham & either
of them sunderly, & the heires and as-
signes of either of them, shal and may
haue, holde, receiue, and enioy the pre-
misses by them sunderly purchased or
receiued according to the purports and
effects of such euidences, writinges, &
conueiaunces as they or any of them
sunderly haue caused to be deuised and
made to them, or to their vses for the
same. Sauing alwayes and reseruing
to all and singuler persones and bodies
politike, and to their heires and succes-
sours, other then the sayed late abbott
and conent, and their successours and
the said late maister and brethẽ & their
successours, and the founders of the
same monastrie or of ẏ said Colledge
or chantry, and the heires of either of
them & al donours, grauntors or aug-
menters of thẽ, or of either of them &
the heires & assignes of either of them,
al such rightes titles possessions rents Rights Rents
seruices, fees, annuities, corodies, lime- Seruices
ries, leases, and al other their such in-
teresses, profits and commodities, as
they or any of them hadde, should or
ought to haue, of, to, or in any of the
premisses sunderly purchased or recei-
ued by the sayed Duke or Lord Cob-
ham, if this present act had neuer been
had ne made: Any thyng in this same
act to the contrary being in any wise
notwithstanding. An. 31. H. 8. ca. 13.
12 ¶ An. 37. H. 8. ca. 4. an act was
made that al colledges, Chaũtries free Colleges
chappels &c. shalbee in the kings dispo- Chaũtries
sicion during his life, in which act bee Free chap-
diuers articles cõcerning those chaun- pels
tries &c. but king Henry durynge hys
life did not much by force of that act,
therfore I do not put that act here.
13 ¶ Al maner of colledges free chap- Colleges
pels and Chauntries, hauing beeing Free chap-
or in esse, within fiue yeares next bee- pels
fore the first day of this present parlia- Chaũtries
ment, which were not in actuall and 5. Yeres
reall possessions of the said late kyng,
nor in the actuall and reall possession
of the king our soueraigne Lord that
now is, nor expected in the said former
act in fourme aboue said (s. 37. H. 8. c.
4. before. 12.) other thẽ such as by the
kings cõmissions in forme hereafter
mencioned shalbe altered, transported Altered
or changed, and al manours lands te-
nements rents tythes pencions por-
cions and other hereditamentes, and
things aboue mencioned, belonging
to them or any of them: & also al ma-
nours lands tenements rents and o-
ther hereditamentes, & thinges abou
mencioned by any maner of assurãce
conueiance, wyll, deuise or otherwise, will
had, made, suffered, knowledged or de-
clared, giuen, assigned, limitted, or ap-
pointed to the findinge of any preest Priest
to haue contynuance for euer, and
wherewith

wherewith, or whereby any priest was sustayned maintained or found, within fiue yeres next before the first day of this present parliament, whych were not in the actuall and real possession of the said late king, nor in the actuall and realle possession of our soueraigne lord the king that nowe is: and also al annuel rentes, profittes and emoluments at any tyme within fiue yeares next before the beginning of this present parliament employed paid or bestowed, toward, or for the maintenance, sup̄portation, or findyng of any stipendarie priest, inuented by any act or writing to haue continuance for euer, shal by the auctho̅itie of this present parliament immediatly after the feast of Easter next comming be adnulled and deemed, and also be in ꝑ very actuall and realle possession & seysen of the king our soueraign lord and his heires and successours for euer, wi̅out any office or other inquisitiō there of to be had or found, & in as large and ample manner and fourme, as the p̄lates, wardes, maisters, ministers, gouernours rulers, or other incumbentes of them, or any of thē, at anie time within fiue yeares next before the beeginning of this present parliament, had occupied, or enioied, or now hath occupieth, or enioyeth the same, and as though all and singuler ꝑ said Colledges, frechappels, Chauntries, stipendes, salaries of p̄stes and the said mannours landes, tenementes, hereditaments and other ꝑ premisses whatsoeuer they bee and euery of thē, were in this present act specially particularly and certainely rehearsed, named and expressed by expresse wordes, names, surnames, corporations, titles & faculties, & in their natures, kindes & qualities.

And ouer that be it ec. that where any mannours landes tenements tythes pencions portcons rentes profittes or other hereditamentes by any manner of alliance couenaunce will deuise, or otherwise at any time heretofore hadd made suffered knowledged or declared were geuen, assigned or appointed, to or for the maintenance, sustentation, or findinge of one priest, or of diuerse p̄stes, for terme of certayne yeares yet continuing, and that any priest hath beene maintained, sustained or found with the same, or with the reuenues or profittes thereof wi̅n v. yeares last past, that ꝑ king from the said feast of Easter next comming shall haue and enioy in euery behalfe for and during all such time to come euery such and like things tenements hereditaments profits and emoluments, as the priest or p̄sts ought or should haue hadd for or toward his or their maintenaunce sustenance or finding, and for no longer or for further time, nor for any other profit, aduauntage or commodity therof to be taken. Prouided alwayes ec. that when and as sone as the time assigned for the maintenance, sustentation or finding of the prest or p̄sts shalbe expired and runne, that then it shalbe lawfull to euery person and persones to whom any mannours landes tenements tithes portions pencyons rentes and other hereditamēts or any of them should haue belonged or appertayned, if the said former act and this act had neuer bene had or made to enter into, take perceiue haue and enioy the same without any manner of liuerie ouster le maine pencio̅ or other fayt to bee made to the kyng, in lyke manner forme and condition to all intentes constructions and purposes, as though the sayed fourmer act and this act had neuer beene had or made, and as though the king had neuer had any seysin or possessiō ther of. Any thynge in this act to the contrary in any wise notwithstanding. And be it ec. that ꝑ kinge our soueraigne Lord his heires and successours from the sayed feast of Easter next cōming, shall haue, hold perceiue & enioy for euer, all landes tenements rents or other hereditamēts

which

Rents Profits

K. possessiō

Office Inquisitiō

5. yeres

Expiration

Liuery Ouster le maine Petition

which by any maner of aſſurance, cõueiance, willes, will, deuiſe, or otherwiſe at any time heretofore had made ſuffered, knowledged or declared, were geuen, aſſigned, or appointed to go or bee employed wholie to the finding or maintenance of any anniuerſarie, or obyte, or other like thing, intent or purpoſe, or of any light or lampe in any Churche or chappell to haue continuance for euer, which hath beene kept or maintained within fiue yeres next before the ſaied firſt day of this preſent Parliament. And alſo that where but part of the iſſues or reuenues of anie manors, landes, tenements, rentes, or other hereditamentes, hath by any of the waies or meanes aboueſaid beene geuen, aſſigned, or appointed, to bee beſtowed or employed to the findyngr or maintenaunce of any anniuerſarie, or obyte, or other like thing, intent, or purpoſe, or of any light or lampe in any Church or Chappel, and to haue continuance for euer, that then our ſoueraigne Lord the king ſhall from the ſaid feaſt of Eaſter next comming, for euer haue, perceyue and enioy euerie ſuch ſummes of money, that in anie one yeare within fiue yeares next before the firſt day of this preſent parliament hath been expended and beſtowed about the findyngr or maynteynaunce of anie ſuch anniuerſary, or obite, or other like thing, intent or purpoſe, of anie lyght, or lampe to hym, his heires, and ſucceſſours for euer, as a rent, charge to be payed yearely at the feaſts of ſaint Michael the Archãgell, and the Annunciation of our Ladie Saynt Marie the Virgyn, by euen portyons, in the kynges court, of the Augmentatyons and reuenues of his Crowne, or in anie other court or courtes, as the kyng hereafter ſhal appoynt. And that it ſhalbee lawefull to our ſayd Soueraygne Lord the kyng, hys heires and ſucceſſours for non paimẽt of any ſuch ſũme or ſũmes of money, to diſtraine in the ſayd maners, lãds, and tenementes, of the iſſues, and reuenues, whereof the ſayd anniuerſarie or obite, or other like thing, or anie ſuch light or lampe was found, ſuſtayned or maintained. And yf for lacke of ſufficient diſtreſſe, in or vppon anie of the premiſſes whereof anie of the ſaid perely rẽts, or ſummes of money ſhal bee payed by the ſpace of one moneth next after that anie of the ſaid rentes ſhould be paied, and bee not paid, vnto the ſaid moneth, yt then it ſhalbe lawfull, to and for our Soueraygne Lord the kyng, his heires and ſucceſſoures, by vertue of this preſẽt act to enter into, & to haue & poſſeede as much of the lands, tenements and hereditaments whereof the ſaid rent or rentes ſhould be letten or paid as yt ſaid rẽt or rentes that ſhould bee leuyed or payd out of the ſame, doth or ſhal amount, or come to in perely value, and the ſame lands, tenementes and hereditamentes, to hold and kẽpe, and to haue to our ſayd ſoueraigne Lord the kyng, hys heires and aſſignes for euer, or for ſuch eſtate as our Soueraigne Lord the king hys heires or ſucceſſours, had, or ought to haue had, of, or in the ſaid rent or rẽts. And it is alſo ec. yt our ſoueraigne lord the kyng, ſhall from the ſayd feaſt of Eaſter next comming, haue, perceiue, and enioy all and ſinguler ſuch ſũmes of money, profites, commodities and emolumentes, whych by vertue of anie maner of aſſurance, conueiance, compoſition, will deuiſe or otherwiſe heretofore haue been geeuen, aſſigned, limitted, or appointed to haue cõtinuaunce for euer which in anie one yeare within fiue yeares next before the beginning of this preſẽt parlyamẽt haue been payd, beſtowed, or employed, by any manner of corporations, guyldes, fraternities, cõpanies, or felowſhips of miſteries or crafts or any of them, beeyng in England, Wales, and other yt kings dominions, or by yt maſters & wardens, gouernours, or other officers

TT.j.

Anniuerſarie
Obyte
Lampe
Light
5. yeres
Diſtraine
Poſſeede lands
Rent
King
Profits
5. yeres
Corporations
Guilds
Fraternities
Companies
Crafts
Wales
Wardens

officers or ministers, or by the master warden, gouernour, or other officer or ministers of them or any of them, toward or about ẏ finding, maintenãce, or sustentation of any priest or priests of ante annuersarie or obito, lampe, light or lights, or other like thing as is aforesayd, to our said soueraigne Lord the king his heires and successours for euer to be paid yerely, as a rent charge at the feast of S. Michael the Archangell, and the Annunciation of our Lady, by euẽ portions, in the kings court of augmentations, and reuenues, of his Crowne, or in any other court, or courtes, as the king hereafter shall appoint. And that it shalbe lawful to our sayd Soueraigne Lord the kyng, hys heires and successours for non paimẽt of any such summes or summe of money, profite, commodity or emolumẽt or for non payment of ante of them, to distreine in all the mannours, landes & tenementes of euery such crafts corporations, guildes, fraternities, cõpanies, or felowshippes of mistleries or crafts or any of them, by whõ, or by ẏ maisters, wardẽs, gouernors or other officers or ministers, or maister warden, gouernour or minister, of ẏ which any such sũmes or summe of money, profit, commodity, or emolumẽt, haue or hath ben paid, bestowed, or employed. And that all and euerie of the sayd summes of money, profites, commodities, & emolumentes, shall from the feast of Easter next comming, without any maner of inquisition, or office to bee had or found, be iudged and dẽmed to be in the actual & real possessiõ of our sayd soueraigne lord the king in like maner & forme, to al intents, constructiõs and purposes, as if the same had bẽ particularly and specially mencioned in this present act. And further more be it &c. that the kyng our soueraigne lord, shal from the sayd feast of Easter next comming, haue and enioy to him, his heires and successours, for euer, all fraternities, brotherheads, and guildes, being within this realme of England, and Wales, and other the kynges dominions, and al the mannours, lands, tenements and other hereditaments, belonging to them or to any of them, other then such corporations, guildes, fraternities, cõpanyes, and felowships of mistleries or crafts and the manours, lands, tenements & other hereditamentes pertainynge to the sayd corporations, guildes, fraternities, companies, and felowships, of mistleries or crafts aboue mencioned, & shall by vertue of this act bee iudged and dẽmed in actual and real possessiõ of our sayd Soueraigne lord the kyng his heires and successours, from the said feast of Easter nert cõmyng for euer without inquisitions or office therof to bee had or found. And also bee it &c. that our sayd soueraygne Lord the kynge his heires and successours, at hys and their will and pleasure may direct hys and their commissions and commissiõ vnder the great Seale of England to such persones, as it shall please hym. And that the same commissioners, or two of them at the least shall haue full power & authoritie by vertue of this act, and of the sayd commissiõ, as well to survey all and singuler lay corporations, guildes, fraternities, companies and felowships of mistleries or crafts incorporate, and euery of them, as all other ẏ sayd fraternities, brotherheds and guildes, within the limits of their commission to them directed. And all the euidences, compositions, bookes, & accõpts of other writtings of euery of them, to the intent thereby to knowe what money and other thynges was paid or bestowed to ẏ finding or maintenaunce of ante priest or preestes annuersary, or obit, or other like thyng, light or lampe by them or any of them as also to enquire, search and try by al such wayes and meanes as to them shalbe thought meete and conuenient what mannors, landes, tenemẽtes, rentes and other hereditaments, profits, commodi-

Priest Annuersarie Obyte Lampe Light Rẽt charge

Non payment

Distraine

Inquisitiõ Office

Fraternities Brotherheds

Guilds Wales

Landes

King

Cõmission

Cõmissioners

Survey

Euidẽces Accõpts

Priestes

Enquire

commodities, emoluments, and other things be geuen, limitted, and appointed to our sayd soueraygne lord ỹ kyng by this act within the limits of their commission.

Cõmissioners

And also that the same commissioners or two of them at the least, by vertue of this act, and of the cõmission to them directed, shal haue full power & authoritie to assigne, & shal appoynt in euery such place where guild, fraternitie, the priest or incumbent of anie chaũtrie in elle, ỹ first day of this present parliament by the foundation ordinaunce, the first institution thereof, should or ought to haue kept a grãmer schole, or a preacher, & so hath done sythen ỹ feast of S. Michael the archangel last past, lands, tenements, & other hereditaments, of euery such chaũtry, guild, and fraternitie, to remaine and continue in succession to a scholemaster or preacher for euer, for, & toward the keping of a grammer schoole or preaching, and for such godly intentes and purposes, & in such maner and fourme as the same commissioners or ii. of thẽ at ỹ least shall assigne or appoint. And also to make & ordeine a vicar to haue perpetuitie for euer, in euerie paryshe church the first day of this pr̃ẽt parliamẽt being a colledge, freechappel, or chaũtry, or appropriate, annexed, or vnited to any colledge, freechappell or chauntry, ỹ shall come to the kynges hãds by vertue of this act, & to endowe euery such vicar sufficientlie hauing respect to his cure & charge, the same endowement to bee to euery such vicar, & to his successours for euer without any other licence or graunt of the kyng, the bishop or other officers of the diocesse. And also the sayd cõmissioners or ii. of thẽ at the least, shal haue auctoritie by force of thys act to assigne in euerie great towne or parish where they shal think necessary to haue mo priests thẽ one, for ỹ ministring of ỹ sacraments wỉn the same towne or parish, landes & tenemẽts to belõging to any chaũtrie, chappell, or stipendarie priest, beeyng within the same towne or parish, the first day of this present parliament, to be to such person or persons as the said commissioners or two of them at the least shal assigne or appoint to cõtinue in succession for euer, for, & towardes the sufficient finding & mayntenaunce of one or mo priestes within the same towne or parish, as by the sayd commyssioners or twoo of them shalbee thought necessary or conuenient. And alwel to make ordynances and rules, concerning the seruice, dies & demeanour of euerie such preest and schoolemaster, as is aforesaid, to bee appoynted, as also by what name or names he and they shal from hencefoorth bee named and called. And also that the sayd commissioners, or two of them at the least, shal haue ful power & auctoritie by vertue of this act, and of the said cõmission to them directed, to assigne as well to euery Deane, Master, Warden, Provost, and other incumbent, and minister of any of the sayd colledges, freechappelles, or chauntries, beeyng wythin the lymits of their commission, which hereafter shalbe dissolued or determyned by vertue of this act, and to euery stipendary priest and other priest, whose salary the kynge shalbe intituled vnto by this act, as to euerie Fellow and poore personne haunyng yearelie reliefe out of ante of the sayd Colledges, Freechappelles, or Chauntryes beeing within the lymyttes of their commission, such seuerall yerely annuities, pẽcions, or other recompences, duryng their seuerall lines as to the same commissioners or twoo of them shalbee thought meete and conuenient. And ouer that the said commissioners, or two of them at the least, shall haue full power and auctoritie by vertue of thys act, and of the commissiõ to them directed to enquire and trie by such waies and meanes as they shal think meete and conuenient, what money, profyte, and

Grammer schole

Preacher

Scholemaster

Vicare

Endowe

Ministration of sacraments

Rules

Cõmissioners

Deane, Warden

Provost

Stipendary Priest

Salarie

Poore person

Annuities Pencions

Enquire.

benefite anie poore person or persones by vertue of anye conueiaunce, assurannce, composition, will, deuise, or other wise heretofore had or made, intended or ment to haue continuannce for euer, had or enioyed within fiue yeres next before the beginning of this present parliamēt out of any colledge, free chappel or chaūtrie, and other the premisses, geuen, limitted, or appointed, to the kyng by this act being within ỹ limits of their commission. And therupon to make assignements and orders in such maner and fourme, as all and singuler such sayd money, profyt, and commoditie shalbee payd to poore people for euer, according to such sayd assurance, composition, will, deuise, or other thing had or made for the same & to assigne & appoint lands, tenements or other hereditaments, parcell of the premisses, for the mayntenance & continuance of the same for euer, and also to appoint to fraternities, brotherheds and guildes, lands, tenemēts, and hereditaments, parcell of the premisses, to Wardeynes, and for the mayntennance of piers, tutties, walles, bāks, against the rages of the Sea, hauens, and Crekes. And that all and singuler annuities, pencions, and other recompences, shalbee halfe yerely payed to ỹ persons, to whom the same ought to be payd by the kinges recciuour for the time being, of his lands, commonlie called the suppressed lands, or other his reuenues, lying in the county or city where such colledge, free chappell or chaūtry, or other the premisses geuen, limitted or appoynted to the kynge by this act the first day of this present parliament, were or remained without anie fee or reward therefore to be payd. The first payment to beginne at the feast of Saint Michael the archangell next cōming. And that euery such receiuour, vppon his accompt shal haue full and due allowaunce of all such annuities, penciōs & other recompences by hym payed, by vertue of ante such assignement to be made by the said cōmissioners or two of them at the least. And it is &c. that the sayd commissioners and euery of thē, ỹ shall take vpon him therecution of any of the said commissions, shalbe bound as hee will answere before God to execute ỹ cōmission to him and other directed, beneficially towards ỹ deanes, masters, wardens, prouosts, & other incūbents & ministers aforesaid, and towardes ỹ poore people concerning the said assignementes, and also toward the maintenance of piers, tutties, vvals or bāks against the rages of the sea, hauens, & crekes. And that al maner of assignementes and ordinaunces to bee made by the sayd commissioners, or two of them at the least, and certified vnder their seales, or the seales of two of thē at the least, into the Kynges court of the augmentations & reuenues of hys crowne, or to any other court or courtz by the kynges maiestie to bee made or assigned, shal by vertue of this act, and of the sayd commissioners, been good and effectual in the lawe to al intents constructions and purposes as though the same had been assigned and ordered by authoritie of thys present parliament by expresse and apt wordes, termes & sentēces. Prouided also that such annuities, pencions, and other recompences, that the sayd commissioners or anie of them, shall assigne or appoynt to bee payed yearelie to anie such Deane, master, warden, gouernour, or other incumbēt, felow, or minister shall not extend to anie more clere yerely value thē such deane, master, warden, prouost, gouernour, or other incūbēt felow, or minister, or his predecessor lawfullie had or enioyed in money, meate, drinke, liuerie, or allowance of the same yerely, within fyue yeares next before ỹ beginning of this present parliament.

Prouided also, that if any of the said masters, wardeins, prouosts, gouernours, or other incumbents, felowe or minister

5. Yeres
College
Free chappel
Chaūtrie
Wound
Deanes
Wardens
Prouosts
Poore people
Sea bāks
Hauens
Crekes
Ordinaūces
Fraternities
Brotherheds
Guilds
Annuities
Pencions
Goods
Cattals
Jewels
Plate
Allowance
5. Yeres
Debts
Masters
Wardens
Prouosts

Promoted

minister, shal at any time hereafter during his life, be promoted by the kyng to any benefice or other spiritual promotion, being of a better clere yerely value then his said annuity or pension or other recompence shalbe of, that the the annuitie, pension or recompence ỳ any such deane, master, warde, gouernour, prebend, or other incumbent, rector, minister, that so shal be promoted shall haue, shall immediatlie after such promotion had, cease, and vtterly determine. And bee it &c. that the said commissioners, or two of them at the least, to whom any commissiõ by vertue or mean of this act, shalbe directed and deliuered, shalbee bounden vpon the losse and perill, euery of them of a hundreth pounde, to make certificate vnder their seales, or the seales of two of the at the least into ỳ said court of thaugmentations and reuenues of ỳ kynges crowne, or into any other court as is aforesaid within one yeare next after the commissiõ to them directed, of all mainours, landes, tenementes, rents, tithes, pcions, pensions, hereditamentes, and recompences, by the same commissioners, or two of them assigned or appointed to any of ỳ vses, intents or purpoles aboue mencioned. And also be it &c. that our Soueraigne lord the king, shall haue and enioy all such goodes, cattals, iewels, plate, ornamentes, & other meuables, as were or be the common goodes of euery such colledge, chantry, free chapels, or stipendary priest belonging or annexed to the furniture or seruice of their seuerall fondations, or abused to any of ỳ said corporations in the abuses aforesaid, the propertie wherof was not altered nor changed before the viij. day of December, in the yere of our lord God M.D. xlvij. And it is &c. that all such debtes & summes of money, as ought or should be paied of the money or goodes of any of the said colledges, bee as payable by reason of any contract, specialtie, or promise had or made before the same eight day, shal truely & fully be paid by ỳ treasorer of ỳ kings court of thaugmentãtiõs & reuenues of his crowne, or by the treasorer or receiuer of any other court to which any of the premisses shalbe appointed of the kings treasure, being in his or their handes, with as conuenient spede as the same may be payd. Prouyded alwayes, that this act or any article, clause or matter conteyned in the same, shall not in anie wise extend to any colledge, hostell, or halle, being within cyther of the vniuersitees of Oxford and Cambridge, nor to any chauntrie founded in any of the colleges, hostels, or halles, being in the same vniuersities, nor to the free chappell of saint George the martir, situat in the castel of Windsore, nor to ỳ colledge, called S. Mary college of Winchester besides Winchester of ỳ foundation of Bishop Wickeham, nor to ỳ colledge of Eatõ, nor to the parish Church, commonly called the chappel, in the Ile in Newten, within the Ile of Elie, in the Cõtie of Cambridge, nor to any manors, lãds, tenements or hereditamẽts to them or to any of thẽ pertaining or belonging, nor to anie chappel made or ordeyned for the ease of the people, dwelling distaunt from the parish church, or such like chappell wherevnto no more lãds or tenemẽts then the churchyard or a little house or close doth belong or appertaine, nor to any cathedral church or college, where a Bishops sea is, within this Realme of England, or in Wales, nor to the manours, lands, tenementes, or other hereditamentes, of any of them, other then to such chauntries, obites, lightes, and lampes, or any of them, as at any time within fiue yeres, next before the beginning of this present parliamẽt, haue ben had, vsed or maintained within the said cathedrall churches, or within any of them, or the titles, reuenues or profites of any of the said cathedral churches, or which chauntries, obites, lightes

Determine Cõmissioners

Bound For. Certificat

Goods Cattals Iewels Plate

Debts

Treasorer

Oxford Cambridge

windsore

Winchester

Eaton

Ile of Ely

Chappels of ease

Cathedral church Bishops sea

v. Yeres

lightes & lampes, it is enacted by the authoritie aforesaid, that this act shall extend. And it is &c. ỳ our soueraygne Lord the kyng, at anie time duryng his life (Whych God long preserue) may at his will and pleasure, alter and chaunge the name or names of al and singuler chauntries, and the foundations of the same, being in anie of the Colledges, hostels or halles of any the said late suppressions, accordyng as to hys godly wisedome shalbe thought meete and conuenient. Sauyng to all and euerie persone or persons bodies politike and corporate, their heires and successours, and the heires and successours of euerie of them, other then the maisters, wardens, ministers, gouernours, rulers, priests, incumbentes, felowes and brethren of the said colledges, chauntries, frēchappels, and other the premisses, geuen, limitted, or appointed to the kyng by this act, and the successours of them, and other then such as be or pretend to be foundours, patrōs or donours of the premisses, or any of them, or of anie part or parcell thereof, and the heires, successours and assignes of euerie or anie of them, and other then such as bee or were feoffees recouerees, conisies, grauntees, or deuisees, or of any the premisses, to or for any of the vses, purposes, or intents, aboue mencioned, or to the vse of any of the said colledges, frēchappels, chaūtries or other the premisses, geuen, limitted or appointed by this act to the kyng, or to the intent to employe the rentes, or profites thereof to the vse of maisters, rulers, incumbents, or ministers of them, or any of thē, and other then such person and persons, and bodies politike and corporate their heires successours and assignes, as clayme or pretēd to haue estate, right, title, interest, vse, possession or cōdition, of, in or to the premisses, or any part or parcell theraf, by reason of any feoffemēt, fine bargaine & sale, or by any other liuties meanes or conueyance to them made, of any estate of enheritaunce wythout the said late kyngs licences, assent, cōsent or agreemēt, & without ỳ licence, assent or agreement of the kings maiestie that now is, by anie of the said deanes, maisters, wardens, ministers, gouernours, rulers, priests, or incumbents, or by the foundours, donoures, or patrons of them, or of any of them, all such right, title, claime, possessiō, interest, rents, annuities, commodities, commons, offices, fees, leases, lyueries, lyuinges, pencions, debts, duties, and other profites, which they or anie of them lawfullie haue, or of right ought to haue, or might haue had, in, of, or to any of the premisses, or in, of, or to any part or parcell thereof in such like maner, fourme and condition, to al intents, respects, constructions and purposes, as if this act had neuer been had nor made, and as though the said chauntries, colledges & other the said promotions had stil continued and remayned in their full being, and sauing to all and euery patron, donour, foundour or gouernour of any such colledge chauntry, frēchappell, stipēdary priestes, and other the premisses geuen, limitted or appointed to the kyng by this act, and the donour, feoffer, and geuer, of the aforesaid lands, tenementes, or hereditamentes to them or any of them or to any vses or purposes before mencioned, all such rents, seruices, rentes seche, rentes charge, fees, annuities, profits, & offices, & also leases for terme of life, liues and yeres, wherupon the accustomed rent or more, is reserued, as they, or any of them, lawfully had perceyued and enioyed in, out, or of anie the said promotions, or out of any of the said lands, tenements, or hereditamēts before the first day of this present parliament. And ouer that it is &c. that al and euery person and persones being in life, which haue, or hath, for anie summe of money to him or them payed, bargayned, or sold, anie manours, landes, tenementes, or other hereditā-

Licence

Patron Foundor

Rents Leases

Old rent

Sold lāds

Alter names

Colleges Chaūtries Free chappels

Foundors Patrons

Feoffees Recouerors

Rents

Right

Feoffemēt Sale

hereditamentes aforesayd, whereunto the kyng our Soueraigne Lord is entituled by vertue of this act, shal repaire to such persoune as so bought ante of the sayd mannours, landes, tenementes, or other hereditamentes, or to his executours or assignes, vppon a request thereof made, or within three monethes then next ensuyng ỹ same request, almuch money as hee or they receyued for the sale of ante thinge so by hym or them sold. And for non payment therof, such persoune and persoones as purchased or bought the said landes, tenementes and other the premisses, or ante parcell thereof, & their executours and administratours shalbee enhabled by the auctoritie of this present parliament, to sue and maintaine an accion of debt at the comō lawes of this realme against such persoune or persones as so bargayned or sold to him or them, or to their testatour any of the premisses belonging to any colledge, chauntry, free chappel, or other promotion spirituall, in which accion of debt, none essoyne, protection, or wager of lawe shalbee admitted or allowed. And bee it &c. that all & euerie of the sayd chauntries, colleges, and free chappelles, and other the premisses, geuen, limitted, or appointed to the kyng by this act, and all the mansion houses, mannours, landes, tenementes, possessions, and hereditamentes and other the premisses, what soeuer they be, geuen, limitted, and appointed to the kynge by this act, and euery part and parcell of them, which by auctoritie and vertue of this act, been vested, adiudged, and deemed, or shalbe in the kinges maiesties possession and handes, or which the king shal be entitled vnto by vertue of this act, shalbee in the order, survey, and gouernance of our soueraigne lord the kings court of the augmentations and reuenues of the Crowne, or in such other court, as the kyng at anie tyme hereafter shall assigne, name, or appoint, and so shal and may be graunted, letten, and set to the ferme by the Chauncellour, officers and ministers of the sāe court, or of any other court so to be appointed in such maner and fourme as other mannours, landes tenementes, appointed to the same court of Augmentatiōs and reuenues of his graces crowne or other court to be appointed, been to be graunted or letten: And ỹ al the termes, issues, reuenues, & profites comming & growing of the same premisses, & of euery part thereof shalbee taken and receiued to the kings vse, by the officers and ministers of the same court or courts, in such maner & forme as is vsed and had of other manours landes and tenementes, and of the issues, reuenues and profits of the same committed to the order, rule, survey & gouernaunce of the said court of the augmentations & reuenues of ỹ kings crowne, or any other court so to be appointed, any act, statute, or ordinaunce, custome or vse heretofore had, made or vsed to the cōtrarie notwithstanding. And it is &c. that if any of the said maisters, wardens, ministers, rulers, gouernors, priests, incumbentes, or owners of any such Colledge, Chauntry, free Chappel, or of any the premisses, geuen, limited or appointed to ỹ king by this act or of any of them sithence the xviij. day of Nouember, in ỹ xxxvij. yeere of the raigne of the said late king haue made any lease vnder his or their cōmon seale or otherwise for terme of yeres, life or lines of the said colledges, chauntries, free chappels, or of other ỹ same premisses, or of any manours, landes, tenements, possessions, or hereditamēts whatsoeuer they be to them or to any of them vnited or annexed, belonging or appertaining, vppon the which leases, the vsuall & old rentes & fermes accustomed to bee yelden & reserued, or more by the space of t wenty yeres next before the sayd xviij. day of Nouember not reserued and yelden, shalbe vtterly void and of none effect.

Kyng

3. Monethy

Profits

Executors Administratours

Augmentation

Leases

Old rents

10. Yeres

Void.

and that all other leases and graūtes heretofore made of any the premisses, geuen, lymitted, or appointed to the kyng by this act, shalbe as good & sufficient, and effectuall in the lawe, to all intentes, constructions, and purposes, as if this act hadde neuer been had or made, any thing in this act, or anie other act heretofore had or made to the contrarie thereof in any wise notwithstanding. Prouyded alwaies and be it &c. that this said act or any thing therin conteined, shall not extend to anie manors, landes, tenements, possessions, or hereditaments, which the said maisters, wardens, mynysters, chauntrie priests, incumbents, or other the sayd gouernours, officers, ministers, or rulers of ỹ premisses, or of anie of them, hath, or is, or hereafter shal haue or be possessed or seised in fee simple, fee tail, generall or speciall, for terme of lyfe, terme of yeres, or otherwise to hys or their owne proper vses by inheritance or purchase, & not being at any time, vnited or ānexed, to his or their said colleges, free chappels, chaūtries, or other the premisses geuē, limitted, or appointed to the kyng by thys act, nor shall extend to anie manours, landes, tenementes, possessions, rents, annuities, and yerely pencion or pencyons, or to anie yerely summe or summes of money, beeing not vnited, or parcell of anie the sayd colledges, and other the premisses aforesayd, or of any of them heretofore geuen or graunted by the sayd late kyng, or geuen or graunted, or hereafter to be giuen or graūted by the kyng our Soueraygne Lorde to anie of ỹ sayd Deanes, maisters, wardens, mynisters, chauntrie priestes, incumbentes, gouernours, or rulers of the premisses, or of anie of them, for terme of life only, vnder his great seal of England, vnder the seale of ỹ court of the augmentations and reuenues of the kinges crowne or anie other of the kinges seales, of anie of his countes, anie thyng contayned in thys acte to the contrarie in anie wise notwithstāding. Prouyded alway &c. that all well all and euerie patrone, donour, founder, and gouer, of anie of the sayd promotions, or premysses, or geuer, donour or feoffer, of anie theire landes, tenements, possessions, or other hereditamentes, as all and euery person & persons, bodies politike and corporate, which before the makyng of thys act lawfully without fraud or couin, had or enioyed anie manner of rent, or other yerely profits to be taken, perceiued or had of any chaūtries, colledges, free chappels or other the premisses geuen, limitted or appointed to the kyng by this act, or out of any manors, lāds tenements or other possessions of the, or any of them shal haue and enioy the same in like maner and forme as they should and ought to haue done, if the sayd colledges, chaūtries, free chappels & other the premisses geuen, limitted, or appoynted to the kyng by this act, hadd still remayned and continued in esse, & full being, any thing in thys act mencioned, to the cōtrary in any wise notwithstanding. Prouided also &c. that if any such gouernour, ruler, wardein, master, incumbent, minister, or other, hauing any of the said spiritual promotions or incumbēts, haue or shal compound for the first fruites of anie such spiritual promotions, according to the lawes & statutes of this realme, & the dates of payment of any part thereof, not expired before the first day of thys parliament ỹ al sūmes of money so to be due & payable sithēce ỹ said first day of this parliament shal ceale & bee not payd, asked or demaunded, any bond, recognisāce, suerty, or other thing had or made to ỹ contrary notwithstanding. Prouided alwaies, & be it &c. ỹ all such rents, seruices, issues, profites, & other sūmes of money payable out of, or for any of ỹ premisses, or any of thē in ỹ kings court of his eschequer, shal continue, & be cōtinually & yerely leuyed, charged, or payed in the same Court, in such

Founders Patron

Archbishop Bishop

Fines Gifts Fermes

Chauntry priest

First fruits

Rents Seruices Profits

Eschequer

Deanes wardens

K. seales

in such maner and forme as heretofore hath ben vsed, any lawe, custome, vnitie of possession in the kings highnesse, or other thinge to the contrary not withstanding, and as though the said promotions, manours, landes, tenements, and other the premisses had not come to the kings handes and possessiō. And be it &c. that al & every letters patentes made by the sayed late kynge Henry the eight, or by the kynges maiestie y now is, or hereafter to be made by his highnes to any person or persons, or to any archbishop or bishop, of any of the said colledges, chaūtries, free chappels or other the premisses, or any parte or percel of them, or of any landes, tenementes or hereditamentes belonging or appertainyng, or that did belong or appertaine to them or to any of them. And all fines, giftes, graūtes, feoffementes, recoueries, and all other assurances and conueiances therof had or made by the assent, consent or licēce vnder the great Seale of England, of the sayed late kyng Henry the eight or of the kynges maiestie that now is, to any persone or persones, bodies politike or corporat by any Chauntrie, priest, master, Warden, minister, ruler, gouernour, or other hauing any of the sayd promotions of any of the said Colledges, Chauntries, free Chappels or other the premisses or of any of thē, or of any part or parcel or member of the same, shall stand and bee in their forces and effectes, & shalbe good and effectuall in the lawe, for such estates, and interesses, giuen, graunted, limitted or appointed in any of the giftes, graūtes, assurances or conueiances therof had or made, according to their purportes, fourme, and matter, and according to the true intent and meaning of the same assurances, & shall bee by auctoritie of thys act, good, perfect, and auayleable, aswel agaynst the kynge his heires and successours, as againste the sayd chauntrie prestes, wardens, masters, rulers, gouernors, and other hauing any of the sayd promotions, and their successours, & the successours of euery of them, as also against the founders patrons and patrones of the same, and the ordinaris of them, and euery of them, and the heires and successours of euery of them any lawe, statut, or vnsaunce, or other thing to the contrary thereof not withstanding. And where diuers and sundry Bishoppes, Deanes, Archedeacōs, Treasourers, prebendaries, chauntrie prestes maisters, provostes, rulers, gouernours of any deanries, archedeanries, treasorershippes, prebendes, free chappels, Chauntries or Colledges wtin this Realme of England, & other the kinges maiesties dominions, or anie of y patrōs, foūdours, donors of any of the Bishopperickes, Treasourershippes, Deaneries, Chauntries, free Chappelles, or other the said spirituall promotions, of their voluntary willes or mindes, for diuers good and reasonable causes & consideracions by deed or deeds enrolled, or by other writtinges or conueiaunces heretofore geuen and graunted to the late kinge of famous memory Henry the eight late king of England, and to his heires, or to our soueraigne lord the kinge that nowe is, and to his heires, diuers of theyr Deaneries, Archedeanries, Treasourershippes, Prebendes, chappels, chauntries and Colledges, or any other Ecclesiasticall or spirituall promotyons last before remembred, and al or some part of the manours, landes, tenementes tithes, pencions, annuities, rents, reuercions, and other reuenues, hereditamentes, possessions, emolumentes, and profits to the same Bishoprickes, Deaneries, Archedeaconeries, Treasourourshippes, Prebendes, chappels, Chauntries, Colledges, & other lyke promotions, benefices, offices & dygnities, or to any of them belonging, appertaining, vnited and annexed, or which the sayed Bishoppes, Deanes, Archedeacons, treasorers, Chauntrie prestes

L. patents

Archbishop Bishop

Fines Gifts Fefements

Chauntrie priest

Bishops Deanes Archdeacōs

Patrons Founders

Deanries Archdeanries

priests, masters, prouostes, rulers, gouernours, and other ecclesiasticall, or spirituall officers or ministers of any of the saied patrons owners or foundours, or any of them hadd or enioyed in the right or by reason of any of the same promotions, offices or dignities. Gifts Graunts

Be it &c. that al and euery gifftes and grauntes heretofore made to the sayd late king, and to his heires, or to our soueraigne Lord the king that now is and to his heires by any Archebishope, Bishoppe, Deane Archedeacon, treasourer, Prebendarie, master, prouest, gouernour or other the said ecclesiasticall or spiritual personne or personnes or by any patrõs, donours or foundours of any of the sayd Deanries, chauntries or other of the sayed spirituall or Ecclesiasticall promotions, or of al, or any of the mannours, landes tenementes, tithes, rentes, reuercions, peneyons, porcions, annuities, or other hereditamentes, reuennes, emoluimentes, profittes or commodities, to any of ỹ sayed benefices, offices, prebends, promotions, or dignities, belonging, appertaining, united, or anexed, or which any of the same Archebishoppes, bishoppes, deanes, Archedeacons, treasourours, masters, prouostes, prebendaries, rulers, gouernours, officers, or ministers, patrones, foundours, or donours, hadde or enioyed, or haue or enioy, or ought to haue or enioye in the right, or by reason or meanes of anie of the same promotiõs, offices, or dignities, shalbee good and effectuall in the laive, to all intents and purpeses: Hauing to all and euery personne and personnes, & bodies politike and corporat, their heires, successeurs, and assignes and the heires, successours and assignes of euery of thẽ (other then the Archbishops, Bishops, Deanes, Archedeacons, treasorers, prebendaries, rulers, gouernours, wardens, prouosts, geuers and graunteurs, of any of the premisses, and their heires, successours and assignes, and other then such ecclesiastical or spirituall personnes, bodies politike or corporat as are or pretend to be foundours, donours, patrons, or obituaries of the premisses, or any of them, such rightes, titles, interesses, clames, entries, rets, reuercions, remainders, fees, offices, annuities, lad, tenementes, hereditaments, profitts, commodities, and emoluimentes, as they or any of them haue or should or ought to haue had, of, in or to the premisses nere above mentioned, or any part thereof) as if this act had neuer bene had or made, any thinge in this act to the contrary in any wise notwithstanding. Rights

Prouided alwaies, that this act or any thing therin contained, shall not in any wise extend to make good or effectuall, any gift, graunt, bargayne, sale, or alienation made by any person or vicar, of their personages, vicarages or of any part or parcell thereof or of any thing to them or any of them belonging or appertaining. Prouided also that this act or any thyng therein contained, shal not in any wise extend to hinder or prejudice George Broke knight, lord Cobham, his heires or assignes, for or cõcerning ỹ late colledge of Cobham in the Countie of Kent, or the manours, landes, tenements and possessions thereof, any thinge above mencioned to the cõtrary in any wise notwithstandinge. Prouided also that this present act or any thinge therein contained, shal not in any wise extend or be prejudicial or hurtful to ỹ generall corporation of any city, borough or towne wiñ this realme or any other the kinges dominions, ne shal extend to any the landes or hereditaments of thẽ, or any of them: Any thing herein contained to the contrary in any wise not withstanding. Prouided also &c. ỹ all such of the said colledges, frechappells, Chauntries, and other the premisses, being appointed and geuen to the kinges highnesse, by the authority of this act, as be within the Duchy of Make good Gift Graunt Vicar L. Cobham Colledge of Cobham Corporatiõ of Cities Borroughs

Lancaster

Lancaster

Lancaster, and al thannours, landes, tenementes, hereditamentes, pertayning or belonging to ỹ sayd colledges, frechappells, and chauntries, shal after the said feast of Easter next comming, be within the survey and order of the court of ỹ Duchy of Lancaster in such manner and fourme, as other the premisses bee assigned or appointed by authoritie of this act, to bee in the survey and order of the court of the augmentations and revenues of the kynges crowne, or other court by the king to bee assigned, and that all commissions that hereafter shalbe awarded by vertue and force of this act concerning such colledges, frechappells, chauntries, and other the premisses as bee within the said Duchy of Lancaster, shalbee awarded under the great seale of England, and shalbee certyfied into the same court of the Duchy of Lancaster any thing abovesayed to the contrary in any wise notwithstanding. Prouided alwaies &c. ỹ this act, ne any thing therein contained, shall not extend to the colledge or chauntrie of Attilborough in the county of Norfolke, which the sayd late kyng Henry the eight gave to Robert late Earle of Sussex, and to his heires, but that Henry now Earle of Sussex, sonne & heire to the sayd late Earle, his heires and assignes shal and may by the authoritie of this act, have and enioy the said Colledge and Chauntrie, and all manours, landes, tenements, annuisons, tithes, pensions, portions, & other hereditamentes thereunto belonging or appertaining, any thing in this act to the contrary in any wyse notwithstanding.

Commissions

Commissioners

Alter obits Oxford Cambridge

Attilborough

Earle of Sussex

Prouided alwaies &c. that the kinges majestie at any time whē it shal seeme to hym good may geve authoritie to certaine his graces commissioners, to alter the nature and condition of all maner of obites, as well within ỹ universities of Oxford and Cambridge, as in any other place within thys hys graces realme of England & Wales, being not suppressed, ne abolished by vertue of this present act, & the same obites so altered, to dispose to a better use, as to the relefe of some povertie being scholers, or otherwise.

Prouided also &c. that it shal not bee lawfull to any persone or persones, bodies politike or corporat, by reason of any remainder, use, or condition, to enter into, claime, or challenge any lands, tenements, or hereditaments, for ỹ non doing not naming, or no finding of any such preist or preistes or pore folkes, as is aforesayd, obite, anniuersarie, light, or lampe, from hens forth to be founded or done any thing therin contained to the contrary in any wise notwithstanding.

Challenge

Not finding of preist

Obite

Anniuersary

Lampe

Prouided alwaies, ỹ this act, nor any thing therein contayned, shal in any wise extend to any landes, tenementes, possessions or hereditaments whatsoeuer, that any master, Deane, Prebendary, Warden, or Chauntrie, or any stipendary preist of any Colledge, Chauntrie, Prebend, fraternity guilde, or any other Corporations, have or held, of any persone or persones, by copy of Court rolle, or at will, according to the custome of any manor or manours: nor geve or grat any Copy hold landes to the kynges highnes.

Deane Prebēdary warden Fraternitie Guild Corporatiō

Copyhold

And also prouided that the kinges highnes, his heires and successors shall not in any wise have holde, enioy, or take by vertue of this act or any article therein contained, any manner of copyhold landes, tenementes, possessions, or hereditamēts whatsoeuer they be, but ỹ all and every the said persons and incumbents, shal have, hold, and enioy the same, during their lyves tenantes their pencion and yerely paying, paying their rents, & doing their customes & services therof duc & accustomed, any thing in this act to the cōtrary not withstanding.

Copyhold landes

Rents Seruices

Prouided alwaies, that this act shal not

not extend to any lãds, tenements, or hereditaments assigned, appointed or intended for the findinge, or mayntenance of any chauntrie priest, or any stipendary preist, which by any former right, and good title, without fraude or couin, were lawefully recouered frõ the possession of any such Chauntrie preist or stipendary preist, before the firste daye of October, the sayd xxviij. yere of the raigne of the said late king Henry the eight, which landes tenementes and hereditamentes were not charged nor chargeable to the payment of the perpetual tenth, any thing in this act to the contrary hereof notwithstanding.

Chauntries priest

Prouided alwaies & be it enacted, that all and singuler graunteꝭ, licences, confirmations and letters patentes, whych our late soueraigne Lord king Henry the eight, or our soueraigne Lord the king that nowe is, haue made vnder the great Seale of England to any persõ or personnes, bodies, politike or corporat, of any Colledge, Chappel, or chauntrie nowe beeing in esse, or standyng, or nowe not beeing in esse, or not standinge, or of any Lordshippes, manours, landes, tenementes, and hereditamentes, annexed, vnyted, belonging or appertaining to any colledge, chappel, or Chauntry, nowe being in esse, or standyng, or nowe not beeinge in esse or not standing, or of any other thing or thinges mencioned or expressed in this act, and all and euery matters & things mencioned expressed, or contained in any such graunt, licence, confirmation, or letters patents, shall from henceforth be demed, taken, expounded and adiudged good and effectual in the law, according to the wordes, sentences, meanings, entries, fourme and effectes of the same graunteꝭ, licences, confirmations, and letters patentes, to all ententes constructions and purposes, as if this act and the sayed act made in the xxviij. yeare of the said late king Henry the eight,

Graunts Licences L. patents

(as it is before recited) had neuer been had ne made. And that this act or the sayd act made in the said xxviij. yere of the raigne of our sayed late Soueraigne lord king Henry the eight (as it is before recited) or any clause, article, sentence or other thing therein contayned shall not extend to any Colledge, chappels, Chauntries, or other thing or thynges mencioned in this act nowe being in esse, or not standing, or to any mannours, landes, tenementes, possessions, reuenues, or hereditaments, annexed, vnited, belonging or appertaining to any Colledge, chappel, Chauntrie, or other thing mencioned in this act nowe being in esse, or standing, or nowe not being in esse, or not standing, or to any other thing or thynges mencioned or expressed in this act, which any persõ or persons bodies politike or corporat haue had, or obtained by the assent licence, confirmation, grant, or letters patents, of the sayd late king, or of the kings maiestie that nowe is, nor shall extend to any mannours, landes, tenementes, reuenues, possessions, hereditamentes or other things or thinges mencioned, expressed, or contayned in any such licence, confirmation, grant, or letters patents, but that euery such person and personnes, bodies politike & corporat their heires, successours & assignes, and the heires successours, & assignes of euery of them, shall haue, hold, and enioy al and euery the same colledges, chappelles, chauntries, mannours, landes, tenementes, reuenues, possessiõs, and other hereditamentes, and al & euery other thing and things whatsoeuer, so by them had or obtained, by assent, licence, confirmation, grant, or letters patentes of the sayd late king, or of the kynges maiestie that nowe is, according to the wordes, sentences, fourme, effect, meaninge, & intent of the same licences, confirmations, graunteꝭ, and letters patentes, this act, or the said act made in the sayd xxviij. yeare of the raigne of the sayed late

Colleges Chappels Chauntries

Licences Graunt L. patents

late kinge Henry the eight, or anie clause, article, sentence, matter, or thing mencioned, expressed or contayned in any of the same acts, to ỳ contrary thereof notwithstanding. An. 1. E. 6. ca. 14.

¶ Money.

AGainst the perilles and damages, which are of late come, and which hereafter may come of the mony of England: It is thus ordayned, that it be cried & defended on the kings behalf through the whole Realme, in all the marchant townes, that no man upon greuous forfeiture, be so hardy to dispend, receaue, nor send money of other coyne, then of the coyne of the king of England, Ireland, & Scotland. Also that it be defended of the kings behalfe, that none bring money into this countrey but only for his expences, neither ỳ he be so hardy to arriue in England, if the force of tempest doe not enforce him, by good witnesse, but at Douer, or at Sandwich, at London, & Saint Botolfe, & at Southampton, & to other common Ports. And when hee shall come to any of these places, hee shall well and lawfully shew his money to him, that shalbe assigned by the king, without any concealement, upon paine of forfeiture of his body & that which he hath, and that from thence hee cary not, nor eloigne the same by him selfe nor by other, until that his money be viewed & examined by him whom ỳ king shall assigne. And further that it bee cryed and defended on the kynges behalfe upon paine of forfayture of his body and that which hee hath, that no man be so hardy to send money in tweene clothes in fardels, or in bales, or in any other manner, wherof suspition may bee of any concealment. And if there bee any such found, hee which found the same shal have iiij. d. of the pound, and the rest to bee to the king. And also that it bee cried & commaunded on the kinges behalfe, that if any find money coined of any other coyne, then of the coyne of the kynge of England, Ireland, and Scotlande, or rounded money, that he breake the same, and that none bee so hardy to againe saye the same, upon paine of greuous forfaiture, and he which findeth the same false, shal break ỳ same, the broken money shalbe geuē to him who oweth it, & ỳ false money shalbe perced without restoringe it, and the body of him in whose handes the false or clipped money appeareth to be soūd be taken and holde vntil such time as hee canne find suerty, if hee bee a suspicious man. And because that many of the poore and rich people can not knowe the light and clipped money, now it is ordained that hereafter hee which ought to receaue or pay money shall receaue and pay ỳ same by waight of x.s. of men waight by ỳ Tumberell, deliuered by the warden of ỳ Eschaunge, marked wt the kings marke, as the measures are, and it shalbe lawfull to any manne to perse the money which shall not way the Tumbrell, & the money of other coyne, then of the coyne of the kynge of England, Ireland and Scotland, the waight shalbe aswel deliuered and marked by ỳ warden of the Eschange as the Tumbrel, The viewer and the warde of ỳ money which shal come from beyond the sea, when hee shall haue any, hee shal haue regard vnto ỳ age thereof, & shal waigh the same, and if hee find of the newe money, that the pound waieth not xx.s. by the number of iiij.d. then hee shall haue regard by the tumbrell, where the default shallbe, and if he see money which is much bled, if in the whole pound of xx.s. it wantes but vj. d. then it shalbe deliuered to him who brought the same, without gaine saying, And if it want more, it shallbee done of them, as of the rest, And lette the warden aforesayed take good heede that he take no gift nor allowaunce, to make

Other coins

Bryng

Veryus

Douer

Shew

Forf.

Forf.

In clothes

Other coins

Breake

Impriso

Light

Eschange

Perse

weight

weight

Tumbrell

make any manner of ſport, nor make any extorcion, nor geue any maner of delay, as he will ſaue him ſelfe and hys goodes, The ſta. of great money.

2 ¶ Edward, by the grace of God king of England, lord of Ireland, and Duke of Aquitaine, to the Shyrife of Lyncolne greetinge, becauſe that ſtraunge marchauntes and alſo ſome marchauntes Denizens of our Realme, from day to day bryng into the ſame our realme from the parties beyond the ſea, our money clypped, and other money of dyuers coynes, counterfaited and mingled with our money, trafficquing and buying with the ſame money to the great loſſe of vs, & all our people, and alſo to the ſlaunder of all our money, wee hereuppon wyllynge to prouyde a remedy vnto ſelle peraduenture by longer ſufferāce a greater daunger myght enſue, commaund you, that in your full Counties, and in all your cities and marchantlant Townes of the ſame Counties, you cauſe ſtraitly to be forbidden, & openly proclaymed, that no ſtraunge marchāt nor any other from henceforth bringe into the Realme any ſuch money of ounces rounded, or any other counterfaited of ſtraunge coynes, or elſe vſe ye ſame in buyeng or traffiqueing, and if they doo, at the firſt time, wherein they ſhalbe taken therewith, they ſhal loſe ſuch rounded money, or any other counterfait. And if they ſhalbee againe found in the like offence, they ſhal loſe ſuch money, and other goods ſolde with them. And if the third time they commit the like offence, & be taken therewith, their bodies, & alſo al their goods & cattels ſhalbe forfaited vnto vs, but others which ſhal not be marchaunts, & ſhal haue ſuch reſoned money, or other counterfait money, ſhal preſently perce ye ſame, & ſend it to our Eſchaunge, to be new coyned vnder our coūe, Or other wiſe in whoſe handes ſuch money ſhal be found, ſhalbe vnto vs wholy forfaited. And if you do not fully execute this our commaundement, wee will greeuouſly amerce you & yours, T. W. of marche our Treaſorer, the 21. day of June in ye 11. yere of our raigne. The ſtatut of ſmale money.

3 ¶ In the ſecond volume of ye old ſtatuts is a title intituled, Articuli de moneta, vnder which be vij. articles cōcerning falſe money.

4 ¶ No religious mā, nor other ſhal cary any ſterling out of the realme of England, nor ſiluer in plate nor in veſſel of gold nor of ſiluer vppon payne of forfaiture of the money, or veſſel ye he ſhal ſo cary without our eſpecial licence An. 9. E. 3. cap. 1.

5 ¶ That no falſe money nor counterfeit ſterling bee brought into our realme, nor elſe where within our power, vpō paine of forfaiture of ſuch money. And to vſed alwaies ye all manner people of what realme or dominion they bee of, may ſafely bring to the exchaunges, & to no place elſe, bullion, ſiluer in plate veſſell of ſiluer, & al maner money of ſiluer, of what value ſo euer it be, ſo ye it be no falſe money & ſterling, counterfait, & there they ſhal receiue good & conuenient exchaunge. Anno. 9. E. 3. cap. 2.

6 ¶ No Engliſh halpeny nor farthing bee molten, nor to make veſſell or any other thing by goldſmithes nor other, vpon forfaiture of the money ſo molten, and that the goldſmith or other which hath ſo molten ſuch money, ſhal bee committed to priſon, there to remayne till hee hath yelden vnto vs the one halfe of that that hee hath ſo molten, notwythſtandinge any charter or fraunchiſe graunted or vſed to the contrarie. Anno. 9. Edwardi. 3. cap. 3.

7 ¶ All manner of blacke money, which haue bene commonly currauntt of late in our Realme and obeiſaunce, be vtterly excluded, ſo that none ſuch ſhalbee currauntt after a moneth next after the cry therof made, vpon payne of forfaiture of the ſame money. Ani. 9. E. 3.

Merchātes

Shorne

Proclaime Bring

Shorne

Forf.

Imprſon

Shorne Coūterfeit Perce Eſchange

Forf.

Falſe

Cary over Gold

Forf.

Falſe

Eſchange Bullion Plate

Wele

Forf.

Imprſon

Blacke

Forf.

9.E.3.cap.4.

8 ¶ Euery man that will sue for ys against those that commit any fraud against thys or dyuersitie, shalbe thereto receyued. And he to haue ý fowerth peny of that that shalbe so atchieued at hys suit to our profitt. Anno.9.E.3. capit.5.

9 ¶ Shaires & bailifes in euery port where marchauntes and shippes bee, shal take an othe of the marchauntes and maisters of the shippes goyng and comming agaynst, that they shal doo no fraud agaynst thys prouision in any poynt. Anno.9.Edwardi.3. capitulo.6.

10 ¶ Good and straite warde bee made in all places vpon the fearefulles bridgements, and else where any arriuale is, by good men and lawefull thereto sworne, that in our name they shall make diligent search, that no man of what estate or condition he bee, shall cary out of the Realme sterling money, siluer or plate, nor in vessell of gold nor siluer, without our prence, nor shall not bryng into our sayed realme and power, any false money & counterfait sterling, as afore is sayed vpon the paynes and forfaitures afore sayed: And that the money, plate, or vessell so forfayt, bee deliuered at the exchaunges by indenture, wherof the one part shall remayne with ý searchours, and bee deliuered at the exchaunge and thereby the warden of the exchaunge shalbe charged of that that he hath receyued. Anno.9.Edwardi.3.cap.

11 ¶ The serchours shal haue of our gift the fowerth peny for their labour, of as much as they shal find so forfait. And if any such searchours make any releale, or doo dispend with any and therof be attainted, they shal forfait all their goodes. Anno.9.E.3. capit.10.

12 ¶ The hostlers in euery port wher any passage is, shalbe sworne, to serch their gestes in the same manner, as ý serchers doo, & they to haue ý fowerth peny of that they shal find so forfait to ys as the serchours should haue. And it is our entent & meaning, that ý said serchers shall haue power to search ý hostries, and to instruct them selfe of the hostelers actes. And in case such hostilers be found defective in any article afore said, they shalbe punished, & that they shal renne in the said forfaytures. An.9.E.3.

13 ¶ No man be compelled to take the newe money of gold and siluer which our Soueraigne Lord ý kyng hath ordayned to goe in payment at a certayne price, within the summe of xx.s. And also that money of gold and siluer bee made in the Cytie of Yorke, and else where; the kyng will ordayne, in the maner as it is made in the tower of London. Anno.18. E.3.ca.6.

14 ¶ The money of gold & siluer which now remaineth shall not bee empaired in waight nor in allay, but as soone as a good way may be found ý the same bee put in auncyent estate as in the sterling. An.25.E.3.ca.13.

15 ¶ The monours and other wardens and ministers of the money shal receyue plate of gold and siluer by the weight, and in the same manner shall deliuer the money when it shallbee made by weight and not by number without any tarying. Anno.25.E. 3.cap.20.

16 ¶ That none cary out of ý Realme gold nor siluer in plate nor in money, saue the victaylers of fish, ý fish ý herring & other fish, & they that bring fish within the Realme in small vessel which are most mealers in other marchandises, and that according to the assignement of the chauncelor. An 38.E.3.ca.2.

17 ¶ It is accorded that the Scottish grote shalbe currant for the value of iii.d. And of lesse money according to ý quantitie, and if percase the scottish money be ympaired ý money so ympaired shalbe

Serchers

Othe

Newe coine

Yorke

Empaire

Wardens

Plate

weight

Transport Plate Victaylers Fishers

Chauncelor

Scottish grote

Forf.

Serchers

Plate Gold Siluer

Indenture

Serchours

Releale

Forf.

Hostilers Oth Serch

shalbe set at a lesse price after the quãtitie of thempayring. Anno. 47. E. 3. cap. 2.

18 ¶ The king defendeth to al maner of people marchaunts, clerkes and other as well straungers as denizens of what estate or condition they bee, vpon paine of as much as they may forfait, that none of them vpon ỹ said payne prively nor apertly sende nor bring, nor doo to bee sent or brought out of the layed Realme any gold or silver in money bullyon, plate, or vessell, nor by eschaunges to be made, nor in other maner but the wages of Calets and of other the kinges fortresses beyond the sea, especially reteined ỹ prelates, lordes and other of the same realme, to whom sometimes it behoueth necessarily to make paiments beeyond the sea, that of the same payments onely they may make eschanges in England by good & sufficient marchaunts for to pay beyond ỹ sea, and first speciall leaue and licence had of the kyng as well for the eschangeours as for the persone whych ought to make the paiments, conteyning expressely the summe whych shalbee so eschanged. And it is ordeined that the marchaunts that so shall make eschanges shalbee diligently examyned and sworne in their proper persõs as often as they shall haue the said lycence, that they shal not sende beeyond the sea any manner of gold nor silver vnder the colour of the same eschang. And if after proclamation of this ordinaunce any persõne be frõ hence forth duely attaynted, that hee hath done to bee sent or caried beeyond the Sea any gold or silver against this defence and ordinaunce, he shall forfayt to the king the same summe so caried or sent. An. 5. R. 2. ca. 2.

19 ¶ That the grote of ỹ money of Scotlande renne in the baillon onely of ii. d. English. And the halfe grote of Scotland of i. d. English. And the lyt of Scotland of an ob. English. And ỹ ob. of Scotland of a quã. English. And if the money of Scotland be impeired, that the valour thereof be abridged after the rate, and that commissions be made through the Realme to enquire of them that haue brought or sent the money of England into Scotland, to make bullion or money of Scotland, in prejudice and dammage of the king and his Realme. Anno. 14. R. 2. cap.

20 ¶ The said ordinaunce (s. of An. 9. E. 3. cap. 3. before. 6) shalbe firmely holde & kept. And moreouer it is ordained & stabled, ỹ no grote nor half grote shalbe molten by no man to make bee sold to other thing there of, vpon the same payne. And that no gold nor silver of Scotland, nor of other Iseuds beyond the sea, shal renne in no manner of paiment within the realme of England but shalbe brought to this bullion, there to be molte in the coyne of England, vpon paine of forfaiture of the same, and of imprisonment, fyne, and ransome of him which doeth contrary. And that no man shall bryng nor send any English money into Scotland for to change the same in money, or for Scottish money, vpon ỹ paine in the aforesaid An. 17. R. 2 cap.

¶ If from hencefoorth any learned our of the kynge may find gold or silver in coyne or in malle in the keeping of any that is passing or vpon his passage in any shyppe or vessell for to go out of any port, hauen, or creeke, of the Realme, without the kings speciall lycence. That gold or syluer shal bee forfayt to the kyng, sauyng hys reasonable expences, which hee shalbe bound to confesse and discouer incontinently, after that hee that so shall be sworne and charged by the same learned, or else al the sayd money so concelled, shalbee forfait to the king. Prouided alwaies, that the marchauntes straungers, that do set their marchandyse vpon the realme of England, and ỹ one halfe of the duetye of England receyue

Transport

Gold Siluer Bullion Plate

Licence

Marchãts

Othe

Transport

Forf.

Scottish coyne

Counterfeyt Enquiries

Melting forbidden

Forein coines

Forf. Imprison

Transport

Marchoms

Shippe

Gold Siluer

Forf.

Marchant straunger

receyue for the same marchandises, do employ vppon other marchaundises of the realme: may freely cary out fro the same the other halfe of the said money by the kinges licence according to the statute thereof made. An. 2. H. 4. ca. 5.

Cary out

Licence

22 ¶ All the money of gold and syluer of the coyne of Flaunders and of all other landes and countreys beyond the sea, and also of the land of Scotlād shalbee voyded out of the Realme of England, or put to coine to the bullion within the same realme, betwixt this and the feast of Christmasse next ensuing, vppon paine of forfayture of the same. And that all the marchants and other at Caleys, which do receyue anie such gold or syluer of the coyne of Flaunders or of other landes & countreis beyond the Sea, or of the land of Scotland, shall put the same to bullyon at Caleys, wythout bryngyng it in coyne within the realme of England, and if the marchayntes, or anie other fromhence forth bryng anie such money within the realme of Englande, they shall forfayt the same money to the kyng. And moreouer it is accorded, that a good and conuenient search bee made as well at Caleys as on this side the sea in euery port and other places vppon the brynging of the money aforesayd. An. secundo Henrici quarti capitulo 6.

Flanders coins

Forf. Merchāts

Calice

Forf.

Serch

23 ¶ That the third part of all the money of siluer, which shalbe brought to the bullion, shall bee made in halfepence, and farthyngs, and that of this third part, the one halfe bee made in halfpece, & the other half in farthings, and the same to doe and perfourme by ỳ coyner, swoorne in speciall. And that no Goldsmith nor other person, whatsoeuer he bee, do to be molten any such halfepence or farthinges, vppon paine to pay to the king, the quatreble of that that so shall bee molten, agaynst the fourme of this statut. Anno quarto H. 4. capitulo. 10.

3. Part

Bullion

Halfe pence

Farthings

Goldsmith

Melting

forbidden

24 ¶ Anno. 4. H. 4. cap. 10. an act was made to endure to the next parliament, that money, gold or syluer, caried over should be forfait.

Transport

Forf.

25 ¶ The sayd Gallyhalfpence shal neuer bee currant in paiment nor in other maner within the realme of England, vppon paine of forfaiture therof. And moreouer that the gallihalfpence in whose handes soeuer they be found, within the sayd realme, shal forfait to our soueraigne Lord the king after the two monethes next enluyng the proclamation of this statute. And also the same our soueraygne Lord the kyng will that al the statutes and ordinaunces made before this time by him and his noble progenytours not repealed, as well of money of Scotland as of ỳ money of other realmes and parts beyond the sea, be holden & kept & putt in due execution. An. 11. H. 4. cap. 5.

Gallyhalfpence.

Forf.

Statuts

26 ¶ Anno. 13. H. 4. cap. 6. it is enacted that this last statut of An. 11. H. 4. cap. 5. shalbee kept and put in execution.

27 ¶ Gallyhalfpence, and the money called Sustine and Dotkine, and all maner of Scottyſh money of siluer shalbe put out, and not to bee curraunt hereafter, for any payment in the realme of England. Joined to the same, that proclamation be made through al the counties of Englande, within the fraunchises and without, & els where, that all that haue gallyhalfpence, Sustins, or Dotkins shall bring them to the kynges eschaunges, betwixt this & the feast of Easter next ensuing, there to be broken, & that that is found good syluer, there to bee striken and coyned in Englishe halfpens. And all they, whych after the sayd feast of Easter, do make coyne, buy, or bryng into the realme of England anie Gallyhalfepence, Sustins or Dotkins, to sell them, or to put thē in payment in the same Realme, and thereof be attaynted, they shalbee iudged as felons, of our soueraigne lord the king, and shall forfait al their lands and tenementes,

Gallyhalfpence

Scottish money

Sustins

Dotkins

Eschanges

Felony

Forf.

goods and cattals. And that the lords of whom such landes and tenementes be holden, shall haue and enioy the forfaytures as in other cases of felonie. And if any of the kings liege people or other person, put Gallihalfpence, Suskins, or Dotkins in paiment, or them receiue in payment within the realme of England, and thereof bee duelie attainted, they shal forfait at euery time that they make such paiments, or receipt an hundred shillinges, whereof our soueraigne lord the king shall haue the one halfe, and hee ẏ will sue for the king, therof to attaint them, shal haue the other halfe, and that aswel the iustices of peace, within al the Countyes of England as Maiors, and Baylifes within Cities and boroughs, and Stewardes of Lordes in their viewe of Frankpledge, shal haue power to enquire by good enquestes to bee taken before them, of all the matters afore sayd. And that the sayd Maiors and Baylifes, after the sayd enquests before them taken, shal send the same inquisitions, before the Iustices of peace of the counties, in which the said cities and boroughes bee. And that the sayed Iustices of peace of the counties, haue power, aswell of the sayd inquisitions so taken beefore such Maiors and baylifes, and sent before the sayd Iustyces (as afore is said) as vpon other inquisitions before the same Iustices of peace in their sessions to be taken, touching the sayd matters, to make procesle, and to award the Capias and exigent, and to heare and determine all the matters according to their discretion, as in other cases of felonies and trespasses hath been vsed before thys tyme. An. 2. H. 5. stat. 1.

Fork.
Mottie
Iust. of p.
Maiors
Baylifes
Stewards
Enquests
Iust. of p.
Proces

28 ¶ That such clipping, washing & filing, shalbe iudged for treason, and they that so do clippe washe, and file ẏ money of the land, shalbe iudged traytours to the king, and to the realme, & shall incurre the paine of treason. An. 3. H. 5. capitulo. 6.

Clipping
washing
Fyling
Treason

See Treason. 20. This statute is repealed by general wordes.

Repealed

29 ¶ The kings Iustices, assigned to take assises in al ẏ counties of England, shall haue power by the kynges commissions, to heare and determine in their sessions, aswell of the counterfayting, & of the bryngyng of such false money into ẏ realme, as of clipping, washing & euery other falsitie of ẏ said money. And that the iustices of peace through the realme shall haue power by ẏ kings commissions, to enquire of all such matters, & thereupon to make procesle, by Capias only against thole, which before them shalbee thereof indicted. An. 3. H. 5. cap. 7.

Iust. of al.
Oier & ter.
Counterfaiting
Clipping
washing
Iust. of p.
Proces

30 ¶ An. 9. H. 5. cap. 6. an act was made to endure at the kinges pleasure, that a mynt should be at Caleis.

Mint

31 ¶ From Christmas euen next cõming, none of the kinges liege people shall receiue any mony of English gold in paimẽt, but by ẏ kings weight thereuppon ordeined. And for almuch as a great part of the gold nowe currannt in payment, is not of rightfull weight, nor of good allay, ẏ same shall be sent to the coyne to the intent that it shalbee newlie coyned of iust weyght and of good allay, And because ẏ shalbee to the great losse and costes of the kinges subiects, vnlesse it please hym to relieue them, in this case: Our soueraygne lord ẏ king of his special grace hath remyted and pardoned to all hys liege people, which betwixt this & the sayd feast of Christmas, shall doe to bee coyned of newe at the kinges coynage within ẏ tower of London, their money of gold, ẏ is not of iust weight nor of good allay, that is to say, al that to him perteyneth for this newe coynage of such gold as afore. Sauyng alwaies to the master of the mynt, and to other officers of the same, ẏ whych to them reasonably perteyneth. An. 9. H. 5. capitulo. 11.

Weight
Allay
Pardon

32 ¶ Al ẏ statuts & ordinãces, which haue ben made in the time of ẏ kinges noble

Statuts

noble progenitour, touching the good and lawefull gouernaunce of his money of gold and siluer not repealed, bee wel and firmely kept and holden in al poyntes. An. 9. H. 5. stat. 2. cap. 1.

Eschanges London

33 ¶ The king in asmuch as he cõueniently may, shall do to be ordeyned his eschaunges of the money of Golde and siluer in the citie of London & elsewhere in the realme, for the ease of his people, which shalbee holden in open places in high stretes. And that al they that will come to the tower of London, there to haue money of new coyned, they shall haue money coined and thereof shalbee delinered within eyght daies, according to the veris valour of that they shall bring thither, paying ỳ seignourage and cunage of gold after the rate. v.s. for the pound of the tower, And for the seignourage and cunage of siluer. xv. d. for the pound and no more. And that they that will not go to the tower to do ỳ same, but will bee thereof delinered at the eschaũges, shall pay for the eschaunge after the rate of a peny for the noble, and for the halfe noble an halfepeny, and for the fowerth part of the noble a farthyng, with the seignourage and coynage, as before is sayd. An. nono Henrici quinti statut. 2. cap. 2.

Tower of London

v.s.

Cunage

Eschanges

Mint maisters

34 ¶ Item that the maisters & workers of the money, and also the straũgers in all places where money shalbe coyned, made, or chaunged, shalbe holden to deliuer and pay al that ỳ ought to pertaine to them for such eschaunge of good and lawefull money of England, by and of iust weyght, or by the number, of the election of him whych shall receiue the same without any delay or difficulty. And if percase it happen that anie notable default in the weight of the money, or in the allay be found (which god defend) vpon the deliuerie or payment to be made at the sayd tower, or at the eschanges aforesaid, that thẽ it shalbe well & lawful to anie persoune, that shall find such default, to refuse that that is defective, beefore that he depart the place where hee the same shal receiue. And that the maister, or the chaungers be holden to deliuer to him sufficient money for the same, without delay and to melt that that shalbee found defective. An. 9. H. 5. stat. 2. cap. 3.

Weight

Fault

Refuse

Melt again

35 ¶ Item that they which shalbee wardeins and surueyours & ministers of the eschaũges out of the tower, shall be holden and bounden to bring all the golde & siluer that they shall receiue by waie of eschaunge, or shall buy by colour of their office, to the tower of Lõdon, there to bee molten and made ỳ money, in augmentation and encrease of the money, for the profyt of the realme and ease of the people, wythout being sold, alienes, or put to anie other vse. Anno nono Henrici quinti stat. 2. capitulo quarto.

wardens

Gold Siluer

Tower of London

36 ¶ Item that the kynges Mynt bee coyned and made at Caleys, in the manner as it hath bẽ made and gouerned at the tower of London. An. 9. H. 5. stat. 2. cap. 5.

Mint Caleis

37 ¶ Item ỳ al the money of gold and of siluer that shalbee made at the tower of London and at Caleis, or elswhere within the realme of England by auctoritie royal, shalbe made of as good allay and good weyght as it is now made at the tower. An. 9. H. 5. stat. 2. cap. 6.

Allay' Weight

38 ¶ The lordes of the kings counsell for the time being may assigne by auctoritie of the said parliament, maisters and workemen to make money of gold and siluer, to hold the eschaunges of money, as well in the Citie of Yorke as in the towne of Wistowe, and also in as many places as to the sayd lordes shal seeme necessarie, after their good aduise and discretyon, anie statute or ordinance made to the contrary notwithstanding. An. 1. H. 6. cap. 1.

Counsell

Coyners

Yorke Wistowe

39 ¶ The same statute (a. 9. H. 5. stat. 2. cap. 5. beefore 28.) bee holden and kept and put in due execution.

Gold Siluer Trãſpo3ted

And moreouer it is o3deyned and ſtablyſhed, that no Gold no3 Siluer ſhal bee caried out of the Realme, contrary to the ſayd ſtatute, vnles it bee fo3 paiment of wa3res and the kyngs ſouldiours beeyond the ſea, vppon payne of fo3faytune of the valour of the ſumme of money ſo caried out of the Realme, to bee leuyed of him that the ſame ſhal b3ing, carry, o3 ſend out of the ſame realme. And that hee that the ſame eſpyeth, and thereof geueth knowledge to the counſel, o3 to the treaſo3er of England, ſhal haue the fo3werth part of the fo3faytune ſo due to the kyng, Except the raunſomes fo3 fines of Engliſhe priſoners taken and to be taken beyõd the ſea, and the money that the ſouldiours ſhall carrie with them fo3 their reaſonable coſtes, and alſo fo3 ho3ſes, oxen, ſheepe, and other thinges bought in Scotland, to bee b3ought and caryed to the parties aboue ſayd, ſo that the money to bee ſent fo3 the fynes of the ſaid priſoners, o3 to be caryed by the ſayd ſouldiours to the parties beyond ỳ ſea, bee not made wythout the kings ſpeciall licence. And becauſe it is ſuppoſed, that the money of gold of the Realme is caried out of the ſame by marchauntes alyens, It is o3deyned and ſtablyſhed, that the marchaunts aliens ſhall kynd ſuertie in the Chauncerie, euerie companie fo3 them of their cõpanie, that none of them ſhal cary out of ỳ realme no gold no3 ſiluer agaynſt the fourme of the ſayd ſtatute vppon payne of fo3faiture of the ſame gold o3 ſiluer o3 the valour of the ſame. And if any of them do the contrary, and that duely proued, and he ſo doing be gone ouer the ſea, then the pledges of hys companie ſhall pay to the king the ſaid fo3faiture, wherof hee that the ſame hath eſpied, and ther of geuen notice to the treaſo3er, o3 to the kings counſaile, ſhall haue the ſowerth part as aboue ſayd. An. 2. H. 6. cap. 6.

Warres Soldiers Fo3f. 4. Part Raunſoms Ho3ſes Oxen Sheepe Licence Merchãts aliens Suertie Chaũcery Gold Siluer Fo3f. Querles 4. Part

Proclamation

40 ¶ That proclamation be made th3ough all the counties of England, within fraunchiſes and without, and within cities, townes, bo3roughs, & els where, that al the money called blanks ſhalbe wholly bouded out of ỳ Realme before the feaſt of ſaint John Baptiſt nert cõming. And mo3eouer, that noe man after the ſaid feaſt, pay o3 receiue fo3 payment in anie maner within the ſaid realme, ỳ ſaid money called blãks vppon the ſame peine conteined & o3deyned by a ſtatut made the third yere of king Henry, father to our ſaid ſouereigne lo3d ỳ king (which is before 27) agaynſt all that pay o3 receiue fo3 paiment ỳ money called gallyhalfpence, Sukin & Dotkyns within ỳ realme. An. 2. H. 6. cap. 9.

Blankes

Mint maſter Allay

41 ¶ That the maſter of the mynt ſhall kæpe his allay in the mahyng of whyte money, acco3ding to the fo3me of his indenture. And that the ſame maſter receyue of euerie perſon, that ſhall b3ing anie ſyluer to the mynt, the ſame money at the true valour as it is woo3th, acco3dyng to the ſame allay, vppon payne to pay to the partie hys double dammages. And alſo to the intent that his o3dinaunce may the better and mo3e fullily bee obſerued, it is o3deyned, that the kings aſſaier, which is a perſon indifferent betwixt ỳ maſter of the mynt and the marchaũt, and alſo the comptroller of the mynt ſhal bee preſent, when anie bullion of ſiluer is b3ought to the mynt to the intent that the ſayd aſſayer may ryght full ſett the valour of the ſame acco3dyng to the lawe, in caſe of variaunce betwixt the maſter and the marchant, and the comptroller to controll alſwel ſyluer, which is b3ought to the ſayd mynt, as b3ought out of the ſame, euerie two dayes faythfully and indifferently to doe their denoir, wythout taking anie reward other then the fee, wheych they ſhall take of the king, vppon the paine to yelde double damages as afo3e is ſaid. And that the aſſaier & cõptroller be credible, ſubſtanciall & expert mẽ, hauing perfect knowlege in the

ỹ. damages Aſſayer Cõptroller Bullion ỹ. damages

Goldsmithes Chaūgeour

in the mistherie of Goldsmithes and of the mint. And also that neither ỳ master of the mynt, nor the chaungeour for the tyme beyng, sell nor do to bee sold, nor alyen to none other vse but to the coyne, no manor of gold nor of silver wrought or vnwrought, coined or not coined, or bullion which is brought to the mynt, or to the eschange, but applie the same onelie to the money according to ỳ fourme of the said indenture, vppon the paine contened in the same indenture. And ỳ the same master of ỳ mynt cause to be striken fro time to time half nobles, farthings of gold, grotes, halfgrotes, penee, halfpence & farthings, for the ease of the people, according to the tenour of the indenture made betwixt the king & him, vpon ỳ paine conteyned in the same, so that ỳ common people may haue recourse to the eschaunge for small gold & whyte money as they reasonably shal neede. An. 2. H. 6. cap. 12.

Smalgold whit money

42 ¶ No personne from the feast of Easter, shall cary nor do to be caried out of this realme or Wales, anie maner money of coine of this realme nor of the coine of other realmes, lāds or seignouries, nor no plate, vessell, masse, bullion, nor iewells of Golde wrought or vnwrought or of siluer without the kynges licence, except such persones as be dispenced within thaforesayd statute made the sayd second yere of kyng Henry the vi. (which is before 39.) and in other diuers statutes, vppon payne of felonie, and to be adiudged and reputed as felonie. The same felonie to bee heard and determyned in lyke manner and fourme and before such personne or personnes, as other felonyes bee commonlie heard & determined within this realme. Anno 17. Edwardi quarti cap. 1. Thys act was made to endure for seuen yeares. See this statute continued here following. 43. and 45.

Transport

Plate Bullion Iewels Licence

Felony

43 ¶ The sayd statute made in ỳ sayd seuenteenth yeare of kyng Edward ỳ fowerth cap. 1. bee and stand a statute good & effectual with all the premisses in the same, and bee obserued, kept and put in due execution from the feast of the Purification of our Lady that shal be in the yeare of our Lord God, a M. CCCC. lxxix. and to endure vnto the end of twentie yeares next ensuyng. And ouer that by the same authoritie it is ordeyned and enacted, that no persons dwellyng or inhabiting within thys realme from the sayd feast of the Purification, pay or deliuer wittyngly by way of exchange or otherwise to anie marchaunt or other person borne out of the kinges obeysaunce for anie marchaundyses or wares or in any otherwise, anie maner pieces of Gold coygned in this Realme or anie other Realmes, or anie plate, Vesselles, Masses, Bullion, Jewels of Golde wrought or vnwrought to forfayt and lose the double summe or double value of all such money of gold coyned, plate vessell, masse, bullion or Jewel of gold or siluer payed, deliuered or exchanged contrarie to this act. The one halfe of all the same forfeyture to be to ỳ kyng our Souerayngne Lorde, and the other halfe to anie of his subiectes that wyll seyse it or sue for anie such payment, deliueraunce or eschaunge made or to be made contrarie to this act, and that it bee lawfull to the kynges subiects in this case to sue for the sayd forfayture by accion of debt by writ at the common lawe, by bill or plaint after ỳ custome of the city, port or towne, where it shall happen anie forfaiture to fall & bee, or by information to bee made in the kynges eschequer, and that no protecyon nor essoyne bee allowable in anie such accion or information. Anno quarto Henrici septimi capitulo vicesimo tertio.

Eschaunge Marchant

Plate Bullion Iewels Forf.

Moitie

Eschequer

44 ¶ All maner of gold of the coygne of a souereaigne, halfe souereaigne, royal halfe royall, and the fowerth part of a ropall, thangell, halfe angel, and every of them being Gold, wholo & weight,

Souereaigne Royall Angell

shall goe and bee currant in payment thorough al this Realme for the sume that they were coyned for. And also as wel all manner of grotes of Englyth coyne, and of the coyne of other landes now currant in this realme for grots or for lower pence being siluer, & not clipped, minished, or otherwise impaired, except reasonable wearing, al bee it they be cracked as al maner of grots or pence of two pece of English coine, or of the coine of other lãds now currant in thys Realme, for halfe grotes, or pence of two pence not clipped, minished, or otherwise empaired beeyng siluer, ho so bee it they be cracked, shall in likewise goe & bee currant thorough al the same Realme, for the summe as they were coyned for. And ouer that, that all maner of pence being siluer, hauinge the print of the kinges coyne, shall haue course and bee currant for payment aswel to vs in al our receipts, as to all our Receyuours and to all other Lordes spirituall and temporall, and their receiuours, & to al other within this our realme without any maner refusall or contradiction, except euelis pence bearing diuers spurres or the mullets betwixt the barres of the croslle, and those pence so bearing the print of the spurre or the mullet to haue course for halfe pence onely and not aboue. And if any persone hereafter refuse any coine afore rehearsed to take it in payement after the effect and tenure of this act, that then hee that so refuseth it shalbe compelled by the Maior Shirife Baylife Constable or chiefe officer or gouernoure of the Towne or place where anie such payement shal bee refused, to accept and take the said payement. And furthermore to bee imprisoned or otherwise punished by the discretion of the said Maire, Shirife, Baylife, Constable or other chief officer or gouernor afore rehearsed. And if the said maire, shirife, bailife, constable or chiefe officer or gouernour, refuse to take anie such coyne in payment as it is aboue rehearsed, that then hee so refusing the said payment to be compelled by the iustice of the peace of ỳ same countie where such payment shall bee refused, to accept and take the said payment, and he so refusing the same to bee further punished for the said refusing by the discretiõ of the same iustice. And also it is ordeyned by the said authoritie that all maner of groates and halfe groates, or pence of two pence aswell English coyne as coyne of other landes clipped, minished or otherwise impaired except reasonable wearing shall not goe nor bee in anie wise currant for the payment within thys realme, but vtterlie to bee refused and forsaken in payment from hence forth. and that notwithstanding it shall bee lawfull to anie persomie hauyng anie such groates or pence of two pece clypped or minished, to bryng the same to the kinges mint there to bee chaunged after the custome of the sayd Mint, or conuert the same into Plate, Bullion, or otherwise sel or employ to his most profite and aduauntage within thys Realme, anie other act or acts, to the contrarie in any wise notwithstãding. And in eschewyng and auoydinge of such clypping in tyme to come, the kyng our soueraygne Lord, by the aduice of his counsell, hath caused to bee made newe coynes of groates & pence of two pence, and that euery piece of the same coynes, shall haue a circle about the vtter part thereof. And also that all maunex of Golde hereafter to bee coyned within this hys Realme, shall haue the whole scrypture about euerie piece of the same Golde wythout lacking of anie part thereof. To the entent that hys subiects hereafter maie haue parfyte knowledge by the circle or scripture, when ỳ same coines be clipped or appaired. And also it is enacted by the sayd authoritie, that if the Warden or controller of the kinges mint, hereafter

Grots
Forein coine
Cracked grotes
Current
Pence
Halfepence
Refuse
Compell Maior Shirife Baylife
Imprison
Maior Shirife Baylife
Refuse
Iust. of p.
Punish
Grotes
Half grots
½. Pence
Minished
Not currãt
Clipped
Chaunge
Plate
Clipping
Gold
Scripture
Warden
Cõptroller

duely execut not their office in lerching the same coyne, and see that it be made perfect in fourme as is aforesaid, before it passe from the mynt, that then the same warde and comptroller shall forfayt the said office, and make fyne for the same at the kynges pleasure. Forfet.office

Moreouer it is enacted by the said authorities, that no maner of person shall carie nor conuete, nor cause to be caryed out of this realme anie bullion, plate or coyne of Golde or Siluer into Ireland, ouer and aboue the sume of vi.s. viij.d. nor conuey anie such bullio, plate or coyne, into any ship, boate, or other vessels, vppon paine to forfait the sayd Bullion, plate, or coyne, and to haue emprisonment and make fyne & raunsome at the kynges will. And in lykewise, that no maner person bryng nor conuey, nor cause to be brought nor cõueyed anie manner of coyne of Golde or Syluer aboue the summe of iii.s. lower pence of the coyne of Ireland into thys Realme, vppon paine of forfeiture of all the same coyne aboue the sayd summe of three shyllinges lower pece so brought into this realme. And to haue imprisonment, and make fyne and raunsome at the kings will. And ẏ it shalbe lawful for euery of the kynges subiects to take & seyse all such money of the coyne of Ireland hereafter to be brought or conueyed into this realme, ouer & aboue the sayd summe of three shillinges lower pence, & to bring it into the kings mint, there to leuy ẏ same vnto the kings vse. And euerie person that so shall bring anie such Irish money to the sayd mint, shal haue the value of the one half of al such Irish money by him so brought to the said mint at ẏ same time deliuered to him to hys owne vse by the master of ẏ mynt for the time beeyng. Anno. 19. Henrici 7. capitulo. 5. Bullion Gold Siluer Ireland Ship Forf. Imprison Bring out of Ireland Forf. Imprison Seise K. vse Irish money Portis

45 ¶ An. 1. H. 8. cap. 13. & An. 3. H. 8. cap. 1. two seueral acts were made to endure to the next parliament, that the aforesaid statute of 17. E. 4. cap. 1. before 42. should stand good, except the penaltie of felonie, and that whoe should carie anie of the thynges specifyed in the statut contrarie to these statutes, should forfayt the double value.

46 ¶ All such coyners as shal coyne and make anie money at anie Mynt within this Realme of England, shal make & coyne of euery hundred poũdes worth of Gold that they shall stryke into coyne twentie pound in the coyne of half angels commonly called pieces of gold of xl. pence. And of euery hundred pounds worth of Bullion, Plate, or Syluer, that they shall stryke into coyne, as many grotes as shal amoũt to the summe of fifty pounds sterlyng, as manie halfe grotes called pence of two pence as shal amount to the sũme of twenty pound sterlinge, as manie pence as shal amount to the summe of twenty pound, as many halfe pence as shal amount to the summe of x. marks sterling, and as many farthings as amount to the sũme of v. markes sterling. And that anie time that anie coiners in anie mint within the Realme shal do contrary to this act, the master & keper of that mint, for the time being shal forfait and lose x. li. whone moitie therof to be to the king our soueraigne lord, the other moitie to the party that shal sue for the same, by bill, information, acciõ of debt, or otherwise, wherin the sayd master shal not bee admitted to doe his lawe and no protecc̃yon ne essoyne to bee allowed for the defendaunt. And for as much as at this present time farthings and halfe pence be stryken all with one coyne, so that the common people of the Realme, many times take these that be farthyngs for halfe pence. Wee it therefore enacted, by authoritie aforesayd, that all such farthynges, that from henceforth shal bee made within this Realme, shall haue vppon the one syde thereof, the pryntt of the Port colice, and vppon the other syde thereof, the pryntt of the Rose, with a Croslet, vpon liike paine: Coyners 100. li. gold 20. li. halfe angels 100. li. siuer 50. li. grots Halfe grots Pence Halfe pence Farthings Mint master Forf. Moitie Farthings Port colice Rose

And furthermore bee it enacted by the authoritie aforesayd, ỳ al maner persons resorting to the said mint wt ante Plate or Bullion, vnder the value aboue sayd, to be coyned, shall haue and receiue at the said mint the tenth part of al such plate & bullion in halfe pence and farthings. Tith part

Prouided alway, that this act or ante thyng contayned in the same, bee not in ante wise prejudicial to the coyners and Wynt Wasters of Yorke, Duresme, and Caunterburie, ne to ante of them, for any money to be coined there, other then heretofore hath been accustomed. This act to beginne to take effect at the feast of Saint Michaell, the Archangell next comming and not before. Anno. 14. Henrici. 8. capitulo. 12. Coyners Yorke Durisme Cãterbury Fozt.

47 ¶ Of Eschaunge. 6. that money sold aboue the value proclaymed, shal bee forfayt.

48 ¶ An. 7. E. 6. cap. 6. it is enacted that the said statut made. An. 17. E. 4. cap. 1. before. 42. & euery article, clause sentence or prouision therein contayned, shalbe affirmed and enacted to be good and effectuall to the first daie of May next comming, and to endure to the end of twenty yeres then next ensuying. Prouided alwaies, that if ante of the Lordes of the Parliament, or ante of the peeres of this realme for the time being, shal fortune to be indicted of any of thoffeces limitted in the sayd act, made in the seuenteenth yeare of kyng Edward the fowerth, that then they and euerie of them, shal haue kys or their tryall by their peeres as hath beene vsed heretofore in cases of hygh treason. Anno sexto Edwardi sexti capitulo sexto. L. of parliament Peeres Indicted Tryall

49 ¶ Anno. 17. E. 4. ca. 1. an act was made to endure for seuen yeares, against Irysh money to bee current in England. Irish money

50 ¶ In the new printed booke cõmonly called Magna carta, late printed by Richard Tottell, An. dommi M. CCCCC. lvi. folio 167. is as followeth. Quia multorum regum temporibus prouisum fuit, quod propter pauperes denarius argenti, cestallamoier, sterlingus, quoties necessitas exposulat diuderetur in obulum quadã ex parte domini Regis districte precipitur, quod quicunque in emptionibus et venditionibus obulum seu quadrantem legalis mettalli, et debitam habentem formam recusare presumpserit, tanquam regie maiestatis cõemptor capiatur, et in carcerem detrudatur Preceptum est etiam quod subeat iudicium pillorij.

51 ¶ Bee it enacted &c. ỳ if any person or persones, hereafter falsly forge or counterfait any kind of golde or siluer, as is not the proper coine of thys realme, nor permitted to be currant wt in this realme, that then euery such offence shalbe deemed & iudged misprisiõ of high treason, and thoffenders therin their procurers, aiders & abettours, being cõuict according to ỳ lawes of the realme of such offences, shalbee imprisoned & forfait such landes, goods & cattels as in cases of misprision of treasõ, for concealement of high treason. An. 14. Eliz. capitulo. 3. Counterfait Forein coine Misprision of treason Imprison Fozf.

¶ *Mordaunceſter.*

IF any heire after the death of hys auncestor bee within age, & his Lord haue the ward of his lands, and tenements, if the Lord wil not render vnto the heire his land (when he cõmeth to his full age) without plea, the heire shal recouer his land by assise of mordaunceſter, with the damages that he hath susteyned by such withholding, since the time that he was of full age. And if an heyre at the tyme of hys auncestours death bee of full age, and bee is heire apparant, and knowen for heire, and bee founde in the inheritance: the chiefe Lord shall not putt him out, nor take, nor remoue anye thing there, but shall take onely simple seisine thereof, for the recognition of his Heire Ward Damages Full age Seisin

his ſeigniorie, that he may be knowen for Lord. And if the chiefe lordes put ſuch an heire out of the poſſeſſion maliciouſly, whereby he is drawen to purchaſe a writt of Mordaunceſtour, or of coſinage, then hee ſhall recouer hys damages as in caſe of nouell diſſeiſin. Couching heires, which holde of the king in chiefe, this order ſhalbe obſerued, that our ſouereigne lord the king ſhall haue the firſt ſeiſin of their landes, like as hee was wont to haue before tyme. Neyther ſhall the heire, nor any other intruse inheritaunce, before hee hath receyued it out of the kings handes as the ſame inheritaunce, was wont to bee taken out of hys handes & hys auncestours. And thys muſt bee vnderſtanden of landes and fees which were accuſtomed to bee in the kynges handes, by reaſon of knyghtes ſeruice, or ſeriauntie, or right of patronage. Marlebridge ca. 16. Anno. 52. Henrici. 3.

Coſinage damages

Knightes ſeruice

2 ¶ It is prouided alſo, that if a man die, hauing many heires, of whom one is ſonne or daughter, brother, or ſiſter, nephewe, or neece, and the other be of a further degree, al the heires ſhal recouer fromhenceforth by a writte of Mordaunceſtour. Glouceſtour. 6. An. 6. E. 1.

## ¶ *Mortmaine.*

IT ſhal not be lawfull fromhenceforth to any man to gene landes to any religious houſe, and to take the ſame land agayne to hold of the ſame houſe. Nor it ſhall not bee lawefull to any houſe of religion to take the landes of anie manne, and to leaſe the ſame to hym of whom hee receiued it: If any man from hence forth gene his landes to any Religious houſe, and therupon bee conuict, the gift ſhalbe vtterly voyd, and the land ſhal returne to the lord of the fee. Mag. charta ca. 36.

Religious Take again

Leaſe

Voyd gift Lord of the fee

2 ¶ When religious men and other eccleſiaſtical perſones doo implead any, and the partie impleded maketh default, whereby he ought to leſe the land, for aſmuch as the officers haue thought hitherto, that if the partie impleded make default by colluſion, that where the demaundaunt by occaſion of the ſtatut could not obtayne ſeyſin of the land by title of gift or other alienation hee ſhall now by reaſon of the default and ſo the ſtatut is defrauded: It is ordayned by our ſouereygne lord the kynge in thys caſe, that after the default made, it ſhalbee inquired by the Countrey, whether the demaundant hadde right in the thyng demaunded, or no, and if it be found, that the demaundaunt had right, the iudgement ſhall paſſe with him, and ſhal recouer ſeiſin: and if hee had no right, the land ſhal accrue to the next lord of the fee, if he demaund it wythin a yeare from the tyme of the inqueſt taken. And if hee doo not demaund it within the yere, it ſhall accrue to the next lord above, if hee doo demaund it within halfe a yere after the ſame yere. And ſo euery lord after the next lord immediat, ſhal haue the ſpace of halfe a yere for to demaund it ſucceſſiuely, vntill it come to the king, to whō at length thorough default of other Lords the land ſhal accrue. And to challenge the errours of the inqueſt euery of the chiefe Lordes of the fees ſhalbee admitted, and lyke wyſe for the kyng they that will, ſhal challenge. And after the iudgment genen, the land ſhall remayne in the kynges handes, vntill it bee derayned by the demaundaunt or ſome other chiefe lord, and the ſhirife ſhalbee charged to anſwere therefore at the eſchequer. Wil. 2. ca. 31. An. 13. E. 1.

Defaulte

Defaulte

Enquire

Judgement

Demaund

Lord

King

Challenge

Shirife

3 ¶ No perſon, religious or other what ſoeuer hee be, that will buy or ſell anie landes or tenementes, or vnder the colour of gift or leaſe, or that will receiue by reaſon of any other title, whatſoeuer it bee, landes or tenementes, or by any other craft or ſtrayne will preſume to appropre to hym ſelfe, vnder paine

Religious Landes

Religious Impleade

paine of forfaiture of the same, where by such landes or tenements may any wise come into mortmaine, wee have prouided also, that if any person religious or other, do presume either by craft or engine to offend against this stat. it shalbee lawful to us & other chief lords of the fee immediat to enter in ỳ land so alienes, within a yeare from ỳ time of the alienation, and to hold it in fee & as inheritance. And if the chiefe lord immediate be negligent, & wil not enter within the yere, then it shalbe lawfull to the next chiefe lord immediat of the fee, to enter in the same land within halfe a yere next following, and to hold it as before is saied. And if all ỳ chiefe lords of such fees beeing of ful age, bee in the iiii. Seas, and out of prison, bee negligent or slacke in this behalfe. We immediatly after the yere accomplished from the time that such purchases, gyftes, or appropriations happe to bee made, shall take such landes and tenementes into our hand, and shall inseoffe other therein by certaine services to bee done to us for the defence of our realme, saving the chiefe lordes of the fees, their wardes and eschetes & other services therunto due & accustomed. An. 7. E. 1.

Enter
One yere
Chiefe lord
4 Seas
Out of prison
Wards
Eschetes
Services

4 ¶It is to be understanden, that ỳ king ordained at Westminster ỳ first day of Aprill the xxvii. yeare of hys raigne, that such as would purchase a newe purchase, as men of religion, ỳ should amortise lands or tenementes, would have writtes out of the kinges chauncery for to enquire upon ỳ points accustomed in al thynges, and that inquestes of landes or tenementes that bee worth yearely more then xx.li. ỳ is to wytte by entent, be retourned in to the eschequer, & there to make fine for the amortisments or for the purchase hadynge, if the inquestes doo passe for him that purchased them, and afterward it shalbee certyfied into the Chauncellour or hys deputie, that hee take a reasonable fine therfore accordig to the quantytie of the thing, and after to deliuer it. In lyke manner they shall doo that wyll purchase landes or tenementes holden of the kynge in chiefe. Also folke dwellyng beyond the sea, that have landes and tenementes or rentes in England and wyll purchase letters of protectiõ, or wil make generall attourneis, they shalbee sent into the Eschequer, and there shall make theire fines, and from thence shalbee sent into the Chauncellour, or his deputie, for that that hee ought to doo therein. In lyke manner they shal doo that wyll purchase any faire, market, warrayne, or any other liberte. Also such as wyl purchase after amesnement of their debtes, shalbee sent into the eschequer. Also such as bee not able to trauaile, and folke that dwell in farre counties, whych plead or bee impleaded, shall have a writte out of the chauncerie to some suffycient manne, that shall receyue their atturneis whē neede is. And for a remembraunce of these thynges there is an indenture made deuided into three parts, whereof one part remayneth in the chauncery, an other in the eschequer, & the third in the garderobe. An. 27. E. 1.

See the same statut almost word for word in ỳ volume of thold statuts folio 62. intituled statut de terris et tenementis amortizand.

writs
Chauncery
Enquests
Eschequer
Fine
Chaūcellor
Protection
Faire
Market
Attourneis
Indenture

5 ¶Touching the graunt of our soueraigne Lord the kyng to be obtayned vppon Inquestes returned into ỳ Chauncery for lands to be aduanced in to mortmayne, the kynge commaundeth that nothing shallbee done (where there bee any lordes meane) except the religious persones canne shewe to our soueraigne lord the kynge their assent vnder their patentes sealed wyth their seales. And ỳ nothing shal passe in case where the donour reserueth nothynge to him selfe. And likewise where inquysitions be made and returned without warraunt, that is to witt, the writ original without the inquest, and except that

Enquests
Lordes meane
Religious
Donour
Inquisitiõs

that the writ nigh all make mencion, of euery thing accordyng to the newe ordinaunce made by the xxxv. ſta. of mortlayn of landes. An. 34. E. 1.

6 ¶ The writte of our lord the kyng of making of inquiſitions in the chaun cery ſhal not be graunted to any man, if it be to the hurte of our lord the kyng, or the lordes, or tenementes of others if they may bee greued or afflicted to any religious men or other according to ye forme of the writte vſed in the Chauncery in caſe where thoſe landes or tenementes come to mortmaine, but by peryrions put vppe in the full parliament. And ſo that if theſe religious menne, or other, to whom ſuch landes or tenementes were graunted, bee ſo needy and poore, that they cannot lyue of their owne, our lord the kynge hereupon, (after due inquiſition had) ſhall doo as ſhal pleaſe his grace. Of inuention of graundynge inquiſitions of landes put to mortmaine.

7 ¶ If prelates, clerkes beneficed, or religious folke, which haue purchaſed landes, and the ſame haue put to mortmaine, be impeched vppon the ſame before our iuſtices, and they ſhewe vs a charter of licence, and proces thereupon made by an engreſſ of Ad quod dampnum, or of our grace, or by fyne, they ſhalbee freely let in peace wythout beeing further impeached for the ſame purchaſe. And yf they cane not ſufficiently ſhewe, that they haue entred by due proces, after lycence to them graunted in generall, or in ſpecyall, that they ſhalbee well receiued to make a conuenient fine. And that the enquirie of this article, ſhall wholly ceaſſe according to the accord compaſſed in this parliament. Anno. 18. E. 3. pro clero. ca. 3.

8 ¶ As it is contayned in the ſtatut De religioſis, that no religious ne other what euer he bee, do lay or ſell, or vnder colour of gift, or terme, or any other manner of title accrete of any man, or in any maner by craft or engine of any manner cauſe to bee appropriate into hys any landes or tenementes vppon paine of forfeiture of the ſame, whereby the ſaid landes and tenements in any maner might come to mortmayne. And if any religious or any other come agayne the ſayed ſtatut by act or engin in any maner that it bee lawfull to ye kyng, and to other Lordes in the ſaid landes and tenementes to enter, as in ye ſayd ſtatut doth more fully appere. And notwithſtanding late by ſubtill ymagynation and by art and engyne ſome religious perſonnes, vycars, and other ſpirituall perſonnes, haue entred in diuers landes and tenements, which be adioyning to their Churches, and of the ſame landes by ſuffraunce and aſſent of the tenauntes haue made Churchyardes, by liuerie of ye biſhop of Rome, haue dedecat and halowed the ſame, and in them do make contynually parochyalle buryinge wythout licence of the kyng, or of the chief lordes, therfore it is declared in this Parliament, that it is manifeſtly within the compaſſe of the ſaid eſtatut. And moreouer it is agreed and aſſented, that all they that bee poſſeſſed by feoffement, or in any other wyſe, to the vſe of religious perſons, or other ſpiritual perſons of lands and tenements, fees, aduowſon, or any maner poſſeſſions to them tent to amortiſe them, whereof the ſaid religious and ſpirituall perſonnes take the profites, that betwixt this e the feaſt of ſaint Michell next comming they ſhall cauſe the to be amortiſed by the licence of the kyng, & of the lords, or elſe that they ſhall ſell them, e alien them to ſome other bis, betwixt this and the ſaid feaſt, vppon paine to be forfaict to the kyng, and to the lords, according to the forme of the ſaid ſtatute of religious, and landes purchaſed by religious people. And that fro hence forth no ſuch purchaſe bee made, ſo that ſuch religious or other ſpirituall perſonnes take thereof the profites, as

aboue.

In quod dampnum

Parliamẽt

Spirituall

Religious Purchace

Licence

Proces.

Religious Purchace

Parliamẽt

Lords Enter

Religious

Churches parties Bulles

Licence

Forf.

Purchace

afore is layed, shoppe paine aforelayed.
And also that the same statut extende
and be kept of all landes, tenementes,
fees, annuions, and other possessions
purchased or to be purchased to the vse
of gyldes or fraternyties. And more-
ouer it is affirmed, for as much as the
Maires, bayliffs, & comyons of cities,
boroughes, and other townes, ꝑ hath a
perpetuall communaltie and others,
which haue offices perpetuall, be as
perpetual as people of religion, that
fromhencefoorth they shal not purchase
to them and to their comyons or office,
vppon the payne contained in the sta-
tut De religiosis. And also of that that
others hee possessed or hereafter shall
purchase to their vse, and they thereof
take the profittes, it shalbee done in
like maner as afore is said of people of
religion. An. 15. R. 2. ca. 5.

¶ Where by reason of feoffementis
fines recoueries, and other estates, and
assurances made of trust of manors,
landes tenements and hereditamentes
to the vse of parish churches, chappels,
church wardens, guildes, fraternities,
communalties companyes or brother-
heds erected and made of deuotion, or
by common assent of the people about
any corporation, and also by reason of
feoffements, fines, recoueries, willes,
and other acts made to any vses afore
said, or to the vses and intents to haue
obits perpetuall or any continuall ser-
uice of a preest for euer or for iii. score
or fower score yeres founden of the is-
sues and profits of the manors, landes,
tenementes, & hereditamentes whereof
such feoffementis fines recoueries, wils
and other actes bene made, or that the
feffies, feoffees, recoueres, or other
persons, and their heires thereof seysed
shal take leap receyue and perceiue or
cause or suffer to bee taken leuyed and
perceiued, thissues, reuennes and pro-
fits thereof, and the same to dyspose,
paye employ or otherwise emploie or
suffer, or cause to be disposed paide em-
ployed or employed to and such vses
intents or purposes as bene aboue spe-
cified, or to any other lyke vses or in-
tentes, them grieuously and highly to ꝑ
king our soueraigne lord and to the o-
ther lordes and subiectes of the realme
the same like losses, and inconuenien-
ces, and is as much preiudiciall to the
as doth and is in case where landes bee
alienedinto mortmaine. Wherefore
for it, that al and euery such vses in-
tents and purposes of what name na-
ture or qualitie they shalbee called, that
shalbee deuised couenaunted made de-
clared or in any wyse ordayned after
the first day of March in the xxiii. yere
of the raigne of our soueraigne Lord
kinge Henry the eight, by any feffee
recouerer or cestuie, or by any other
persoune or persons to whose vse any
such feffee recouerer or cestuie shalbee
seised of any mannours, landes, tene-
mentis or hereditamentis, or of thissues
reuenues and profittes of them or any
of them shalbee vtterly void and of no
strength, vertue or effect in the law.
Prouided alway, that it shalbe lawful
to euery person being seised of any ma-
nours, landes, tenementes, or hered-
itamētis to his owne proper vse, or ha-
uing feoffees, recoueres, or cestuies,
to his owne vse, to make, ordeine, or
deuise, or cause to bee made, ordeined,
or deuised any of the vses, intentes, or
purposes aboue specified, in such man-
ner as they mought haue done afore ꝑ
making of this act, & as if this act had
neuer been had ne made. So that none
such vses, intentes, or purposes to bee
made, ordeyned, or deuised, after the
said first day of March, bee not in any
wise made, ordeined, deuised, or appoin
ted to endure, cōtinue, or abide by any
craft, colour, termes, sentences, clau-
ses, wordes, or other meanes aboue
the terme of xx. yeares next after the
first making & beginning of any such
vses, intēts, or purposes. And it is ec.
that if any parte or persons in defraud
of this statute bynde, or ordeine any
their heirs or successours, or any othe
perſon

Guilds
Fraterni-
ties
Maiors
Bailifes

Profits

Feffements
Fines
Recoueries

Churches
Guilds
Fraterni-
ties

Vses
Obites
Preist

Feoffees

Profits
Comyns

Lloyd

20. Yeres

Defraude

person or persons, that they shal suffer such vses, intentes, or purposes to endure and continue contrary to this act, vppon paines or penalties of losses of any other lands, tenements, or hereditamentes, or of any other thynge or thinges, or do attempt or diuise by any colour, craft or meanes, any thyng or thinges to make any such vses, intentes or purposes to be declared, contrary, to the true meaning of this act, to cõtinue or abide for any lõger time or season then is aboue limitted for the same: that then euerie such paine penaltie, craft, colour, and euerie other thinge and thinges of what kynde nature or qualitie soeuer it be, that shall bee so made, ordayned or deuised in defraud of this act, shalbee vtterly void in the law to all intents. And that this statut shalbee alwaies enterpreted & expounded, as beneficially as may bee to the destruccion and vtter anoyding of such vses, intents & purposes therein aboue remembred, and of all other like vses, & intents, otherwise then all onely after such maner as is afore by this present act deuised. Prouided alwaie that in such Cities and Townes corporat, where by their auncient customes they haue good & lawfull authorities to deuise into mortmayne the lands tenementes and hereditaments within the same Cities or townes corporat, that this act shall not be in any wise preiudicial or hurtfull to any such custome. Prouided alway that this act ne any thing therin contained shall extend or be in any wise preiudicial to hinder or impaire any such ordinances, deuises, or declarations of vses, as shall hereafter bee made and declared in writing by the executours of the testaments & last willes of Robert Jannes, & Jhon Merry, late Aldermen of the Citie of Norwich, now deceased, or by the executours of the suruiuour of ỳ executors of either of them, of any landes, tenementes or hereditaments not mounting in the whole aboue the clere yerely value of forty pound to be employed and conuerted to and for the discharge of tolles and customes within the said citie, and at the gates of the same, for the discharge of the poore people with the same citie of Tares and Tallages hereafter to bee assessed & leuyed, and for the clensing of the streates of the same Citie, or for any of the said good purposes, accordynge to the true intentes and meanings of the sayed last willes and testamentes and of either of them, so that the same ordinance deuises and declarations bee hadd, made & certified in writing into the kynges court of Chauncery within two yeres next ensuinge the saied feast of Easter next comming. An. 23. H. 8. ca. 10.

Loyd

Cities Townes pporat

Vses

Executors

Tolles Customes

Tares

Clensing of streats

## ¶ *Mortuaries.*

NO person, Vicar, curat, nor Parish preest, ne any other spirituall person, nor their fermours bailifes, nor lessees, shal take receiue or demãd of any personne or personnes within thys realme for any personne or personnes dying wythin the same, anie manner mortuary or corse present, ne any summe or summes of money, ne any other thing for the same more thẽ is hereafter mencioned: Ne also shall conuent or call anie personne or personnes beefore any iudge spirituall for the recouerie of any such mortuaryes or corse presentes, or any other thyng for the same, more then is hereafter mencioned, vppon paine to forfait for euery time so demaunding, receyuinge taking or conuenting, or calling anie such personne or personnes, before any spirituall iudge, so much in value as they shall take aboue the summe limitted by this act. And ouer that fortie shillinges to the party greeued contrary to thys act, for the which forfaiture the partie so greeued contrary to this act shall haue an accyon of debt, by writte, byll, plaint or information, in any

Spirituall person

Corse preest Money

Conuent Spirituall Iudge

Forf.

Accion of debt

any of the kinges courtes wherein no wager of law &c. shalbe allowed, for it it is &c. that no maner mortuarie shall bee taken or demaunded of any persone whatsoeuer hee bee, which at ẏ tie of his death hath in mouable goods
x. Markes vnder the value of tenne marke.
Also that no mortuarie shalbee geuen or demaunded from henceforth of any manner persone but onely in such place where heretofore mortuaryes haue bene vsed to be paied and geuen and in those places none otherwyse but after the rate and fourme herafter mencioned. And that any persone pay mortuaries in more places then one, that is to say, in the place of their most dwelling and habitatyon, and there but one mortuary. And no person, vycar, curat, parish prieste or other, shal for any person dying or dead, and beeynge at the time of his death, of the value in mouable goods of x. markes, or more clerely, aboue his debts paied, & vnder the summe of xxx. li. take for any mor-
lxvj.s.viij.d. tuary more thē vi.s.viii.d. in ẏ whole. And for a person dying or dead, being at the time of his death of the value of
xxx.li. xxx. li. or aboue clerely, aboue his debts payed in mouable goods, and vnder ẏ value of xl. pound, there shal no more be taken or demaunded for a mortua-
vi.s.viij.d. ry then vi.s.viii.d. in the whole, and for any persone dying or dead, hauing at the tyme of his death of the value
xl.li. in mouable goodes of xl. pound or aboue, to any summe whatsoeuer it be, clearely aboue his debtes payd, there shallbee no more taken, payed or de-
x.s. maunded for a mortuary then x.s. in ẏ whole. Prouyded that no woman beeyng couert baron, nor child, ne for any
Women couert Children person not keeping house any mortuarie bee payed, ne that any parson, vicar, curat, paroche prieste or other aske demaund or take for any such woman
Seruant child or for any persone, not keeping house dying or dead, any maner thing or money by waie of mortuary, ne also for any waylarynge maune or other that dwelleth not ne maketh residence in the place where they shall happen to dye, but that the mortuarie of such waylairing personnes be answerable in places where mortuaryes bee accustomed to bee payed and in maner and fourme and after the rate beefore mencioned, and none otherwise, in the
place or places where such waifaryng Waylairing men
personnes, at the tyme of their death hadde their most habytatyon house & dwellyng places, and no where else.
Prouyded alway that it shalbee lawfull to all manner personnes, Vycars, curates, parish prieste, and other spyrituall personnes to take and receyue any maner summe of money, or other thyng whych by any persone dying, shall fortune to bee disposed geuen or
bequethed vnto them or any of them Bequest
or to the high auiter of ẏ church. This High alter
act or any thynge therein mencioned notwithstanding.
And bee it &c. that no mortuaries, nor corses presentes, ne any summe or summes of money, or other thynge for any mortuary or corse present shalbe demaunded, taken receyued or hadde, in the parties of Wales nor in ẏ mar Wales
ches of the same, nor in the Townes of Caleys or Berwike nor marches Calice
of the same but onely in such partyes Warwike
and places of Wales marches and Townes aforesayed, where mortuaries hath bene accustomed to be taken and payed, And in those parties & places no mortuaries nor corse presents, ne any other thynge for mortuarie or corse present from henceforth shalbee demaunded, taken receyued or had but onely after the fourme order and maner aboue specified in this present act, and none otherwise, ne of any other persone or personnes then is lymyted by this present act, vppon payne aboue contayned in this present act.
Prouyded also that it shalbee lawfull to the Bishoppes of Bangoure, Bishops
Landaffe, saint Dauides, and Sayne Asse, like wise to the Archedeacon of
Chester,

Chester, to take such mortuaries of ẏ parishes within their dioces and iurysdictions, as heretofore haue beene accustomed. Prouided also that in such places where mortuaries haue beene accustomed to bee taken of lesse value then is aforelayd that no persons shal bee compelled to pay in any such place any other mortuarie or more for anie mortuarie then hath beene accustomed, ne that any mortuarie in such place shalbee demaunded, taken receyued or haade, of any persoune or persounes exempt by thys act nor in any wyse contrary to thys act vppon the payne aforelymited. An. 21. Henrici 8. cap. 6.

¶ *Mummers.*

Anno. 3. H. 8. cap. 9. an act was made to endure to the nert parliamẽt against mummers and disguysed persoones, and sellers and keepers of bysours.

Bisours

¶ *Murder & manslaughter.*

Murder fromhencefoorth shall not bee iudged beefore our Iustices where it is found mysfortune onely, but it shall take place in such as are slayne by felony, and not otherwise Marlebridge. capitulo. 25. Anno. 52. Henrici 3.

Iustices

Felony

2 ¶ Item the king remẽbreth howe murders and sleyinge of his subiectes dayly increase in thys land the occasions whereof be diuers, one, that no men in Townes where such murders happen to fall and bee done wil attach the murderer where the lawe of the land is, that if any manne bee slayne in the day the felon not taken, ẏ town shippe where the death or murder is done shalbee amerced: and if anie manne bee wounded in perill of death the partie that so wounded should bee arrested, and put in suertie tyll perfit knowledge hee hadde whether hee so hurt should liue or die. And the Coroner vppon the vieiwe of the body dead should enquire of hym or them ẏ had done that death or murder, of their abbettours and consentours. And whoe were present when the death or murder was don, whether man or womã, And the names of them that were present and so found to enrolle and certifie: which law by negligence is dysused and thereby great boldnesse is geeuen to slears & murderers. And ouer this it is vsed that within the yere and day after any death or murder hadde and done, the felon should not bee determined at the kinges suit for saueing of the parties suit wherein the partie is ofte tymes sloiwe and also agreed with and by the end of the yeare all is forgotten, whych is an other occasion of murder. And also hee that wyll sue any appeal must sue in proper persone, which first is longe and costly that it maketh the partie appealant wery to sue. For reformation of the premisses, the kyng &c. will ẏ euery coroner exercise and doo his office according to ẏ lawe, as is afore rehearsed. And that if any manne bee slaine or murdered, and therefore the slears, murderers, abbettours, maintainours, and comforters of the same bee indicted, that the same slears and murderers, and al other accessaries of the same bee arrained and determyned of the same felony & murder at any time at ẏ kigs suit win ẏ yeare after the same felony and murder done, and not tary the yere and day for any appeale to be taken for the same felony or murder. And if it happen any persoune named as principall or accessary to bee acquited of any such murder at the kynges suit within a yeare and day, that then the same Iustices before whom hee is acquited shal not suffer hym to goe at large but eyther to remit him againe to prison, or else to let hym to bayle after their discretion till the yeare & daie bee passed. And if it fortune that the same

Coroner

Enquirie

Abbettours

Names

yere & day

Appeals

Coroner

Indict

Accessaries

within the yere

Principal

Accessaries

Acquit

Iustices

Imprison

Bayle

Township amerced

Arrest

Suertie

same felons and murderers and accessaries so arrained, or ante of them to be acquited, or the principall of ỹ saied felony, or any of them to be attainted, the wife or next heires to him so slaine as shall require maie take and haue theire appeale of the same death and murder within the yere and day after the same felonie and murder done, against the sayed personnes so arraygned and acquited, and all other theyr accessories, or agaynst the accessories of the sayed principall or any of them so attainted, or against the said principals so attainted if they bee on lyue and that hys benefitte of his clergye thereof before not hadde. And that the appealant haue such and lyke aduantages as if the sayd acquitall or attainder had not ben, the said acquital or attainder not withstanding.

Acquite
Attaint
Wife
Heire
Appeale
Yere & day
Clergie

And ouer that the wife or heire of the sayed persone so slaine or murdered, as cale shal require, may commence their appeale in proper person at any tyme within the yere after the sayd felony done before the Shirife and coroners of the countie where the sayed felony and murder was done, or before the king in his bench or Justice of Gaole delyuery. And the appellaunt in any appeles of murder or death of manne where battel by the course of the common law lyeth not, may make their attorneis, and appeare by the same in the saied appeales, after they bee commenced to the end of the suit, and execution of the same. And if any persone bee slaine or murdred in the day, and the murdrer escape vntaken, that the townshippe where the said deede is so done, be amerced for the said escape. And that the Coroner haue authority to enquire thereof vppon the viewe of the bodie dead. And also Justices of peace haue power to enquire of such escapes, and that to certyfie afore the king in hys bench. And that after the felony found, the Coroners delyuer their inquisitions afore the Justices of

Wife
Heire
Appeals
Shirife
Coroner
K. bench
Iust. of g.
Battel
Attorney
Township
Amerce
Escape
Coroner
Enquirie
Iust. of p.
Certifie

the next gaole delyuery in the Shyre where inquisition is taken, the same Justices to proceede against such murderers if they be in the Gaole. And else the same Justices to putt the sayd inquisitions, afore the king in his bench, and forasmuch as coroners hadd not, nor ought any thynge to haue by the lawe for their office doyng, whych oft times hath ben the occasion that Coroners haue beene remisse in doynge their office: It is ordained that a coroner haue for his fee, vppon euery inquisition taken vppon the viewe of the body slaine xiii. s. iiii. d. of the goods & rattels of him that is the slear & murderer if hee haue any goods. And if hee haue no goods, then ỹ coroner to haue for his said fee of such amerciamentes as shal fortune any township to be amerced for escape of such murder as is afore sayed. And if any coroner bee remisse and make not hys inquisityons vppon the viewe of the bodie deade, and certifie not accordinge as is afore ordained, that the coroner for euery default forfait to the king C. s. Anno. 3. H. 7. ca. 1.

Coroner Fee
xiij. s. iiij. d.
Forf.

¶ *Musters.*

THat if any person or persones that shalbee commaunded at any tyme hereafter generally, or especially to muster afore any such as shall haue authority or commaundement for ỹ same, by or from the king & Queenes maiesties, or by the heirs or successors of the Queenes maiestie, or by any lieutenant, warden or other personne or persons authorised for the same, do willingly absent him or them selues frō the same musters hauing no true and reasonable excuse of sickneese or other lawefull impediment, or at their apparaunce at such musters, do not bring with them such their best furniture of arrap and armour, as hee or they shall then haue for hys or their owne persoune in a redinesse, shal for euery

Absent
Lawfull excuse
Best armour

every such default and offence, haue and suffer imprisonment by the space of x. daies without baile or mainprise by the commaundement of such as shal haue authority as is aforesaid, to take the same musters, vnlesse hee or they so offending as is aforesayd, do agree to or with the sayd commissioners or two of them to pay to thuse of ỹ kyng and Queene our soueraigne Lord and Lady, or of the heires and successours of the same our soueraigne Ladie, for euerie such offence xl. shillinges, for a fine, which said fine after agreement for the paiment of the same as is aforesayd shalbe certified and estreated into the Court of Eschequer at Westminster, by such as shall haue power to take the sayd musters, as is aforesayd, or by twoe of them, vnder their seales, or the seales of twoe of them, within the space of two moneths next after such agreement, to pay the sayd fine had or made, and the same fine so estreted, to be leuyed in such forme as fines assessed by the iustices of assise, or of gaile deliuerie in their circuites are vsed to be leuied. And bee it further enacted by ỹ authority aforesaid, that if anie persoune or persounes, whych at anie time or times hereafter shall bee commaunded or appoynted by the king and Queene our soueraygne lord and ladie, or by the heires and successours of the same our soueraigne ladie by their commission letters, or otherwyse authorysed, to leuie, muster or make anie meme to serue in their warres, or otherwise for the defence of this realme, doe by anie meane exact, leuie, receyue or take, or cause to bee taken anie summe or summes of money or other reward or thing whatsoeuer, of anie persoune or persounes, for seruice in the warres, or that shall bee appointed, named or mustred to serue in anie such seruyce, or for the sparing, releasing, or discharging of such persoune or persounes from the sayd seruyce, that then euerie such person that so shall offend in exactyng, receiuing or takynge by anie wayes or meanes anie summe or summes of money, or other reward, or thing whatsoeuer as is aforesaid, shall for such offence forfayt tenne tymes so much as he shal so receiue, exact or take. And be it further enacted by thauthority aforesayd, that if anie captaine, petie captayne, or other haupng charge of men for seruice in warre, shall for any auãtage, lucre or gaine by him to be taken or receiued, discharge or licence ante of the souldiours, or men appointed to serue in the warres, vnder his rule or order, to depart from the same seruice, or shal not pay vnto his souldiours and to euerie of them their full and whole wages, conduct and coate money vpon tenne dayes next after that such captaine, petie captaine or other haupnge charge of menne as is aforesayd, shall haue receiued the same, that then the partie so offendyng in geruyng anie such lycence or discharge as is aforesayd, shall lose and forfayt for euerie such offence terme times the value of the thing so taken or receyued, & shall also pay to euerie souldioar from whõ he shal so withhold any of the said wages, conduct or coat money, treble the summe so withholden, thone moity of all which forfaytures, other then such as before by this act is limitted or geuen to ỹ souldior or souldiors, as is aforesayd, for their wages, coate or cõduct money withdrawen, shalbe to the kyng and the Queenes maiestyes and the heires and successours of the queenes maiestie, and the other moitie to him or them that will sue for the same, by action of debt, bill plaint, information, or otherwise in anie court of record, in which action or suit, no essoine, protection or wager of lawe shalbee allowed. And bee it further enacted, by the authorities aforesayd, that all Justices of Assises in their circuites, and all Justices of peace, within the lymittes of their commission in their

Imprison Hamptise

Fine

Estreat Eschequer

Cõmission

Reward

Discharge

Forf.

Captaine Petty captaines

Discharge Licence

Not pay Wages Conduct x. Dayes

Forf.

Moitie

Just. of ass. Just. of p.

Stewards of leetes

Enquire Hier & ter.

Just. of ass. Just. of p. Indicted

Proces

Confesse

Imprison Mainprise

assises and sessions, and stewardes of leetes, lawdaies, and liberties, at their leets & lawdaies, shall and may from time to time ẽquire, heare, & determin euerie of the said offences, committed or done contrarie to this acte, within the precincts of their commission, leete or libertie, and if any personne or personnes shalbe before the said Justices of assise, Justices of peace, or anye of them presented or indicted of any the offences aforesaid, that then the sayd Justices of assise, or Justices of peace before whom such indictment or presentment shalbee taken or had, shall and may by the authoritie of this act, award such proces against euery such personne or personnes so indicted, as vppon indictmentes of trespas is vsed and accustomed to be made, and if any such person or persons so indicted doe appeare before the said Justices, & confesse the same, or plead to the same indictmentes, and after by verdict of xij. men shalbe of any the said offences contained in such indictmẽt or indictments, conuicted, that then the sayed Justices before whom any such conuiccion shalbe so had, shall and may award such personne or personnes so conuicted vnto prison, there to remain without baile or mainprise, vntill such time, as he or they haue paied, or satisfied the moitie of the forfeiture aforevnto the king and Quenes Maiesties vse, & thother moitie thereof vnto him or them that shal come before the said Justices, and geeue euidence against the partie to be conuicted at the tyme of the said conuiccion, and by whose euidence he shalbee of the said offence conuicted. And if any such conuiccion shalbe had without any euidẽce openly geuen by any person or personnes, that then the partie conuicted as afore said, shal remaine in prison as is afore said vntill hee haue satisfied the whole forfeiture to the king and Quenes Maiesties vse. Prouided alwaies and be it further enacted by the authoritie aforesayd, ỳ if anie the offences afore- Captaine Pety captaines
said, touching captains, pety captaines or other hauing charge of men, shalbee committed during the time that anie armie or number of men being vnder a lieuetenant shalbe assembled & cõtinue together, or by any captaine, pety captayne, or other hauinge charge of men that shall serue vnder anie Lord wardein or other chiefteine, that then vpon complaint thereof, the lord lieu- L. lieutenãt
tenaunt or the lord wardeine or other L. warden
chiefteine, during the time of anie his or their cõmission shal and may heare order and determine the same offẽces, by his or their discretions. Prouyded alwaies that thys act no anie thynge therin contained, shal not in anie wise extend to take away or discharge anie tenaunt or fermour of his seruyce or Fermour
couenaunt towardes his lord, for the fynding of horse, armour or weapon, Horse
or for doing of seruice by him selfe, or Armour
by any other which by the tenor of his Weapon
land otherwise is bounden to doe before the making of this acte, but that he shal yeld do and pay the same in as ample maner & forme as though this act had neuer ben had or made. Prouided also & bee it further enacted by the authoritie aforesayd, that if anie such captaine, pety captaine, or other hauig Captaine
charge of men as is aforesayd, shalbee at any time hereafter conuicted, or or- Conuict
dered by vertue of this act, for anie of his offences aforesayd, that then the same captaine, petie captaine or other hauing charge of men as is aforesayed so conuicted, shall not otherwise or eftsones be vered, troubled, sued or cõuicted for the same offẽce whereof he shal be so before conuicted or ordered. And where one braunche or article conteyned in the statute made in the second & third yere of the raigne of ỳ late kyng Edward the vi. entituled an acte touching the true seruice of captaines and souldiours, whereby the departure of anie souldiour serving, as in the sayed act is expressed, without lycence of the

lieutenant

Lieutenaunt or other officer or officers named in the said act or in their absēce of their deputies, was made felony, is of no force, strength ne effect, at this present, by reason of the act of repeale of certeine treasōs, felonies, & præmunire made in the first sessyon of ỳ parliament holden at Westm. in the first yere of the Queenes maiesties raigne, Beet for good and reasonable consyderations enacted and established by thauctoritie of this present parliamēt that the sayd braunche or article, and euery sentence and matter therein cōteined, bee fromhenceforth wholle repuied and continued, and bee and remaine in full strength and effect to all intentes, constructions and purposes, the sayd act of repeale notwithstandyng. And that al and euerie other article, clause, prouiso, and matter contayned in the same act, shall stand, remayne, and bee in their full force, strength and effect: Anie thynge in this act contained to the contrary not withstanding. And yet neuertheisse where in the said act it is prouided that noe persionne or persionnes should bee charged for the taking or receyuing of anie gyft or reward of anie of hys or their tenaunts or frends towardes the reliefe, aide or helpe of ỳ same persons being commaūded to serue in warres or otherwise to fynd men on horsback or on foote, wthin this realme or wythout, nor for ỳ gift, reward, ayd or helpe reserued or coueenaunted to bee paid or geeuen to anie persionne appoynted to serue in warres, or to find horse or mē to serue by reason of anie graunt, coueenaunt, reseruatiō, custome or tenure; any thing in the said act to the contrary notwithstanding, as by the said act and prouiso more plainely it doth and may appeare. Be it enacted by ỳ auctoritie of this present parliamēt, that no persionne or persionnes shall or may by colour of the sayd prouiso, or of anie wordes or matters therein contained crack or demaund, or leuie any summe or summes of money, horse, armour or any other thing, other then shalbee employed forthwith in the present service of those warres of the kynge and Queenes maiesties, her heires or successours, for wbych it is leuyed, the wbych summe or summes of money horse, armour, or other thinge, or as much thereof as shall not bee spent, lost or consumed in the sayd seruyce shalbee rendred and restored to such persionne or persionnes, as payd or deliuered the same vppon the penaltyes and forfaytures contained in the sayd act. Prouyded alwayes that no persionne or persionnes inhabytyng wythin anie citie, borough or towne corporate, being a Countie of it selfe, or in wbych anie Justices of peace bee or hereafter shalbe by charter, shalbe cōpellable by vertue of this act, to make hys or their appearaunce, wyth such furniture as is aforesayd, at any muster hereafter to bee hadd or taken out of the suburbes, precynct or lyberties of the same citie, borough or Towne nor before anie persionne or persones, auctborized by commissiō or otherwise as is aforesayd, vnlesse the Maior, or other head officer of such city, borough or Towne, and one other discrete inhabitant of the same at the least be ioined in the same Commission or other auctboritie as is aforesayd, wth ỳ same other persionne or persones so auctborized, any thing before mencioned to ỳ contrarie notwithstanding. Anno. 4. & 5. P. & M. capitulo. 3.

Citye. Countie. Iust. of p.

Maior.

Cōmission.

¶ *New castle vppon Tyne.*

ALl the keeles which now be & hereafter shalbe in the sayd port (s. vpon New castle vppon Tyne) shalbe measured by certaine commyssioners thereto to be assigned by ỳ king, & marked, of what portage they be, before ỳ any carriage be made by ỳ same, vpon pein of forfetur to ỳ king al ỳ vessels called keles, by wbich any such coles shal

Keeles.

Cōmissioners.

Marked.

Portage.

Fort.

Coles.

be carted

carled, before that they bee marked in the maner aforesayd. Anno quinto. H. 5. capitulo. 10.

Merchant Shippe Discharge

2 ¶ From henceforth anie marchant or marchants, or any other persone or persons, shall not ship, load, or vnlode, charge or discharge anie manner of goods, wares or marchãdises to be sold here within this your Realme or elswhere, in, to or frõ any ship or ships, or other vessels, in, or at any place or places within the said port, ryuer, & hauen be twene ẏ sayd place called ẏ Sparhauke, & ẏ said place called Hedwynstremes, but onlie at ẏ sayed Towne of Newcastle, & no where els, vpõ paine of forfayture of all such goodes, wares, and marchãdises to the king our said soueraigne lord, and to his heires kings of England, & that it shalbe lawfull vnto the Maior, burgesses, and cominaltie, of the said towne of Newcastell, & their successours, & all other the kinges officers there for ẏ time being, for to take and sease all the sayd forfaitures, goods wares and marchaundises, to the vse of our Soueraigne lord the kyng and of his heires, and the value therof, to be answered in his eschequer. Be it ec. that euery owner, farmer, and occupier of the said weires, gozes & engins and euerie of the same, doe abate, put downe, and put awaie the same weires, gozes, and engins on this side the feast of Easter next comming. And ẏ noe maner persone or persones from henceforth arreise, laie or make any maner weare, goze or enginne in the sayd hauen betweene the sayd places called Sparhaukes and Hedwinstremes, vppon paine of a hundred poũd of lawfull English money for euerie time they do the contrary: wherof the one halfe shalbee to our Soueraygne Lord the king, and the other halfe to him or them that will sue therefore by accion of debt, bill, playnt or information in any of the kings courts, where in the partie defendant shal not wage his lawe nor in the accion any essoine, licence ne protection bee allowed. And further it shalbee lawfull at all tymes after the feast of Whitsunday next comming, to the Maior, burgesses, & cominaltie of the said Towne of Newcastle and their successours, to abate, plucke downe and take away all and euerie of the sayd weires, gozes and engines, that shalbe then found standing in anie place within the sayd port and hauen, betweene the sayd places of Sparhauk and Hedwinstremes, and that hereafter shalbee newly made, leuyed and arrered anie where within the same, without trouble, let or vexation of anie maner person or persons, by suit in the lawe or other wise. Prouyded alway, that this act bee not preiudiciall or hurtfull to anie persone or persones, being the kinges subiects, for buying, shipping, lodyng or vnlodyng of anie salt or fysh within the sayd ryuer and port, or to anie of the, or anie other persone or persones, repairyng to the sayd port with shyps and marchaundises, for selling or buying of anie wares or marchaundises, needefull for the victelling, and amending of their said shippes, at the tyme of their beeyng within the sayed port: This act or anie thyng comprysed in the same notwithstanding. Anno. 21. H. 8. capitulo. 18.

Maior

Officers Seise

Eschequer

weires

Foyl.

Wattle

Foyl.

Maior

Salt

Fishe

¶ Newes.

From hencefoorth none be so hardy to tell or publish anie false newes or tales, whereby discord or occasiõ of discord or sclaunder may growe betweene the king and his people, or the nobles: And he that so doth, shalbe kept in prison, vntil hee hath brought him into ẏ court, which was first author of the tale. W. 1. capitulo. 33.

Sclaunder

Imprison

2 ¶ Of counterfaitors of false newes, and of horrible & false messages, of prelates, dukes, earles, barons, & other nobles & great men of ẏ realme, and also of the chauncellour, treasurer, clerke

Imprison

Messages

clerk of the pryme seale, stewarde of the kinges house, Justice of the one bench or of the other, and of other great officers of the realme of things which by the sayd prelates, lords, nobles and officers aforesayd were neuer spoken, touched, nor thought, in great slaunder of the said prelates, lords and officers, whereby debates & discords might rise betwixt the sayd lordes and commons (which god forbid) and whereof great perill and mischefe might come to all the realme: and quiche subuersion and distruccio of the said realme, if due remedy be not prouided: It is straitly defended vppon greeuous peyne, for to eschew the said damages and perils, þ from hereforth none be so hardy to saye, or to tell anie false newes, nuisages, or other such false things of prelates, lordes, and of other aforesayd, whereof discord or any slaunder might rise within the same realme, & he that doth the same, shall incurre and haue the peine another time ordeyned therof by the statute of Westminster the first (that is to say cap. 33. before 1.) which will, that he bee taken and imprisoned, till he haue found him, of whom the woorde bee moued. Anno secundo R. 2. capitulo 5.

3 ¶ When anie such (that is to say) that is mencioned in the sayd statute of W. 1. cap. 33. before 1. and An. 2. R. 2. cap. 5. before 2.) is taken and imprysoned & may not fynd him of whom þ woord should be moued as is aforesaid, that he be punished by the aduice of the counsell notwithstanding the said statutes. An. 12. R. 2. cap. 11.

4 ¶ In An. 1. & 2. P. & M. ca. 3. it is enacted that þ aforesaid statuts of W. 1. ca. 34. An. 2. R. 2. ca. 5. & An. 12. R. 2. ca. 11. shalbe & remain in their full force strength and effect to all intentes, constructions and purpoles. And further the Justices of the peace in euery shire citie and towne corporate, within the limits of their seuerall commissyons, shall by authoritie of this present act haue full power to examine, heare and determine the causes aboue sayd in the sayd two first actes specified. 8. W. 1. ca. 34. before 1. & 2. R. 2. ca. 5. before 2. and to put the said two first statutes, and euery branche in them contayned in due execution, that from hencefoorth condygne punishment bee not deserued from such offendoures. And for asmuch as diuers and sundry malitious and euill disposed persons, maliciously, feloniously, rebellioully, and dimaunedly, contrarie to the dueties of their fidelities and allegeances, haue not of late not onelie imagyned, inuented, practised, spoken and spred abrode diuers and sundry false seditious and slaunderous newes, rumoures, sayings and tales, against our most dread soueraigne Lord and king, and against our most naturall soueraigne Lady and Quene, and against either of them of whom we are forbidden to thinke euill, and much more to speake euill, which offendeth both, and is as well to the great dishonour, reproch and slaunder of their most excellent maiesties, as also to the great slaunder of this their realme, & other their dominions, but also haue deuised, made, written, printed, published, and sette forth diuers hayinous seditious and slaunderous writings, rimes, ballades, letters, papers and bookes, intending and practising thereby to moue & stirre seditious, discord, dissencion and rebellion within this Realme, to the great perill and daunger of the same. For remedy whereof be it ec. That anie person or persons, after the twentieth day of February next ensuing, and after one proclamation made of this act shall maliciously of their or other imagination, speake anie false seditious and slaunderous newes, rumoures, sayings, or tale of our sayd soueraigne Lord and king, or of our said most naturall soueraigne Lady and Quene, that then all and euery such persone and persones offending, being there

Examine Diers 9 ter.

Slaunder

Dilcord

Imprison

Slaunder

Writings Rimes Ballades Letters Bookes

Punish

Statuts

Iust. of p.

Speake

King Queene

William

of conuicted or attainted in some here after in this act expressed, shall for euerie first offence, in the same market place within the shire, citie or borough where or neere vnto the place, where the said words were or shalbe so spoken, be set openly vpon the pillory, by the sheriffe or vps ministers, if it shall fortune to bee without anie Citie, or towne corporate. And if it happen to be within such Citie or Towne corporate, then by the principal officers or officers of such citie or towne corporate, or his or their ministers, and there to haue both his eares cutt of, vnlesse hee paie one hundreth pounds to the king and Queenes highnes vse, within one moneth next after iudgement geuen of his said offence, and also shall suffer imprisonment by the space of three moneths after such his or their execution. And it is ec. that all and euerie persone and persones, which after the said day, and after proclamation made of this acte, shall maliciously speake, write false seditious & slaunderous words, rumours, or tales of the slaunder and reproche of our said soueraigne Lord the king, or of our said most naturall Soueraigne Ladie the Queene, or the speaking or reporting of any other, that then all and euerie such person or persons so speaking and reporting, being thereof conuict or attainted in some hereafter in this acte expressed, shal for euery such offence in some market place within the shire, Citie, Borough or towne where, or neere vnto the place where the said words were or shalbe so spoken and reported, be sett openly vppon the pillorie by the Sheriffe or his ministers, if it shall fortune so to bee without anie Citie or Towne corporate, And if it shall happen to bee within such Citie or Towne corporate, then by the principall officer or officers of such citie or towne corporate, or his or their ministers, and there to haue one of his eares cutte of, vnlesse he paie one hundreth markes to the kynges & Quenes highnesse vse, wythin one Moneth next after the iudgement geeuen of his sayd offence, and also shal suffer imprisonment by the space of one moneth after his or their execution. And be it ec. that if any persone or persones, shall after the sayd date, and after Proclamation made as is aforesayd, wryte printe Bookes Ballades Letter maliciouslie deuyse, wryte, print, or sett forth anie manner of booke, ryme, ballade letter or writing, conteining any false matter, clause or sentence of sclaunder, reproch and dishonor of the king and Quenes maiesties, or of either of them, or to the encouraging, stirring or moving of any insurrection or rebellion within this Realme, or any the dominions belonging to the same. Or wholsoeuer shall maliciously procure anie such booke, ryme, ballade, letter or writting to bee written, printed or sette forth and the said offence not beeing punishable by the Statute made in the xxv. yeare of the raigne of king Edward the third, (s. capitul. 2. which is in Treason. 1.) concerning treasons or declaration of treason, that then and in euery such case the offender and offenders therin, after his or their conuiction, or attainder, shall for his or their first offence, in some market place within the Shire Citie or Borough, where the sayd offence is, or shall bee committed or done, by the Shirife, or his ministers, if it shall fortune to bee without anie Citie or Towne Corporate, and if within such Citie or Towne Corporate, then by the principall officer or officers of such Citie or Towne Corporate, or by his or their ministers haue his and their right hand stryken of. And be it ec. that if any person or persons, beeing once lawfully conuicted of any of the offences aforesayd, now prouyded to bee punished by the execution of losse of eare, eares or hand, as is aforesayd, do after warnes

cions

Pillory
Shirife
Citie
Eares cut of
100. li.
Imprison
King
Queene
Pillory
One eare cut of
100. marks
Imprison
Wryte
Printe
Booke
Ballade
Letter
Sclander
Insurrecti
Rebellion
Procure
Conuict
Hand cut of

Impriſon

Mainprize Forf.

Juſt. of Oier & ter.

Juſt. of all.

Juſt. of gaole deliuerie

Juſt. of p.

Generall

Quorum

Enquier Oier & ter.

Challenge

Juſt. of p.

Suſpect Impriſon Mainprize

3 monethes

Liberte

Maior Bailife

Seſſions

Quorum

Juſt. of p.

r. Daies

Quorum Shirifs

Impanel

One mon. neth

Juſt. of p.

eſſions offende in any of the offences aforeſaid, that then hee or they ſo offending, ſhall ſuffer impriſonment during his or their liues, without baile or mainprize and forfeit and loſe to the King and Quienes maieſties, all his and their goodes and cattels. And this ſt. that iuſtices of Oyer and determiner, within the limits of their commiſſion, Iuſtices of Aſſiſe in their ſeuerall circuits, Iuſtices of Gaole deliuery, & Iuſtices of peace, as well within the liberties as without, within the limits of their ſeuerall commiſſions, in their generall ſeſſions, or other ſeſſions which they or two of thē, whereof one of them to bee of the Quorum, may & ſhall appoint at their pleaſure, where & when need ſhall require, ſhall by vertue hereof haue full power & auctoritie to enquire heare & determine all & euery the offences aforeſaid, as in caſes and tryall of felony. And that the party indicted and arraigned, ſhall haue aduantage of all maner of challenges to the Iury (peremptorie challenge only except) as in trial of felony. And alſo that euery iuſtice of peace within the limites of his commiſſion ſhall haue full power and auctoritie to commit any perſon being vehemently ſuſpected of any of the ſaid offences to warde, there to remaine without baile or mainprize vntill he ſhalbe deliuered, according to this act. Prouided alwaies and be it ſt. that no manner of perſon or perſons ſhalbe moleſted or impeached for anie of the offences concerning ſpeaking, or reporting, as is aforeſaid, vnleſſe hee or they bee thereof accuſed and conuicted within three monethes, next after his or their ſaid offence ſo committed or done. And in caſe any perſon ſhalbe impriſoned for anie of the ſaid offences, concerning ſpeaking or reporting, and not thereof conuicted within three monethes next after his offence ſuppoſed to be by him done and committed, that then the perſon ſo impriſoned, ſhalbe ſet at libertie, & no longer reteined in priſon.

Prouided alſo & be it ſt. that euery ſuch Maior, or Maiors, Bayliffes & other head officers and officers of Cities Boroughes and Townes Corporate which haue or hereafter ſhall haue iuriſdiction and auctoritie within the ſeuerall limittes of their office or offices to hold and kepe ſeſſions as iuſtices or iuſtices of the peace ſhal and maye by auctoritie hereof, as well meete & conuenient to hold al and euery perſon and perſonnes, being vehemently ſuſpected of any of the offences aforeſaid as alſo to procede to the diſcuſſion, hearing and determining of euery of the ſaid offences, and to fine, and make due execution thereof, according to the purpoſt, meaning and effect of this preſent act: Any thing in the ſame act heretofore made to the contrarye notwithſtanding. Prouided alwayes, that the ſaid Iuſtice of peace, aſwell within liberties as without, the which ſhall for any the offences aforeſaid committ any perſon or perſonnes to warde, as is aforeſaid, ſhall within tenne dayes next after ſuch committing, with one other Iuſtice, whereof one of them to be of the Quorum, direct their precept to the Sheriffe or Sheriffes of the County, where the offence ſhall bee committed, or to other ordinarie officer, if it be within any Citie or Towne Corporate, where the Sheriffe cannot intromit, commaunding him or them by the ſame to impanell and returne, as they ſhall aſſigne, xxiiij good and lawfull men of his or their bailiwicke or Bayliwikes, to enquire of the ſaid offences or offences thy which any ſuch perſonne or perſonnes ſhall bee ſo impriſoned for. And thereupon within one moneth after the date of the ſaid precept, to procede & determine, as aboue is expreſſed. Euery one of the ſame Iuſtices, vpon the payne of tenne pound to be payed to the King and Quienes highnes, as often as they ſhallbee found

the default of any the same.

Prouided also, and be it enacted that this act shalbee proclaimed in all the shires within the Realme, before the xij. day of Februarie next comming, to the intent that all persons may haue notice thereof, and auoide the perill & daunger that might arise by offending against the same. And this act to bee only in force, until the end of the next Parliament & no longer.

Prouided alwaies, and be it &c. that

Peeres none of the peeres of this Realme shal be arrested or imprisoned for any of the said offences, but onelye by order & commaundement geuen from the

Counsell king and Queenes priuy Counsell, or of the heires of the Queene, and that the said peeres, and euery of them that shall hereafter fortune to bee endicted of any of the offences aforesaid, shalbe tried by their peeres, as hath

Triall beene accustomed in cases of Treason or felony. An. 1. & 2. P. & M. ca. 2. And after An. 2. & 3. P. & M. ca. 21. it is continued to the last date of the next parliament. And after An. 4. & 5. P. & M. ca. 9. This is continued to the last date of the next parliament. And after An. 1. El. ca. 7. this act is made to extend to the Queene, as followeth.

5 ¶ Be it declared, ordeined, & enacted by authoritie of this preſẽt parliamẽt

Statut that the said act and statute made in the sayd first and second yeres of the raignes of the sayd late king and Queene and continued as is aforesayd, and all and euery his braunche, article, ordres, sentences, clauses, prouisions & things therein contained, shal from henceforth by authoritie of this present parliament be expounded, iudged, taken and deemed in all thynges to extend to the

Queene Queenes highnesse that nowe is, as fully and largely to all intentes, constructions, and purposes, as though the same act hadde by expresse wordes extended to the heires and successours of the sayd late Queene, anie question, ambiguitie or doubt, growen, risen or made, or hereafter happening to growe or rise, or to be moued to the contrary, in anie thing notwithstanding. And that all and euery persoone and persones, which hereafter shal maliciously vtter or speake any false seditious or seditious newes, rumours, sayings or tales of the Queenes highnesse that nowe is, or of the heires of her bodie, beeyng kynges or Queenes of this Realme, or shall commit or doo anie offences expressed in the sayd act against our sayd Soueraigne Lady the Queene that nowe is, or the heires of her bodie beeyng kynges or Queenes of this realme, and beeyng therof conuicted or attainted according to the fourme and order in the sayd former acte expressed, shall from henceforth incurre such paynes and penalties, and haue such and the same Triall, iudgement and punishment for the same offences as in the sayd act is limitted and appointed, and according to the fourme, tenour and effect of the same act, and none other wise. Anno primo Elizab. capitulo septimo.

Slander

¶ *Nisi prius.*

FRom henceforth two Iustyces of Iustices
sworne shalbe assigned, before whō Assises
and none other, assises of Nouel dysseisin, Mortdauncestour, and attaints Mortdaūcestor
shall be taken, and shall associate with Attaints
them, twoe, or one of the discreetest knyghtes of the shire into which they shall come, and shall take the sayde assises: and attaintes but thryse in the yere at the most, that is to say, First betwen the quinzime of S. John Baptist, & the guile of August, & the second time betweene the feast of the exaltation of the Crosse, & the brase of S. Michael, & the third time betweene the feast of the Epiphany, and the feast of the purification. And in euery shire at euerie taking of assises, before their departure, they shal appoint the date of their returne, so that euery persone of the shire may know of their

Knyghte

Depart
Returne

comming

Attorne

comming shall atourne the assises frō terme to terme, if ỹ taking of thē be deferred at any day by vouchyng to warrantie, by essoine, or by default of iurours. And if they see that it bee profitable for any cause that assises of moze dauncestour beyng respected by essoine or voucher ought to bee adiourned into the bench: it shalbee lawfull for them to doo it, and then they shall send the record with the originall writte before the Justicers of the bench. And when the matter is come to the takynge of the assise, the Justicers of the Bench shal remit the matter to the first iusticers before whō the assise shalbe taken. But fromhencefoꝛth the Justycers of the bench in such assises shal geeue viii. dales at the leaſt in the yeare beefoꝛe the said Justicers assigned foꝛ to spare expence and labour. Inquysitions of trespas shalbee determyned before the Justicers of both benches, except the trespas bee so heynous that it shall require great examinatyon. Inquisitions also of other pleas pleaded in eythers of the benches shalbe determined beefoꝛe them: wherein small examination is required, as when the entre or seyson of any is denied, or in case whē one article is to be inquired. But inquisitions of many and great articles the whych require great examination shal bee taken beefoꝛe Justycers of the Bench, except that both parties desire that the inquisition may bee taken afoꝛe some of the affectaries, when they happen to come unto those parties, so ỹ from hencefoꝛth it shal not be done but by two Justicers, or one wt̄ some knyght of the shire, vppon whom the parties can agree. And such inquisitions shal not be determyned before any Justicers of the bench, vnlesse a day & a place certayne bee appoynted in the shire in presence of the partyes, and the day and place shalbe mencyoned in a wꝛytte iudiciall by thoſe wꝛdes: Præcipimus tibi, quod venire facias corā iusticiariis nostris apud vvestmonasterium in octauis sancti Michaelis (nisi talis & talis, tali die et loco ad partes illas prius venerint) duodecim &c.

Record Originall

4 Weeks

Trespas Just. of both B.

Inquisitiōs

Just. of the bench

Day & place

And when such maner of inquests be taken, they shalbee returned into the bench, and there shall iudgement bee geeuen and inrolled. Engwests

And if any inquisitions bee take other wyse then after this fourme, they shal bee of no effect, except that assyse of darrayne pꝛesentment, and inquysitions of Quare impedit shalbee delyuered in their owne shire beefoꝛe one iusticer of the bench, and one knyght at a day and place certaine in the bench assigned, whether the defendant consent or not, and there the iudgment shalbe geuen immediatly. All Justicers of the Benches fromhencefoꝛth shall haue in their circuites clerkes to inrolle all pleas pleded beefoꝛe them, like as they haue vsed to haue in tyme passed. Also it is ordained, that the Justycers assigned to take assises, shal not compel the Iurours to say pꝛecisely, whether it bee disseisin or not so that they doo shewe the truth of the deede, and require aide of the Justicers. But if they of their owne head will say, that it is disseisin, their verdict shalbee admitted at their owne perill. And fromhencefoꝛth the iusticers shall not put in assises or iuries any other, then were sōmoned to ỹ same at the first. Wl. 2. ca. 30. An. 13. E. 1.

Darrein pꝛ. Quare impē

Justices

Clerkes

Iurour

Verdict

Iurours

2 ¶ Where wee haue pꝛouided, that none shalbe impanelled any where out of the shire where hee is dwelling, in recognisaunces inquestes, and iuries, that hath lesse then an C.s. of land or rent, whereby as well they that haue moze landes by to often appearyng as well in our eschequer, as beefoꝛe our Justices of either bench, are much impouerysshed. Wee therefoꝛe consyderyng the intollerable dammage of our people, not onely foꝛ the discharge of such iurours, but also foꝛ the moze spedie ministration of Justyce to all parties suynge in our court, haue pꝛouided and

Enquests and ordained, that inquestes, and recognisaunces determynable before iustices of either bench from thence forth, shalbee taken in time of vacation before any of the Justices before whom the plea is brought, beeynge associate to one knight of the same shire where such inquestes shall passe, vnlesse it bee an inquest that requireth great examination. And so from thence forth in taking such inquestes, the Justyces shall do as to them shall seeme most expedient for the common vtilitie of our Realme, notwythstandinge the statut lately made at Westminster, vpon ỳ taking of such inquestes, contayning that if any inquestes bee taken contrary to the fourme of the sayd statut, they should bee of none effect. And therefore we commaund, straitly charging thee, that incontynent wythout further delay, thou shalt cause to bee read and published in cities, boroughs, market Townes, and other solempne places throughout thy libertie, where thou shalt thinke most necessary, of the articles aboue sayed, the whych wee haue graunted, willinge them to bee kept and obserued stedfastly and without cõtradiccyon, and that thou notefie and declare all and singuler ỳ premysses to al our liege people wbout delay. witnesse &c. stat. de finibus leuatis An. 27. E. 1. ca. 4.

Justices Vacation

Knight

Statut

Enquests

3 ¶ Where it is contained in a statute made at westminster, the second day of April the xxvii. yere of the raigne of ỳ kinges father that now is, ỳ inquestes and recognisaunces taken before the Justices of either bench, should bee taken before any Justice of the places, accompanied wỳ some knight of the shire where such inquestes happ to be taken if they haue not neede of great examination: And that in such inquestes the Justyces shall doo as they shall thinke most expedient for the weale of the Realme, the whych statut needeth to bee better declared: It is agreed, that iurates and iuries that happe to bee taken hereafter in pleas of land, that require not great examynatyon shallbee taken in the countrey before a iustice of the place where the plea is accompanied wyth a substanciall man of ỳ countrey knight or other, so that a certaine day bee geuen in the bench, & a certaine day and place in the countrey in presence of the parties demaunding the same. And also inquests and iuries in pleas of land that require great examination shallbee taken in ỳ countrey (in maner aboue sayed) before two Justices of the bench. Anno. 12. E. 2. capit. 3.

Enquests Recognisãz

Knight

Justices

Juries

4 ¶ Where as in a statut made at Yorke in the time of the father of our soueraygne Lord the king that nowe is, it is contayned that enquestes and iuries, whych bee, and shallbee hereafter to bee taken, requiringe no great examination, shalbe taken before one Justice of the place where the plea is, adioyning to him one discrete man of the countrey knight or other, so that a certaine day bee geuen in the bench, and a certaine day and place in ỳ countrey, in the presence of the parties, if the demaundaunt pray the same. And also the enquestes and iuries in plea of land which require great examination shalbe taken in the countrey in the said fourme, before two Justyces of the bench: It is accorded and enacted that all such enquestes, which are to bee taken hereafter in plea of land, shallbee taken as well at the request of the tenaunt as of the demaundaunt. All other poyces according to the saied statut in such case lauded & kept. Anno. 2. E. 3. cap. 17.

Enquests, Juries

Day

Justices

Enquests

5 ¶ Where in times past dyuers people of ỳ realme, as well great men as other, haue made aliances & confederacies & conspiracies to maintain parties pleas & quarrelles, wherby dyuers haue bene wrongfully disherited, and some raunsomed & destroyed, & some for feare be maimehed and beaten, durst not sue for their right nor complaine, nor the iurours

Maintenãce

Maihem

Enqueſts

turours of enqueſts geue their verdicts to the great hurt of the people, & ſclaun der of the law and common right: It

Juſtices

is accorded that the Juſtyces of ẏ one bench and of the other, & the Juſtyces of aſſiſes when ſo euer they come to hold their ſeſſions, or to take enqueſts

Oier & ter.

vpon Niſi prius, ſhall enquire heare & determine, as well at the kynges ſuit,

Conſpiratours

as at the ſuit of ẏ partie of ſuch maintainours, bearours, and conſpiratours.

Champertie

And alſo of them that commit champertie, and of al other thinges contayned in the ſaid article, as wel as Juſtices in eire ſhould do, if they were in ẏ ſame county. And ẏ ẏ can not be determined before the iuſtices of ẏ one bēch or the other, vppon the Niſi prius for

Journe

ſhortnes of time, ſhalbe aiorned into ẏ place whereof they be Juſtices, & there be determined as right & reaſon ſhall require. An. 4. E. 3. ca. 11.

6 ¶ Who ſo demaundeth the Niſi

K. Bench

prius in ẏ kinges bench as well at the ſuit of the defendaunt as the plaintyfe, as before this time hath bene done by the forme of the ſtatut, the Niſi prius

Juſtice

ſhalbee graunted before any Juſtice of the place where the ple dependeth, if any of the ſame place may well go into thoſe parties. And if not, then ẏ Niſi prius, ſhalbe graunted before any Juſtice of the common bench, at a certaine day which may be accorded and to deliuer or ſend the tenour of the record to him vnder the ſeale of the chiefe Juſtice of the place, at which day hee

Returne Verdict

ſhal take the enqueſt, and returne the verdict vnder his ſeale, with ẏ writte, the tenour and the panel, which ſhalbe receiued in the kinges bench and there

Judgmēt

enrolled, and thereuppon iudgment geuen according to the verdict of ẏ ſame enqueſt. And the ſayed Juſtice of the common bench ſhal haue power to re-

Defaults Nonſuits

cord defaultes and nonſuites, as farre forth as if the Niſi prius had ben graūted before any iuſtice of ẏ kinges bēch. After which defaultes ſo recorded and returned in ẏ kings bench, the Juſtices ſhal go to geue iudgment vpon ẏ ſame record. And in the ſame maner bee it done of all the pleas, which be or ſhall be in the common bench, whereof the enqueſtes and iuries be or ſhalbee taken in the countrey by Niſi prius. And if none of the Juſtyces of the ſāe place go, the Niſi prius ſhalbe graunted bee-

Juſtices

fore any Juſtice of the kinges bench, & doo as afore is ſaid of the Juſtices of ẏ cōmon bench. And the tenour of the record ſent to the ſame Juſtice, he ſhal haue like power as afore is ſayed of

Juſt. of one B. or other

Juſtices of the common bench, which bee aſſigned to take enqueſtes & iuries of the kinges bench. And if it happen ẏ none of the iuſtices of thone bence nor the other may come in the countrey, where enqueſtes or iuries be to be ta-

Enqueſts

ken, then the Niſi prius ſhalbe graūted before the chiefe baron of the eſchequer if he bee a man of ẏ law, & he ſhal haue

Chiefe baron

ſuch power as the Juſtices of the one bench or the other, haue by thys ſtat. And in caſe ẏ none of the Juſtices of ẏ one bench and the other, nor ẏ chyefe baron of the eſchequer, being a man of the law doo not come in the countrey where the enqueſtes and iuries be or ſhalbe taken by the Niſi prius: then ẏ Niſi prius ſhalbee graunted before the

Juſt. of C. B. ſeriant

iuſtices aſſigned to take aſſiſes in thoſe parties. So alwaies that ons of ẏ ſaid Juſtyces aſſigned bee Juſtyce of ẏ one bench or the other, or the kynges ſeryaunt ſworne. And the ſame Juſtices ſhall haue ſuch power as afore is ſaid of the Juſtyces of the one bench and of the other, And if ẏ partie demaund

Copie of record

the tenour of the record to haue with him, to deliuer to the Juſtyces, before whom ẏ Niſi prius is graunted, for to eſchewe that no fraud nor damage be done to the other partie, nor to the people of the enqueſtes: an other tenour of the ſame record ſhalbe deliuered to the other partie, if the ſame require. And where as it is an other time ſtablished, ẏ the Juſtices beefore whō the

Juſtices

Niſi prius

Nisi prius had bene graunted in pleas of assises of darrain presentment, & Quare impedit, should have power to geue the iudgementes in the countrey vpon the verdict of assise and of enquest, & vpon nonsuites and defaultes: It is assented, that the Justices of ỹ one bench and of the other, the chiefe barrons of the eschequer, and the iustices assigned, before whom the Nisi prius is graunted by thys statut, shall have ỹ power to geue iudgementes in the countrey, and retourne the same accordyng as is contayned in the statute of Yorke thereuppon made. Anno. 14. E. 3. capit. 16.

Justices
Chiefe baron

Judgemẽt

7 ¶ Against ỹ mischiefe, that happeneth to diuers people of the realme, which bee impanelled and returned before the Justices and Barons of the eschequer, in which case beecause that the enquests be not pursued to the end by those that be parties, but in delaie from yeare to yeares, the iurrours doo greatly lose and some much more thẽ the valour of their land is by years to their great impouerishyng and distruccyon: It is accorded that frombence-forth in all manner of pleas where a Nisi prius is grauntable of office after the great distresse retourned & iii. times serued before the iustices against the iurours, and thereupon the parties demaunded if any of the sayed parties wyll pursue, or if the partues refuse to haue a writte of Nisi prius in the case, then at the suit of any of the Jurours that is present, a writte of Nisi prius, shallbee made and graunted. And that as well in the eschequer as elsewhere, and thereuppon the quarell sett at an end without delay accordyng as ỹ case requireth and the law demandeth. An. 7. R. 2. ca. 7.

Jurours

Enquests

Exaund distres

Suit Jurours

Eschequer

8 ¶ The Justices, before whõ inquisitions, enquests and iuries frombhence-forth shal bee taken by the kyngs writ called Nisi prius, accordyng to the fourme of the statut therof made haue power of all the cases of felony, and of treason to geue their iudgementes as wel where a man is acquite of felony or of treasõ, as where he is thereof attainted at the day and place where the sayd inquisitions enquestes and iuryes be so taken, and then from thence-forth to awarde execution to bee made by force of the same iudgmentes. An. 14. H. 6. ca. 1.

Justices
Enquests

Felony
Treason

Execution

9 ¶ From hence-forth the chiefe Justice of England, for the time beeing, vpon issues ioyned, or to be ioyned in the court called the kinges Bench, or in the court of Chaunceric, the chyefe Justice of the common plees for the time being, vpon issues ioyned or to be ioyned in the court of common plees, & the chiefe Baron of the Exchequer, for the time being, vpon issues ioyned or to be ioyned in the court of Exchequer, or in the absence or default of any of them, two other Judges or Barons of the same seueral courts, where it shal happen either of the same chiefe Justices, or the chiefe Baron for the time beeing, to bee absent, shal or may at their discretions within the said hall called Westminster Hall in Westminster, or in the place where ỹ court of Exchequer is commonly kept in the said countie of Middlesex, as Justices of Nisi prius for the said coũty of Middlesex, within the terme time, or with in fower daies next after the end of euery or any terme, seuerally trie all manner of issues ioyned, or to bee ioyned in any of the sayed seueral courts, whych by the ordinary course of the lawes of the realme, ought to be tryed in any of the said courtes by an inquest of the sayed countie of Middlesex, and that commyssions & writtes of Nisi prius shallbee awarded, in such cases, and in such forme, as they are or haue bene vsed in any other Shire of thys realme: and that it shalbee lawfull for any persone or persones frombence forth, vppon reasonable warning geuen to the aduerse partie, or his or their attourney, as hath bene accustomed in such

Chiefe iust.

Issues
K. bench
Chauncery
Chiefe iust. of cõmon p.

Chiefe baron

Westminster hall
Eschequer

Terme time
4. Daies

Enquests
Middlesex

warning

Attourny

such like cases, to take or sue forth writtes and recoyces of Nisi prius for the tryall of the sayd issues in the sayd countie of Middlesex, as they may doo vpon any issue ioyned, tryable in any other countie, and thereupon take ỳ Jurie in such manner and fourme, & with awarding of tales de circumstantibus, and awarding the nonsuit, as is vsed for the trial of issues ioyned, or nõ suites to bee awarded in the sayed courtes, or any of them, triable wythin the Citie of Lõdon, or wythin anie other Countie of this realme of England, and that the shirifes of the sayed Countie of Middlesex, for the tyme being, shal make returne of al writs of Nisi prius, which shalbee deliuered to thẽ or to their, or any of their sufficient deputie, for ỳ time being, before ỳ said Judges barron, or barons, & euery of them, and shall geeue their attendance vppon the sayed Justices, Baron and Barons, aswell for the retourning of such tales as shalbee prayed de circumstantibus for the trying of ỳ said issues as for the dooing and executing of all other thyng and thynges, to the office of Shirife in such case belonginge or appertaining. And that all persons to bee impannelled in such Juries, and ỳ parties to the same issues and suites, and the witnesses for the same, shallbe charged and bound in such and the like sort, and vppon the lyke paynes & penalties for their not appearaunce and attendance, or for their, or any of their misdemeanour or default beefore the saied Justice of Nisi prius, as they should haue bene, if the same issue hadd ben tryed in the court from whence ỳ Nisi prius thereof was awarded: all which seuerall tryals so to bee had beefore the sayed seuerall Justices, baron or barons, shall by auctholitie of thys present Parlyament, stand, and bee as good and vaylable in law, as if the same had ben tried in the terme time at the barre in the Court where such issue was ioyned or triable, any law, vsage, or custome heretofore made, vsed, or accustomed to the contrary here of, in any wise notwithstandinge. An. 18. El. cap. 12.

Triall

Tales de circumstãtibus

Nonsuite

London

Shirifes

Returne

Tales

Juries

Witnesses

Misdemeanour

Default

Trials

## ¶ Non pleuen.

THe king for the ease of hys people, by the assent of the prelats, Earles barons, and other great men, and the commons aforesayd, hath put out non pleuin of land, which hath bene accustomed in the time of his progenitors and his owne tyme, and the paine also that was wont to ensue in case ỳ land was not pleuied in due time: Also it is enacted that none shall lose hys land from henceforth because of non pleuin. And that this statut hold place as wel in pleas yet hanging, wherein ys no iudgmẽt geuen, as in time to cõe. An. 9. E. 3. cap. 2.

## ¶ Nonsuit.

WHere as vppon a verdict found beefore any Justice in assises of nouell disseisin, Mordauncestour, or any other actiõ, the parties beefore this time haue bene adiourned vpon difficultie in law vpon the matter so found, It is ordained and established, that if the verdict passe against the plaintife, that the saie plaintife shall not bee nonsuit. An. 2. H. 4. ca. 7.

Verdict
Nouel diss.
Mordaũt

## ¶ Nontenure.

BY the execution of nontenure of per cell no writt shalbee abated but for quantitie of the nontenure whych is alleged. Anno. 25. E. 3. cap. 16.

Abate

## ¶ Northumberland.

THe gatheringe of the saied hedpens, shallbee clerely put out for euer any vse or custome to the contrary notwithstanding, vppon paine of a C. li. to be payed, the one halfe of the same to the kyng, and the other halfe to the partie,

Head pence

Fort. Moitie

Shirife

partie, which will sue for the forfaiture against the shrife. This ordinance to begin at the feast of ỳ natiuitie of saint John Baptist, which shalbe in ỳ yere of our Lord, a M.CCCC.lvi. An. 23. H.6. cap. 7.

¶ *Norwich.*

Reparatiõ

A M.26. H.8. c.8. an act was made for the repayring of vold grouñd in Norwich that was burnt.

worsted yarne

2 ¶ An. 33. H.8. cap. 16. an act was made concerning buying of Worsted yarne in Norwich or Norffolke, vpon forfaiture. And in that act, it is further enacted, that if any person or persons doe from or after the first day of April next ensuing shippe to carry or conuey or cause to be shipped to carry or conuey into the parties beyond the Sea, or els do cary or conuey, or cause to be caried & conueied into ỳ parties beyond ỳ sea, any yarne called Worsted yarne, not wrought or made in cloth, so such yarn be spunne or made within this realme of England, that then euery personne and persons so shipping, conueying or carying, or causing such yarne so to be shipped, caried or conueied, shal forfeit for euery pound of Worsted yarne, so shipped, conueyed, or caried vi.s. thone halfe therof to be vnto our soueraigne lord the king, the other halfe vnto him or them that will sue for the same, in any court of Record, by information, byll, plaint, or otherwise, wherein no wager of law, essoine, or protection, shalbe allowed. This act to continue and endure vnto the laste day of the next Parliament. Anno 33. H.8. ca. 16. And after An. 37. H.8. 23. thys act is continued. And after An. 1. E. 6. cap. 6. it is made perpetuall.

Ship

Transport

Yarne

Forf.

Moitie

Hatmakers

And further it is there prouided that hatmakers dwelling in Norwich, to buy such wolsted yarne, called & knowen by the name of middle vffe yarns as they haue heretofore done and vsed to doe, so that the same bee wrought in hats or emploied to hatmakynge with in the said citie. An. 1. E. 6. ca. 6. And after An. 5. E. 6. ca. 7. this act of An. 1. E. 6. ca. 6. is confirmed as appereth in woolles.

Yarne

3 ¶ No person by himselfe, or by hys seruaunt or apprentice, shall from and after the feast of S. Michael tharchangell next comming, make or worke any felte or thrummed hats, or weaue or make any couerlettes or doznecks, or occupy, vse or exercise the misteries, or occupations of makinge of felte or thrummed hattes, or weauing of doznecks and couerlets, or any of them, wythin the said Citie of Norwich, or within the county of Norff. vnlesse he or they that shall so make or worke any such felte or hats, or so occupy ỳ occupation or mistery of making of felte or hats as aforesayd, within the sayed Citie or coũty, be licenced and admytted so to do by the Maior, recorder, steward and two Justices of the peace, of the said Citie, or by fower of them, or that haue bene apprentice to ỳ same occupation and misterie of felte, or hats making, by ỳ space of vii. yeares and in lyke case, vnlesse such personne or persons that shall so make or weaue doznecks or se occupie the occupation or mysteris of doznecks weauing lõ in the sayed Citie or county, bee lycenced or admitted so to do by the Maior, Recorder, steward, and two Justyces of the peace of the sayed Cytie or by fower of them, or that haue been apprentice to the sayed mysteris & occupatyon of doznickes weauinge, by the space of semen yeares, and vnlesse her or they that shal so make or weaue couerlettes, or so occupy the artes or misterie of couerlets weauing or makynge, bee lycenced and admitted so to doo by the Maior, Recorder, steward, and two Justyces of the peace of the sayed Citie, or by fower of them, or that haue beene apprentice to the occupatyon and misterie of couerlettes weauing or making, by ỳ space or terme of

Felte Thrumd hatts Couerlets

Licence Maior Recorder Steward Just. of p. Apprentice

Just. of p.

Apprentice

Just. of p.

Apprentice

of viii. yeres. And be it &c. ẏ no persone or persones shal frombenceforth make any felts or hats, or weaue or make any dozneckes or couerlettes, as aforesaid, or occupy, exercise or vse, the occupation arts or misteries of making of hats or feltes, or weaning or makynge of dozneckes or couerlettes, or any of them, as aforesaid in any place out of the said citie of Norwich wtin the sayd county of Norff. but onely in a corporat or market towne, vppon payne of forfaiture, as wel of the feltes, hattes, dozneckes and couerlets: and euerie of them which shalbee made, wrought or wouen, contrary to the fourme, effect and tenour of this act, or of any part or clause thereof, as also x.s. for euerie halfe dozen of the sayd feltes or hats, and of iii.s. iiii.d. for euery couerlett, and of vi.s. viii.d. for euery vi. pardes of dozneckes, so as is aforesayd, to be made wouen or wrought contrary to this act, the one halfe &c. to the kinge, and the other halfe thereof to the persone or persones that shall or wyll sue for the same, or that will or shall seale &c. Prouyded alwaye that all and euery such persone or persones, as doo dwell, or hereafter shall dwell and exercise the mysterie of dozneckes and couerlets making wtin the towne or parish of Bulham, in the said countie of Norff. shal and may occupy and exercise the makyng of dozneckes and couerlettes, within the said Towne of Bulham, as they haue heretofore vsed to doo: Any thynge in thys act contained to the contrary notwithstanding. And bee it &c. that if the Maior, recorder, Steward, or Justyces of ẏ peace, of the said Citie for the tyme beeyng, or any of them shall take any summe of money or reward, for admyttynge of any persone to occupy or vse any of the artes or misteries aforesayed ẏ for euery such tyme and euerie suche case, the person so offending, shall lose and forfayt x.li. the one part &c. to the king, the other halfe to the partie that will sue for the same, as is aforesayed. An. 5. E. 6. ca. 24.

Felts hatts

Dozneckes Couerlets

Market towns Fayr.

Moitie

Bulham

Maior Recorder Iust. of p.

Reward

Norf. Moitie

4 ¶ An. 1. & 2. P. & M. cap. 14. an act was made for the Cytie of Norwych for makinge of Russettes, sattens, sattens reuerses, fustian of Napels there and not elsewhere, by which act there is a corporatiõ made for theis matters and diuers artycles concerninge the same. Russets Sattens Fustian Corporation

## ¶ *Nusaunce.*

IN cases where as a writ is graunted out of the Chauncery for a thynge done to the noysaunce of an other, the plaintifes frombenceforth shall not depart from the kinges court without remedy, beecause the landes is alyened from one to an other. And in the register of the Chauncery there is no specyall writte found in this case, as of a house, a walle, a market, but the writte is graunted against him ẏ first layed the noysaunce. And though ẏ house, walle, or such like bee alienes to an other, the wrytte shall not bee denied, but from henceforth, where in one case a writte is graunted, in lyke case when lyke remedy sayleth ẏ writ shalbe made as hath ben vsed before. writ

Questus est nobis A. quod D. iniuste &c. leuauit domum, murum, mercatũ, & alia que sunt ad nocumentum liberi tenementi sui, &c.

And if such thinges leuied bee alienes from one to an other, the writt shalbee thus. Questus est nobis A. quod B. & C. leuauerunt, &c. Westminst. 2. capitulo. 24.

2 ¶ All wrytes of nusaunces, commonly called vicountiles shalbe frombenceforth made at the election of the playntife in the nature of olde tymes vsed, or else in the nature of assises determinable before the kings Justyces of the one bench or the other, or before the Justyces of assise in the countie of the place assigned or to bee assygned. An. 6. R. 2. ca. 3. Vicontiles Justices

1 ¶ Where

Penal bōdz

Where as diuers people bee bound in courts out of the realme by instruments and in other manner: It is accoꝛded that all penall bondes in the third person be void & holden foꝛ none. An.38.E.3.ca.4.

*Odio et atia.*

Murder

Enquests

Knights

FOꝛ as much as many beyng indicted of murder, and culpable of the same, by fauourable inquestes taken by the shirife, and by the kynges writt of Odio et atia, bee replenished vnto ꝑ comming of the Justicers in eire: It is ꝓuided, that fromhencefoꝛth such inquestes shalbe taken by lawful men chosen and tried out by the othe of xii. men (of whom two at the least shall be knightes) which by no affinity touching the ꝓsoners, noꝛ otherwise are to be suspected. Wi.1. cap.12. Anno. 3.E.1.

*officers and office.*

Chaūceloꝛ Treasoꝛer

Justices

Just.of p.

Shirife Escheto Customer

Reward

THe Chaunceloꝛ, Treasourer, keeper of the ꝓuy seale, steward of ꝑ kings house, ꝑ kigs chāberlaine, clerk of the rolles, the Justices of the one bench and of the other, barrons of the eschequer, and all other that shalbe called to oꝛdaine, name oꝛ make iustyces of peace, shyrifes, eschetoures, custoiners, controllers, oꝛ any other officer oꝛ minister of the kyng shalbee firmely sworne, that they shal not oꝛdaine, name, noꝛ make iustyces of peace, shirife, eschetour, Customer, controller, noꝛ other officer noꝛ myniſter of the kynge foꝛ any gift oꝛ brocage, fauour oꝛ affection, noꝛ that none, whych purchaseth by him oꝛ by other paiuily oꝛ apertly to be in any maner officye shall bee put in the same office, oꝛ in any other, but that they make all such officyers and ministers of the best, & most lawefull men and sufficyent to their estimation and knowledge. Anno. 22. R.2. ca.2.

Customer Cōptroller

2 ¶No custoner, comptroller, seruant, weyer, oꝛ sinder, haue any such office foꝛ terme of life, but only as lōg as shall please the kyng notwithstanding any patent oꝛ graunt made to any to the contrary. And if any such patēt oꝛ graunt foꝛ terme of lyfe bee made to any, of any such office in tyme past, the kyng will that it bee vtterly repealed and void, and of no foꝛce noꝛ valour An.14.R.2.ca.10.

Weyer

Sercher Gaugeur Juinegeꝛ Customer Cōptroller Terme of life

3 ¶No searchour gaugeur of wines juinegeour, sinder, noꝛ waiter of wools oꝛ any other marchandises, collectour of any customes and subsidies, oꝛ cōptrollours shall haue estate in his office foꝛ terme of lyfe oꝛ of yeares: but that the sayd officyes shall remayne in the kynges handes vnder the gouernance of the Treasourer foꝛ the tyme being, with the assent of the councell when neede is. And if any charters oꝛ letters patentes, bee made to the contrarie, they shalbee clerely annulled, void and of none effect. An.16.R.2.cap.5.

L.patents

Lloyd

4 ¶The sayd statut (that is to say 17.R.2.cap.5. breſoꝛe.3.) bee firmely holden and kept, and put in due execution. Joyned to the same ꝑ customers and Comptrollers in euery poꝛt of England, shalbee resident vppon their offices in ꝓper persons without making any deputy oꝛ lieutenant in their names. An.1.H.4.ca.13.

Customers Cōptrollers Resident

5 ¶That the statut made (that is to say Anno.1.H.4.cap.13.beſoꝛe.4) bee firmely holden & kept in al points: Joyned to the same that they shallbee sworne to doo the same from tyme to tyme vppon payne of imprisonment, & to pay to the king. C.li. if they do cōtrary. Also it is accoꝛded and assented that the lieutenaunt of ꝑ kinges chyefe boteler & ꝑ serchor, shalbe resident in ꝑ same maner, & vpon the same paine of C.li. the one halfe to our soueraygne loꝛd the king, and ꝑ other halfe to hym that will sue foꝛ ꝑ same our soueraigne loꝛd the king, against such custōmers, comptrollers, lieutenaunt, oꝛ searcher not resident. An.4.H.4.ca.20.

Imprison

R.Wotelt

Foꝛf. Wooll

Customers

6 ¶The

Customers Cōptroilers K. butler Serchcour

6 ¶The statutes made of custo-mers, comptrollers, lieutenants of the chiefe buttler, and of serchcours, ẏ firſt and fourth yeres of our ſaid ſouereign lord the king that now is, be kept and holden. And moreouer, that all maner of custoumers & comptrollers, gaugeours of wine and serchcours throughe the realm, shalbe continually resident and abyding vpon their offices, and in especiall at the time of the charge and discharge of shippes and bottels ẏring in the portes of England, and passing out of the same: so that no such officer, after the time aboue named, be absent from his said office by three weekes at the most, vpon paine to loose his said office, vnlesse he be commanded & charged in especiall of record, to bee in the kings courtes or otherwise in ẏ kings seruice of record, as afore is said. An. 13. H. 4. cap. 5.

Gaugeors Serchcors Residēt

Fol.

7 ¶The officers made by ẏ kings letters patentes to all within the said court, which haue power and auctorite by vertue of their offices of olde times accustomed to make clerks and ministers within the sāe courts, shalbee charged and sworne to make such clerkes and ministers, for whom they will answeer at their perill, which bee sufficient faithfull & intending to ẏ part tenech to the in the baillies affayr of ẏ kings business as of his people. An. 2. Henrici serti capitulo 2.

L. patents

Clerks

8 ¶All letters patents made of any the offices (that is to say serchcour gaugeour, aulnegeour, viuer weier, collector and controller) or aulnage, to any person against the effect of the said statutes (that is to say. Anno. 17 R. 2 cap. 1. before. 3. and Anno 4. H. 4. cap. 20. before. 5.) shalbe void and of no force, and that no letters patentes of any of the said offices or aulnage, shall bee made hereafter but by warrant of bill sealed by the treasorer of England for the time being, sent by him into the chauncerie, as it hath bene accustomed before this time. And that all letters made or to bee made hereafter of the said offices or aulnage by other warrant then by bill of the treasorer, shal be void and of no effect: Prouided alwaies that this act shall not extend nor be preiudicial nor hurtful to our soueraigne lady the Quene the Prince, the Duke of Buckingham, to the inheritours of Henry late Duke of warwike, nor to the maire and cominaltie of London, to the maire baillifes and cominaltie of the citie of Winchester, as to any grant or grāts dimis or dimises, of the aulnage, or any graunt or graunts, of any sume or sumes of money of the ferme of the aulnage to them grāted, made or confirmed, nor to no comptroller hauing any offices out of the kinges portes, nor to John Penicocke esquier, to Giles Seyntle esquier, nor to any of the kings or Quenes houshold seruantes, of any graunt or graunts of any office or offices to them made before this time, with the fees and wages of olde time due & accustomed. Anno. 13. H. 6. cap. 5.

L. patents Serchcour Gaugeour Sercher

Wm Lloyd

Quene

Maior London

Winchester Aulnegs.

K. houshold

9 ¶If any steward, auditour, receiuer, or bailife that now is or hereafter shalbe of any of the said honours, lordships, manors, lands & tenements, (as of the king) constable, or keeper of any of his said castels, warden, maister of game, parke keper, or any other officer of any of his said forests, chases parks or warrens that now is, or hereafter shalbe vnlawfully retained with any person from henceforth or reteine any man dwelling within any of the said honours, lordships, manors, lands and tenementes, contrary to any ordinance or act afore this time made, or suffer any man dwelling within the same honors, lordships, manors, lands, and tenements, to bee vnlawfully retayned with any other man or person what degree or condition soeuer he bee of, and shew it not to the king within xl. dayes next after he haue knowledge therof, and how, and with whom he

Steward Auditour Receyuer Baylife Constable warden Parker Keeper.

Honours Lordshipes Retayned.

to be retained. Or any of ẏ said officers
Rents conney any of the said tenants inhabi-
tants ferners to the king to any field
assemble or route, otherwise then by ẏ
kings commaundement, to doe hym
L. liuerie such service as he shalbe commaũded
and that alway in the kings liuery &
signe with a constance of him that soe
conney them by the kings commande-
ment, or if such officer come not to the
Warre kings highnesse in time of trouble or
warre, when he thereto shalbee com-
maunded, having no reasonable excuse
to the contrary, that all graunts then
made or had to him of any of the sayd
offices, by the king, or by any of the
Lloyd kings progenitors or predecessors, bee
then vtterly void & of nõe effect. And
Fermer it is ordeined by the same auctoritie,
that if any fermer or tenaunt wythin
Metayned any of the same honours, lordshipes,
mannours, landes and tenementes,
be retained with any person or persõs
contrary to the statuts by liuery, signe
token or oth, indenture or promise, or
to go to any field, garding or assemble
Liueries in any mans liuery, signe or token,
but only in the kinges liuerie & signe
Leases and to serue him only or where he shall
be commaunded by the king, that all
graunts and leases to him made for
tearme of yeres, or at will of landes,
Lloyd tenements rents or other possessions,
being parcell of any of the saide ho-
nours, lordships, manors, landes, & te-
nements, be then vtterly void and of
L. patents none effect. An. 3. H. 7. cap. 12.
Inglewood ¶ An. 4. H. 7. cap. 6. it was enacted
that all letters pattentes made of any
L. Dacre office within the forest of Inglewood,
from the first of the parlement should
be voide, excepte the Lord Dacre and
the Earle of Northumberland.
Yomen Grooms ¶ Where as diuers yeomen of the
crowne and gromes of the kinges ma-
iesties priuie chamber, haue diuers
offices and fees graunted to them by
his letters patents for the considera-
tion of their attendance in the kings ser-
uice, which do not endeuour thẽ selues
in giuing their attendance after their
Attendance dutie. It is therefore &c. that if any of
the said yeomen or grome do not giue
their attendance about the kings high-
nesse according to the ordinance of his
L. patents chamber, that then all letters pattents
to them or any of them made, or here-
Lloyd after to any such person or persons to
be made, be of no better force ne effect
but at ẏ kings pleasure. A. 7. H. 4. c. 7.
¶ Where diuers of the kings sub-
iects by their sinister and subtil infor-
mation & meanes haue heretofore had
L. patents and obteined of ẏ kings maiesty, as wel
Bills by letters pattentes, as by billes and
Graunts warrants assigned by his graces hand
diuers graunts for terme of life & liues,
of diuers offices, fees, wages, & other
profits being extraordinary & not the
ordinary offices, fees, wages or profits
Garlon Calis of ẏ garlon wtin ẏ townes of Calleis,
Gwines, Hãmes, Rulbank, & ẏ mar-
Barwike ches of the same, & in the town of Bar
wike: And haue like wise obteined of ẏ
warrants kings highnes diuers especiall warran
tes & licences for to be absent & non re-
sident in & vpon their ordinary offices
within the said townes and marches.
And where also diuers of the kinges
subiectes of their sinister and subtile
Terme of life meanes haue likewise obteined of the
kings maiestie for terme of life & liues
diuers graunts vnto them made by the
Shirifes writes Wales kings graces letters patents of diuers
offices of shirifwikes within the kings
dominion of Wales, contrarie to the
common wraith of the comtrie there,
not onely to the great vniuersitie of the
said townes and places aboue rehear-
sed, but also to the great disquieting,
vexation & trouble of the kings louing
and obedient subiects. For reformatiõ
Lloyd whereof be it &c. that all & singuler such
L. patents letters patents, warrants & licences
heretofore graũted or made by ẏ kings
maiesty to any person or persons, as is
aforesaide, and euery of them shall by
auctoritie aforesaid, from and after the
first day of September next comming
Lloyd be clerely voide, frustrate, and of none
effect,

effect, to all intẽts constructions & pur-
poses. And also that all & singuler gran-
Mannions tes of the reuersion or reuersions of a-
ny office or offices in ỳ townes aboue
reherſed & marches of ỳ ſame, ſhall by
auctoritie aforeſaid, be likewiſe voide,
fruſtrate & of none effect to all intents
and purpoſes. An. 32. H. 8. cap. 27.

13 ¶ If any perſon or perſons, at any
time hæraftẽr, bargaine or ſell any of-
Sell office fice or offices, or deputation of any of-
fice or offices or any parte or parcell of
any of thẽ, to receiue haue or take any
money, fee, reward, or any other profit
directly or indirectly, or take any pro-
Bond miſe, agreement, couenant, bõd or any
aſſurãce to receiue or haue any mony,
fee, reward, or other profite, directly or
indirectly, for any office or offices, or
for the deputation of any office or offi-
ces, or any parte of any of thẽ, or to the
intent ỳ any perſon ſhould haue, exer-
ciſe or inioy any office or offices, or ỳ
deputatiõ of any office or offices, or any
part of any of them, which office, or of-
fices, or any part or parcel of thẽ, ſhall
in any wiſe touch or cõcerne the admi-
niſtration or execution of iuſtice, or the
receipt, comptrolement or payment of
any ỳ kings highnes treaſour, money
rent, reuenue, accompt, auinage, audi-
Auinage tor ſhips, or ſurueying of any the kin-
Auditor ges maieſties honors, caſtles, manors
Surueyor lands, tenementes, woods, or hereditaments, or any the kings maieſties
cuſtomes, or any adminiſtrations, or
neceſſary attendaunce to be had, done,
or executed in any the kings maieſties
cuſtome houſe or houſes, or the keping
of any the kings maieſties townes, ca-
ſtels, or fortreſſes, being vſed, occupied
or appointed for a place of ſtrength, de-
fence, or which ſhall concerne or touch
any clarkeſhip, to be occupied in any
maner of court of recorde, wherin iuſ-
tice is to be miniſtred, that then all and
euery ſuch perſon & perſons that ſhall
Sell so bargaine or ſell any of the ſaid office
Deputatiõ or offices, deputation or deputations,
or that ſhall take any money, fee, re-
ward, or profit for any of the ſaid office
or offices, deputatiõ or deputations of
any of the ſaid offices, or any parte of
any of them, or that ſhall take any pro-
miſe, couenant, bond, or aſſurance for
any money, reward or profite to be gi-
uen for any of the ſaid office or offices,
deputation or deputations, of any of ỳ
ſaid office or offices, or any part of any
of them ſhall not only loſe & forfait all For.
his and their right, intereſt and eſtate,
which ſuch perſon or perſons ſhal then
haue, of, in, or to any of the ſaide office
or offices, deputation or deputations,
or any part of any of them, or of, in, or
to the gift or nomination of any of the
ſaid office or offices, deputation or de-
putations, for the which office or offi-
ces or for ỳ depotation or deputations Deputation.
of which office or offices, or for any
part of any of them, any ſuch perſone
or perſons, ſhall ſo make any bargain
or ſale, or take or receiue any ſumme of
money, fee, reward, or profite, or any
promiſe, couenant or aſſurance to haue
or receiue any fee, reward, money, or
profit: But alſo that all and euery ſuch
perſon and perſons that ſhall giue or
pay any ſumme of money, reward, or
fee, or ſhall make any promiſe, agree-
ment, bond, or aſſurance for any of the
ſaid offices, or for the deputation or de-
putations of any of ỳ ſaid office or of-
fices, or any part of any of them, ſhall
immediatly, by & vpon ỳ ſame fee, mo-
ny or reward giuen or paid, or vppon
any ſuch promiſe, couenant bond or a-
greemẽt had, or made, for any fee, ſum
of money, or reward to be paide as is
aforeſaid, be aduoged a diſabled perſon Diſabled
in the law, to all intents and purpoſes,
to haue, occupy, or inioy the ſaid office
or offices, deputation or deputations,
or any part of any of them, for ỳ which
ſuch perſon or perſons ſhall ſo giue or
pay any ſumme of mony, fee or reward,
or make any promiſe couenant, bonde
or other aſſurance to giue or pay any
ſumme of money, fee, or reward. And
be it &c. that all & euery ſuch bargaines

ſales,

Sales
Lloyd

sales, promises, bondes, agreementes, couenantes, and assurances as before specified, shalbe void, to, & against hym and them, by whom any such bargain sale, bond, promise, covenant, or assurance shalbe had or made. Provided alway, that this act or any thing therin contained, shal not in any wise extend to any office or offices, whereof any person or persons is or shalbe seised of any estate of enheritance, nor to any office of parkership, or of the keeping of any parkhouse, manour, garden, chase, or forest, or to any of them: Any thing in this act heretofore mencioned, to the contrary thereof in any wise notwithstanding. Provided also þ if any person or persons do hereafter offend in any thing contrary to the tenour & effect of this act, yet that notwithstãding all

Enheritãce
Parkershyp
Judgmẽts

judgements geuen, and al other act & actes executed or don by any such person or persons so offending by auctoritie or colour of the office, or deputatiõ which ought to be forfaited, or not occupied, or not enioyed by the person so offending as is aforesaid, after the said offence so by such person committed or done, and before such persõ so offending for the same offence bee removed from the exercise, administration, and occupation of the said office, or deputation, shalbee and remaine good and sufficient in law, to all intentes, constructions and purposes, in such like manner and forme, as þ same should, and ought to haue remained, and beene if this act had neuer been had or made.

Provided also that this act, or anie thing therein contained, shall not in any wise extend to any bargaine, sale, gift, graunt, nomination, bonde, couenant, promise, agrement or assurance whatsoeuer it be, of or for any þ office or offices, deputation or deputations aforesaid, or any part of any of them, had, made, done, cõcluded or agreed before the first day of March next cõmig but that the same bargain, sale, gifte, grãt nominatiõ, bõd, couenãt, promise agreement, or assurãce had made cõcluded or agreed before the said first daye of march, shal alwaies remain, cõtinue & be in such forze, strẽgth & effect, as if this act had neuer bene had or made, anie thing before in this act mencioned to the contrary therof in any wise notwithstanding. Prouided alwaies, & be it &c. þ this act or any thing therein contained, shal not in any wise extend or be prejudiciall or hurtfull to any of þ chiefe iustices of the kings courtes cõmonly called the kings bench, or common place, or to any of the iustices of assise þ now be, or hereafter shalbe, but that they and euery of thẽ, may do in euery behalfe touching or concerning any office or offices to be giuẽ or grãted by them or any of them, as they or any of them might haue done before the making of this act: any thing beefore mencioned to the contrary in any wise notwithstanding. An. 5. E. 6. cap. 16.

Chiefe iust.
Iust. of ass.

## ¶ Oyer & terminer.

A Writ of trespas to heare & determine from henceforth shall not be graunted before any Iustices, except Iustices of either bench, and Iustices in Eire, but for great trespas, where hasty remedy is required. And our lord the king hath graunted this of hys especiall grace, neyther also hereafter shalbee graunted a writ to heare and determine appeales beefore Iustices assigned, but in a speciall case, and in case when our lord the king shal commaund it, but that such appeales and indictes bee not long kept in prison, let them haue a writ of Odio & atia, as in Magna charta and other Statutes it is sayd. Westminster 2. capit. 29.

Trespas
Iust. of b.
Iust. in eire
Appeal
Odio & atia

2 ¶ Per statutũ quod vocatur regnã de iustic. assignatis, it was ordeined, þ iustices

Iustices should goe through England to heare and determine trespasses & other complaintes of thinges done wtin xxv. yeares before, and diuers matters bee in that Statute concernyng those thynges.

Iustices

3 ¶ For ỳ punishment of felonies, robberies, manslaughters, trespasses, & oppressions of the people commytted in times past, it is accorded ỳ our soueraigne lord the king shal assigne iustices in diuers places of his land within the kinges bench and elsewhere, as it was done in the time of his said grandfather of great men of the land, which be of great power, with some of ỳ iustices of the one benche or of the other, with other learned mẽ in the lawe, to enquire as wel at the suit of the partie, as at the kinges suit, and to heare and determine all maner of felonies, robberies manslaughters, theft, oppressyons, conspiracies, and greuances done to the people against the lawe, statuts and customes of the land, as wel by ỳ kings ministers, as by other what so euer they be, and that as well wythin fraũchise as wout. And also to enquire of shirifes, corroners, vndersheriffs, bailiffs, constables, & all other ministers wtin liberties & without, & of their vnderministers. And to heare & determine at the kings suit and also the parties. And our soueraygne Lord the king, and all the great men of the realme in the full parliament, hath taken vpon them to maintaine & kepe ỳ peace. And they & theirs to saue ỳ kigs iustices, & aid them where they come, so ỳ the iudgemẽt & executions bee not let, but executed. And ỳ the offendors be not hid by thẽ nor maintained prvyly nor appertly. But the entent of ỳ king & of his counsaile is not, ỳ by this act any prejudice should ensue to the great men of the land hauing liberties nor to the city of London, nor to other cities, nor boroughes, nor to the fyue portes in the right of their fraunchyse. Anno. 2. E. 3. capitulo. 7.

Oier & terminer
Felonies
Mãslaughters

Shirifes
Corroners
Bailifes
Constables

Liberties
London
Cities
& Portes

THe Maior of the Cytie of London (for the time being) with the master & wardens of the mistery or craft of tallow chaundlers of the same citie, for the time being, shal frõ henceforth haue ful power and authority to serch al maner of oyles, brought into ỳ sayd city of Lõdõ to bee sold, in whose hãds soeuer they be or shalbe foũd, and that as oft as the case shall require. And ỳ the said Maior wyth the said master & wardeins of the sayd misterie or craft of tallow chaundlers for ỳ time being shal truely search and ouersee, that ỳ same oyles to bee put to sale, bee not myxt nor altered from their right kindes, but that they be good & lawfull as they ought to bee. And that it shalbee lawfull to the sayd Maior with ỳ sayd master and wardeins for the time being, to damme, anoyd & vtterly to cast away all such oyles as they shall fynd defective, or falsely or deceiuably myxed & altered from their right kinds, as is aforesayd without any let or perturbance of any person or persons whatsoeuer they are or shalbe. And also the said Maior, master, & wardeins to cõmit such person or persons, as shalbee found defective for vsing of such deceit or craft, to ward, and to punish him or them therfore by their discretions, according to the lawes and customes wtin the said city or libertie of Londõ, vsed, had & made, of and for other misdoers and offenders in the sayd City. And be it &c. that the Mayor in euerie city, borough & towne within this Realme where a maior is (for the time being) or the gouernour or gouernoures or rulers of euery other citie, borough, & towne corporat within this realme, also for the time being, shal haue within their iurisdiction, libertie, and fraũchise, euerie of thẽ like authority & power to make and do like search, order, direction, correction, punishment, & execution of the same, of, for, & vppon all oyles being defective, or deceiuably or falsely myxed & altered by any person

Maior London

Tallow chandlers

wardens

Serch

Impryson

Cities Boroughs

or persons within their liberties & frā-chises, in maner & fourme, as is afore reherſed, as the ſaid maior, maſters, & wardens of the ſaid City of London by this preſent act haue or might haue of, for, or vpon any olle ſolde or to bee ſold within the citie of London. An. 3. H. 8. cap. 14.

¶ *Ordinaries.*

Intestat

Whereas after ỳ death of a perſō dying intestate, which is bounden to ſome other for debt, the goodes come to the handes of the ordinarie to be diſpoſed: The ordinarie from henceforth ſhalbe bound to anſwere as far forth as the goodes of the dead will extend, in ſuch ſort as ỳ executors ſhould haue bene bounden, if the partie had made teſtamēt. Wi. 2. ca. 19.

Admiñiſtrators

Cōmiſſiōs Juſtices

2 ¶ Wheras commiſſions be newly made to diuers iuſtices, ỳ they ſhal make inquiries vppon iudges of holie church whether they made iuſt proces or exceſſiue, in cauſes teſtamētory & other, which notoriouſly perteineth to ỳ cognisance of holy church, the ſaid iuſtices haue enquired & done to be endited iudges of holy churche, in blemiſhing of the fraunchiſe of holy church, ỳ ſuche commiſſions be repealed, and frō hēceforth defēded. Sauing ỳ article in Eire ſuch as ought to bee. Anno. 18. E. 3. capitulo. 6.

Indictmēts

3 ¶ Becauſe ỳ ỳ kings Juſtices do take indictmēts of ordinaries & of their miniſters of extorcions and oppreſſions, and impeach them, without putting in certain, wherein, or whereof, in what manner they haue done extorciō: The kig wil, ỳ his iuſtices ſhal not frō hēce forth impeach ỳ ordinaries, nor their miniſters, bycauſe of ſuch enditemēts of generall extortions or oppreſſions, vnleſſe they ſay and put in certeine, in what thing, and of what, and in what manner the ſaid ordinaries or their miniſters haue done extortion and oppreſſion. Anno. 25. E. 3. ſtat. 3. capitulo. 9.

Extorcions

¶ *Ordinances of ſtatutes for erection & foundations of Churches & ſcholes & for corporations.*

The Quéne from henceforth during her naturall life, (which our Lord long preſerue) ſhall haue by vertue of this act, full power and authoritie to make & preſcribe vnto euery of the ſaid churches (i. cathedrall and collegiat, erected by Henrie the. 8.) and the Deanes Prebendaries and miniſters of the ſame and to their ſucceſſours, ſuch ſtatutes, ordinances, & orders, for the good gouernance, rule and order of euery of the ſame churches Deanes, Prebendaries, and miniſters of the ſame, and of the landes māners tenementes, and poſſeſſions of euerie of the ſame Churches, as ſhall ſéeme good to her highneſſe, the ſame ſtatuts and ordinances to bee made by her highneſſe, by writting ſealed with the great ſeale of England, and to be deliuered to the Deanes, Prebendaries, and miniſters of euery of the ſaid churches for the time béeing. And ỳ it may bee &c. that our ſaid ſoueraigne lady the Quéene during the time aforeſaid, by writting ſealed with the great ſeale of England, ſhall, and may alter, tranſpoſe, chaunge, augment, or diminiſh the ſayd orders, ſtatutes, and ordinances of euery of the ſaid churches, from time to time, as occaſion ſhall ſerue, and as it ſhall ſeeme good to her highneſſe, and that all and euerie of the ſaid ſtatutes ordinances and orders to bee made, altered, tranſpoſed, changed, augmented, or diminiſhed, as is aforeſaid ſhall bee and remain good and effectuall, according to the making alteration, tranſpoſing, chaunging, augmenting, or diminiſhing of the ſame. Bée it alſo &c. that the Queenes highneſſe may haue like power and authoritie to make, ordeine, and eſtabliſh ſtatutes ordinances and formdaciōs for the good order & gouernement of

Prebendaries

Deans

Alter

Statutes

Foundatiōs

of such grammer scholes as haue been erected, founded, or estabilished in any part of this realme by the most noble prince, king Henrie the eight, or king Edward ỳ sirt, & of the ministers and scholers of the same schole, and to alter and transpose such other statutes and ordinances there made heretofore frō time to time, as to her highnesse shall seeme most cōueniēt. An. 1. Ph. 2. parliamento cap. 9.

## ¶ Oth.

See in the new printed booke commōly called Magna Carta, late printed by Richard Tottel. An. do. 1556. folis. 164. and 166. of the othes of the king, the bishops, the kinges counsaillours, eschetours, shirifs, maires and bailifes.

King
Bishops
K. counsel
Eschetors
Maiors

2 ¶ An. 21. R. 2. ca. 5. it was enacted that the lords prelates & other that should sue liuerie, should take an oth but that parliamēt is repealed by. 1. Ỳ 4. cap. 3.

Liuerie
Repealed

3 ¶ An. 28. H. 8. cap. 7. & 10. seuerall othes be set out by those seuerall actes to be sworne by diuers persons to ỳ maintenance of the kings supremacy, & against ỳ Pope & ỳ sea of Rome, but all the articles concerning those othes be repealed by 1. & 2. Ph. & M. ca. 8 But a new oth is appointed by 1. El. 1. which is in Crowne. 6.

Supremacie
Pope

## ¶ Oxford.

An. 9. H. 5. ca. 8. an act was made to endure to the next Parliament that should be after the returne of the king into Englād against scholers of Oxford, for putting out of possession of any for hunting, & for breaking ỳ Ordinaries prison.

Hunting
Breake
prison

## ¶ Palaice.

An. 28. H. 8. cap. 12. there is an act for the kings palaice at Westminster.

Westminst.

## ¶ Panell.

NO enquest, but assises & deliuerāces of gaioles, be take by writ of Nisi prius, nor in other maner, at ỳ suit of any great or small, before ỳ ỳ nāes of al ỳ shal passe in ỳ enquests bee returned in ỳ court. And ỳ the shirifs array ỳ panels in assises. iiii. daies, at the least before ỳ sessiōs of ỳ iustices, vpon pein of. xx. li. so ỳ the parties may haue ỳ view of ỳ panelles, if they ỳ same demaund. And as to the returne or aūswere of the baylyffes of fraunchyses they shal make their aunswere to the shirifes. vi. daies before their sessions vpon ỳ same peine. And in all maner of panels arraied by ỳ shirifes or baylifes wōm fraūchise, shalbe put ỳ moste substāciall people & worthy of faith, & not suspect, which haue best knowledge of ỳ truth & most nighest. Anno 42. E. 3. cap. 11.

Enquests

Nisi prius

Shirifes Fort.

2 ¶ An. 18. H. 6. cap. 14. it was enacted ỳ if any shirife or other ỳ arrained panels did take any thing therfore ỳ party greued should haue an actiō & recouer. x. times as much to endure to the next parlement, & then further for euer if that parlemēt thought it good. See ỳ booke at large.

Shirifs

3 ¶ An. 11. H. 7. ca. 25. an act was made to endure to ỳ next parlement ỳ Iustices of peace should exercise the panels, & resome them by their discretions. And after an. 12. H. 7. ca. 2. this act was continued to ỳ next parlemēt.

Iust. of p.

4 ¶ Al panels to be returned which be not at the suit of any party ỳ shalbe made and put in by euery shirife and their ministers afore any iustice of gaole delinery, or Justices of peace. whereof one to be of the Quorum, in their open sessiōs to enquire for ỳ king shalbe reformed by putting to and taking out of the names of the persons which so be empanelled by euery shirif and their ministers, by the discretion of the same iustices before whom such panels shal be returned. And ỳ ỳ same

Shirife

Iust. of p. Quorum

Iustice and Iustices shall commaund euerie Shirife, and their mynisters in his absence to put other persons in the same panel by their discretions, & that the same panels so reformed by ỳ sayd Iustices, bee good and lawfull. And ỳ if any sherife, or any their minister, at anie time do not returne the same panels so reformed, that then euery such sherife or minister so offending for euerie such offence shall forfait xx. li. sterling money of England, the one halfe therof to our soueraigne lord the kyng or his heires, and the other half therof to him or them of his subiects that will sue for the same by accõ of debt at the cõmon lawe, or bill, or cõplaint where it shal fortune anie such to fall & bee, & that none essoine, ne protection bee allowed for the defendant or defendãts in that accions or plaintes, nor that ỳ said defendant or defendants therin be admitted to wage their law. And that ỳ kings pardon shalbe no barre against ỳ party and parties in the same, ỳ anie such accions shal sue. Anno. 3. Henrici 8. capitulo. 12.

Fozl.

Moitie

Pardon Barre

## ¶ *Parliament.*

A Parliament shalbe holden euerie yeare once, or more often if neede be. Anno. 4. E. 3. cap. 14.

2 ¶ For mayntenance of the sayed articles and statutes, and redresse of diuers mischieses & greuances whych dayly happeneth, a parliament shalbe holden euerie yeare, as an other tyme was ordeyned by a statute. Anno. 36. E. 3. capitulo. 10.

Yerely

3 ¶ All & singuler persones and comminalties: which from hẽceforth shall haue the summons of the parliament, shal come from henceforth to the parliamentes in the manner as they bee bounden to do and hath ben accustomed within the realme of England of olde tymes. And euerie personne of ỳ same realme, which from henceforth shall haue the sayd summons (be he Archebyshop: Byshop, Abbot, Prior, Duke Earle, Baron, Baronet, Knight of ỳ shire, Citizen of Citie, Burgesse of burgh, or other singuler personne or comminaltie) do absent him selfe: and come not at the said summons (except hee may reasonably and honestlie excuse him to our Soueraigne lorde the kyng) hee shalbee amerced: and otherwise punished, accordyng as of old times hath been vsed to bee done: within the sayd Realme in the sayed cale. And if anie sherife of the Realme bee from henceforth negligent in making hys returnes of writtes of the parliament: or that he leaue out of the sayed returns anie cities or boroughs which be bound and of olde times were wont to come to the parliament: he shalbee punished in the manner as was accustomed to bee done in the sayd cale in ỳ sayd time past. Anno quinto R. 2. statut. 2. cap. 4.

Somons

Absent

Amerced

Shirifs

4 ¶ In the ryght of leuying of the expences of the knights comming to ỳ parliaments for the commons of the Counties, it is accorded and assented that the sayd leuying bee made as it hath been vsed before this tyme, Joinyng to the same that if anie Lordes or anie other man Spiritual or Temporall haue purchased anie lands or tenementes, or other possessions ỳ were wont to bee contributorie to such expences before the time of the said purchase that the same lands, tenements, and possessions, and the tenauntes of the same, bee contributorie to the said expences, as the sayd landes, tenements, and possessions were wont to do before the tyme of the same purchase. Anno duodecimo Richardi secundi capitulo. 12.

Expences Knights

5 ¶ An. 21. R. 2. ca. 6. it was enacted, ỳ the heires males of certaine that were attaynted should not come into anie parliament. But this parliament was repealed by An. 1. H. 4. cap. 3.

Heires maies

6 ¶ An. 21. R. 2. ca. 12. it was enacted, ỳ ỳ parliament holde An. 11. R. 2. should

bee

be repealed and that reſtitution ſhould bee made to them or their heires that were condempned in the parliament, but this parlyament of Anno. 21. R. 2. was repealed by 1. H. 4. cap. 3. and by 1. H. 4. capit. 4. that parlyament of Ann. 11. R. 2. was confirmed and reuiued.

Repealed

Reuiued

7 ¶The elections of ſuch knightes ſhallbee made in the fourme as folo-weth (that is to ſay) at the next county to bee holden after the deliuery of the writ of the parliament, proclamatyon ſhallbe made in the full countie of the day & the place of the parlyament, and that all they that bee there preſent, as well ſuitours duely ſommoned for the ſame cauſe, as other, ſhall attend to ẏ eleccion of their knightes for the parliament, and then in the ful countie they ſhal procede to the eleccion freely & indifferently, notwithſtanding any prayer or commaundement to the contrary. And after that they bee cholen, the names of the perſonnes ſo cholen (bee they preſent or abſent) ſhalbee written in an indenture vnder the ſeales of al them that dyd chooſe them, and tacked to the ſayed writte of the parliament, which indenture ſo ſealed and tacked ſhalbe holden for the Shiriffes returne of the ſaied writ, touching the knights of the Shires. And in the wrytts of the parlyament to bee made hereafter, thys clauſe ſhalbee put: Et electionem tuã in pleno comitatu tuo factam, diſtincte et aperte ſub ſigillo tuo & ſigillis eorũ qui electioni illi interfuerũt, nobis in cancellaria noſtra ad diem et locum in breui cõtent certifices indilate. An. 7. H. 4. cap. 15.

Knights Election Counties

Proclamation

Indenture

Returne

8 ¶The Juſtices aſſigned to take aſſiſes, ſhal haue power to enquire in their ſeſſions of aſſiſes of ſuch returnes made (s. contrary to the ſtatut of An. 7. H. 4. cap. 15. before 7.) and if it bee found by enqueſt and due examination before the ſame Juſtices, that any ſuch ſhirife hath made or hereafter ſhal make any retourne contrary to the tenour of the ſayd ſtat. that then the ſame ſhirife ſhall incurre the payne of C. li. to bee payed to our ſoueraygne Lord the king, and moreouer that the knightes of the counties ſo vnduly returned ſhal loſe their wages of the parlyament of old tyme accuſtomed. Anno. 11. H. 4. cap. 1.

Just. of aſſ. Enquire

Shirife

Fine

Knights

Wages

9 ¶The ſtatutes of ẏ election of the knights of the ſhires to come to ẏ parliament be holden & kept in al pointes: adioyning to the ſame, that ẏ knights of the ſhires, which fromhencefoorth ſhalbee choſen in euery ſhire, bee not choſen, vnleſſe they be reſiaunt within the ſhire, where they ſhalbe choſen, ẏ day of the date of the writt of the commons of the parliament. And that the knightes and eſquiers & other whych ſhalbee choſers of the knyghtes of the ſhires be alſo reſiaunt wythin the ſame ſhires in manner and fourme as is aforeſaid. And moreouer it is ordayned and ſtabliſhed, that the citizens & burgeſes of the Cities and boroughes be choſen men, citizens, and burgeſſes reſiaunt, abyding and free in the ſame cities & boroughes, & none other in anie wiſe. An. 1. H. 5. ca. 1.

Knights

Reſiant

Burgeſſes

10 ¶An. 8. H. 5. ca. 1. it was enacted that if he being ouer the ſeas, a parliament were ſummoned vnder ẏ teſt of his lieutenant, and he retourne into England, the parlyament ſhould not diſſolue.

Teſte

11 ¶All the knightes fromhencefoorth ſo to be choſen and the ſheriffs that ſhal make ſuch eleccions, ſhall haue their aunſwere & trauers againſt ſuch enqueſtes & offices before any iuſtices of aſſiſes fromhencefoorth to be taken, & the ſayd knights and ſhiriffes ſhall not bee endammaged againſt our ſayed ſouerayne lord the kynge or hys ſucceſſours, by any ſuch enqueſt taken or to bee taken, tyll they be duely conuict by the fourme of the lawe. Ann. 6. H. 6. cap. 4.

Knights Shiriffes

Just. of aſſ.

12 ¶Al the clergy fromhencefoorth to bee called to the conuocatyon by the kinges

Cõuocation

Seruants — kynges writte, and their seruauntes & famyliers, shal for euer hereafter fully

Libertie — vse and enioy such libertie or defence in comming, tarying and goynge as the great men and communaltie of the realme of England, called or to be called to the kynges parlyament. Anno. 8. H.6.cap.1.

Knights Election — 13 ¶The knightes of the shyres to bee chosen within ỳ same Realme of England, to come to the parliamẽts hereafter to bee holden, shalbee chosen in euery Countie of the Realme of England by people dwellinge and resiaunt in the same counties, wherof euery one shall haue frẽ land or tenement to the valour of xl.s. by yeare at the least, aboue all charges, and that they that shalbe so chosen, shallbee abiding and resiant within the same cõties. And such as haue the greatest nũber of them that may expend xl.s. by yeare, and aboue as afore is sayd, shall bee returned by the shirifes of euerie Countie knyghtes for the parliament, by indentures sealed betwixt the sayed Shyrifes, and the sayd chosers so to be made. And euery Sherife of the Realme of England shall haue power by the sayd authorities to examine vpon the Euangelistes euery such choser, howe much he may expend by ỳ yeare and if any sherife returne knightes, to come to the parlyament contrary to ỳ sayd ordinance, the Justyces of assises in their sessions of assises, shall haue power by authoritie aforesaid, thereof to enquire. And if by enquest ỳ same bee found before the Justyces, and ỳ shirife thereof bee duely attaynted, ỳ then the sayed shirife shall incurre the payne of a C.li. to bee payed to our soueraigne lord the kyng. And also that hee haue imprisonment by a yeare, wõ out being let to maynprise or bayle. And that the knyghtes for the parlyament returned contrary to the sayed ordinance, shal lose their wages.

Frcholdery — Prouided alwayes that he ỳ may not expend xl.s. by yeare as afore is sayd shall in no wise bee choser of ỳ knights for the parliament. And that in euerie writ that shall hereafter go forth to the shirifes to chese knightes for the parliament mencion bee made of the said ordinaunce. An. 8. H.6.ca.7.

Returne — 14 ¶The king willing to make plain declaration of the sayed sta. (S. An. 8. H.6.ca.7. before 13) by the aduise and assent aforesaid, and at the speciall request of the said commons, hath ordained that the knightes of all the cõties within the said realme to bee chosen to come to ỳ parliaments hereafter to be holden, shalbee chosen in euery countie by people dwelling and resiaunt in the same, whereof euery mã shal haue frehold to the valour of xl. shillinges by the yeare at the least aboue al charges within the same countie, where any such choser will medle of any such election. An. 10. H.6.ca.2.

Shirifs — 15 ¶Where as before this time diuers shirifes in diuers cõties of England haue by colour of writs to them

Indẽtures — directed, to leuy ỳ wages of ỳ knights of the shires for the time beeing, of the parliament of the kyng that nowe is, and of his noble progenitours, hath leuyed more money then hath ben due to the sayed knyghtes, and more then they haue delyuered, and keeping the same & taking great part of the mony to their owne vse and profitte, to their officers and seruauntes, to the great dammage of the common people of ỳ sayed counties. The king considering the premisses, hath ordayned by the authoritie aforesayed, that ỳ Shyrife of euery countie for the tyme being, in the nexte Countie court holdẽ in their counties, after the delyueraunce of the said writes made to them, shal make open proclamatyon, that ỳ coroners and euery chiefe Constable of ỳ peace of the sayd Counties, and the baylifes of euery hundred or wapentake of ỳ same countie, and all other which will bee at the assessynge of the wages of the knyghtes of the shires, shallbee at the

Examine Othe

Just. of all.

Attaint

Fort.

Imprison Mainprise

wages

Knights

Frecholder

Shirifes

wages

Countie court

Proclamation

Coroners

Constable

Baylifes

wages

the nert countie there to bee holden to
assesse the sayed wages of the sayed
knyghtes. And that the Shyrife, vn-
dersherife coronors or Baylyfes, for
the tyme beeyng bee there at ỳ same
tyme in their proper persoune, vppon
Fyn. payne of forfayture to the kynge of
euery of them that maketh default xl.
s. at whych tyme the sayed Shyrife
or vndershirife in the presence of the
that shal come to the same, and of the
suitours of the sayd Counties then bee
ynge therein the full Countie, well ⁊
Assess duely shall assesse euery hundred to ỳ
assessable by him selfe to pay a certaine
summe for the wages of ỳ knyghtes
Hundreds of the shire, so that the whole sume of
al the hundreds do not exced ỳ summe
which shalbe due to the said knyghtes.
And after that in ỳ same county shall
Village assesse well and lawfully, euery village
wythin the sayd hundredes, which shal
be there assembled to a certayne sume
for the payment of the sayd wages so
that the whole summe of al ỳ townes
wythin any of the sayed hundreds do
not exceede the summe assessed vppon
the hundred of which they bee. And
that the saied Sheriffes vndersherifes
Baylifes nor none other offycer for
the cause aforesayed shall leuie more
money of any village then that where
vnto they were assessed and that if a-
nie doo or wyll assesse anie hundred
or village otherwyse then is aforesaid
Fort. that they shall forfayt for euery de-
fault to the king xx. li. And to any man
which will sue in this case x. li. And ỳ
the saied shirifes well and duely shall
leuy the money so assessed vppon the
foresayed villages as hastely as they
well may after the sayd assessing, and
the same shall delyuer to the sayed
knyghts according to the writs therof
to bee made vppon the saied paynes.
And hee that will sue in thys shalbee
to that admitted, and shall haue for his
Scire accion in this case a scire facias against
him that offendeth against this ordy-
nance, ⁊ if the defendant duely warned
in the same make default, or els appere
and bee in the same conuict, then the
plaintifes shal recouer against them,
whych be so conuict x. pound to their Conuict
owne vse, ouer the saied xx. pound vnto
their treble dammages for the costes 3. damages
of their suites. And that the Justices
of the kinges bench and of the com-
mon place, Justices of assises ⁊ Gaole Just. of both B.
deliuery, and Justices of peace in their Just. of all.
countrey, shall haue power to enquire Just. of g.
heare and determine of all the said de- Just. of p.
faultes, aswel by enquirie at the kings Oier ⁊ ter.
suites as by action at the suyt of the
partyes. And that all such expences
of knyghtes shall not bee leuyed of a-
ny other villages seignyories or pla-
ces, but of such whereof it hath beens
leuyed beefore thys tyme. And that in
euery such writ from henceforth to be
made to leuye the wages of the sayed
knyghtes thys acte shalbee compre-
hended in the same, Anno. 23. H. 6. ca-
pitulo. 11.

16 ¶ That the statutes (8. Anno. 1.
H. 5. before 9. ⁊ Anno. 8. H. 6. capit. 7.
beefore 13. shallbee duely kept in all
points, ⁊ moreouer, that euery shirife Shirife
after the delyuery of any such writte
to him made shal make and delyuer vn-
out fraud a sufficient precept vnder his Precept
Seale, to euery Maire and Baylife, Maior
or to Baulifes or Baiuke, where no Baulife
Maire is, of the Cityes and Boroughs
within his Countie reciting the sayed
writ, commaūding them by the same
precept, if it bee a Cytie to chose by
Cytizens of the same citye Cytizens
and in the same manner and fourme,
if it bee a Borough, by the Burgesses Burgesses
of the same, to come to the parliamēt.
And that the same Maire and Bay-
lifes, or Baylifes, or baylife where
no Maire is, shall retourne lawefully
the precept to the same Shirifes by
indentores betwirt the same Sherife Indentures
⁊ them to bee made of the sayed elec-
cions, and of the names of ỳ sayd Cy- Cittizens
tyzens and Burgesses, by them so
chosen

chosen, and thereuppon euery Shirife shal make a good and rightful returne of euery such writte, and of euery returne by the Maires and Baylifes, or bailifes, or baylife, where no Maire is, to him made. And that euery Sherife, at euery time that he doth contrary to this statut, or any other statutes for the electyon of knightes citizens and burgesses, to come to ỳ parliament before thys tyme made, shall incurre the payne contayned in the sayed statute made the sayd vi i. yeare that is to say An. 8. H. 6. cap. 7. beefore 13. ℓ moreouer shall forfait and pay to euery personne hereafter chosen knight, citizen, or burgeis in his countie, to come to any parliament, and not duely returned, or to any other personne, whych in default of such knight citizen, or burgeis wyll sue, an C. li. whereof euerie knight citizen, and burgeis so greeued seuerally, or any other persone which in their default wil sue, shall haue hys accion of debt agaynst the said shirife or his executours or administratours, to demaund and haue the sayed C. li. wyth hys costes in thys case dispẽsed. And that in such accyon taken by vertue of thys statut the defendaunt shal not wage his law of the demaund aforesayed in no wyse, and that no defendaunt in such accyon shal haue any essoine. And in the same manner at euery tyme that any Maire and baylises, or baililes or Baillife, where no Maire is, shal retourne other thẽ thole whych be chosen by the Cytizens and burgeyses of the Cyties or boroughs where such elections bee or shall bee made, shall incurre and forfayt to the kyng xl. li. And moreouer shall forfayt and pay to euery person hereafter chosen citizen or burgeis to come to the parliament, and not by the sãe Maire and Baillifes, or Baillifes or baillyfe, where no Maire is, retourned or to any other personne which in default of such citizen or burgeis so chosen wyll sue xl. li. whereof euery of the citizens and Burgeses so greeued seuerally or any other personne whych in their default wyll sue, shal haue hys accyon of debt agaynst euery of ỳ said Maire and Baylifes, or Baylifes or baylife where no Maire is, agaynst their executours or admynistratoures to demaund and haue of euery of the sayed Maires and Baylifes, or Bailifes or baylife, where no Maire is xl. li. with hys costes in this case expended. And that in such accion of debt taken by force of thys statut no defendaunt in any wise wage his law of the said demaund, nor haue any essoine.

Forf.

Accion of debt

Forf.

Wage law

Essoine

Maior Baillife Returne

Forf.

And that euery Sherife that maketh not due electyon of knyghtes to come to the parliament in conuenable tyme, that is to say, euery shirife in hys full county betwixt the howre of viii. and the howre of ix. before noone, without collusion in thys behalfe, and that euery sherife that maketh not good and true returne of such electiõs of knights to come to the parlyament in tyme to come, as to them pertayneth in manner and fourme aforesayed, shall for fayt to the kyng a C. li. ℓ also shall incurre the paine of an C. li. to bee payed to him that wil sue against hym, hys executours or administratours for this cause by way of accion of debt, wyth his costes in thys behalfe expended without wagyng of law of his demãd or having essoine as afore is said.

Sherife

Forf.

3. monethes

Prouided alwayes that euery knight, Citizen, and burgesse to come to any parliament hereafter to bee holden in due fourme chosen ℓ not returned as afore is said, shal begin hys accyon of debt aforesayd, within three monethes after the same parliamẽt commenced to procẽde in the same suit effectually without fraud, and if bee so do not, an other that wil sue shal haue the sayed accyon of debt (as it is sayed) to haue and recouer the same summe with his costes in this behalfe dispended in manner and fourme aforesayd, so that no defendaunt in such accion shall wage

hys

his law, and hee refused in any wyse as afore is sayd. And if any knyght Citizen or burgeis hereafter returned by the shirife to come to the parliament in the manner aforesaid, after his returne be by any persone put out, and an other put in his place, that such persone so put in the place of him which is out, if hee take upon hym to bee knight, Citizen or burgeis at any parliament in tyme to come, shall forfeyt to the kynge a C.li. and a C.li. to the knight. Citizen or Burgeis so returned by the shirife, and afterward in a fore is said put out. And that ye knight citizen or burgeis which is so put out shal haue an action of debt of ye same C.li. against such persones put in his place, his executors or administrators. Prouided allwaies that he shall begine his suyt within iii. monethes after ye parliament commenced. And if he doo not, then hee that soil so he shall haue an accion of debt of the same C.li. against hym which is put in place of him that is so out after such returne, his executours or administrators. And that no defendaunt in such action shall wage his law nor bee essoined. And that such proces shalbee in the actions aforesaid as in a writte of trespas done against the peace at the common lawe so that the knightes of the shires for the parliament hereafter to bee chosen shalbee notable knightes of the same counties, for the which they shalbee so chosen, or other wise such notable esquiers gentlemē being of the same counties as shal be able to bee knyghtes. And no man to bee such knyght which standeth in the degree of a yoman. Anno. 23. H. 6. cap. 15.

117 ¶ None of the said knyghtes, citizens, burgesses nor barons, nor any of them, that hereafter shalbee elected to come or bee in any parliament, do not depart from the said parliament, nor absent him selfe from the same, till the same parliament be fully finished, ended, or prorogued, except hee or they so be partiers, haue licence of the house and commens in the said parliament assembled, and the same licence bee entred of record in the books of the clerke of the parliament appointed or to bee appointed for the comen house, upon paine in every of them so departing or absenting the selues in any other maner, to lese at those times of ensuing, which they or they should ought to haue hadde for his or their wages. And that all the cuntries, Cities, and Boroughes where as any such persone shalbe elected, and the inhabitantes of the same, shalbee clerely discharged of the said wages against the said person & persones, and their executors for to ouer mune. An. 6. H. 8. ca. 16.

118 ¶ The kinges royall assent by his letters patents under his great Seale and assigned with his hand and declared and notified in his absence to the lordes spirituall and temporall, and to the commons assembled together in ye high house, as and whē as all as good strength effecte, as though the kinges persone had beene there personally present, and had assented openly and publikely to the same. And bee it enacted that royall assent, and all other royall assentes hereafter to bee geuen by the kinges of this realme, and notified as is aforesaid, shalbe taken and reputed good and effectuall to all ententes and purposes without doubt or ambiguitie any custome or vse to the contrary notwithstanding. Anno. 33. Henrici. 8. cap. 21.

119 ¶ The Shirifes for the time being, of euery of the shyres in Wales, & in the county of Monmouth from the beegynning of this present parliament, shal haue full power and authoritie, by force of this act, to gather and leuye, or cause to bee gathered and leuyed the sayed knightes fees & wages of the inhabitauntes of ye sayd shires, and of the said Countie of Monmouth, which ought to pay the same

Put out

Fol.

Executors

3. monethes

Executors

Proces

Knightes Citizens Burgesses Barons

Absent

Licence

Clerk of the parliament

Fol.

L. patents

Royal assent

Shirifs

wales

Leuy

Knyghts fee

shall pay vnto the sayd burgesses, euery such knight or knightes, xx s. by the day of their attendaunce, to begin the x. day next before the day of the meeting of the sayd parliament, and so to continue during the same parliament, and xl. dayes after the ende of the same parliament, if the sayd knight or knightes shall so long tarry there for the speedy deliuerance of the sayd burgesses, vnless the sayd parliament be sooner dissolued or determined by the kinges maiestie, his heires or successours, or by the graunt of the sayd subsidie or fifteenth, or

of euery the sayed Cities & Boroughs by iiii. or vi. discrete and substanciall Burgesses of euery the sayd Cyties and Boroughes in Wales, thereunto named and assigned by the Shire baillifes or other head officers of the sayd Cyties Townes and Boroughes for the time being, and thereupon y Shire baillife and other head officers of euery such citie, borough and towne to collect & gather the same, and thereof to make payment in maner and forme as is aforesaid, to the burgesses of the parlyament for the tyme being forth in like time and upon like paines & forfaitures as is above mencioned. Anno 35. H. 8. ca. 11.

¶ *Particion & Partners.*

A Fee lie one inheritaunce that is holden of the kyng in chiefe discend to many partners, then all the heirs shal do homage to the king, and the same inheritaunce so holden of the king shalbe deuided amongst those heires, so that euery of them after that shal hold their part of y king. Prerogatiua regis. c. 5. See forfaiture 5. of perticion betweene heires males in kent.

2. ¶ Henry by the grace of god, king of England, lord of Ireland, Duke of Guyan and Normandy, Earle of Anio, to his trusty and well beloued Gerard Lowne of Maurice Justycer of Ireland, greeting. Forasmuche as certaine suyghtes of the parties of Ireland, haue lately before this tyme been moued in our Counsell of Ireland, the Iustices ecraunt in those parties are in doubt whether the younger sisters ought to hold of the eldest by homage and so as much as they have made instaunce to be certified how it hath been vsed heretofore vpon our realme of England in like case, at their instaunce we doo pray & require you, y such a laid & custome as in England in this case, that if any holding of vs in chiefe happen to die, having daughters to his heires, our ancestours, and we after the death of the father, haue alway had and receiued homage of all the daughters, and euery of them in this case ow holde of vs in chiefe. And if they happen to be within age, we haue alway had the ward and mariage of them. And if he be tenaunt vnto an other Lord, (the sisters beeinge within age) the Lord shall haue the ward and mariage of them all, and the eldest onely shall be homage for her selfe, and all her sisters. And when the other sisters come to full age, they shall doo their seruice to the lordes of whom they be holden of the eldest sister. Yet shall not the eldest by this occasion exact of her younger sisters homage, ward, or any other subiection, for whie they bee all sisters, and in maner as ons heire to one inheritaunce, if the eldest should haue homage of the other sisters, or dominacion ouer them the inheritance should seeme to be conquered, so that the eldest sister should be seignioures and tenant of inheritance (simul & semel) that is to say, heire of her owne part and seignioures to her sisters, which could not stande to all together in this case, for the eldest can demaund no more then her sisters, but the chiefe medle by reason of her auncientie. Moreouer if the eldest sister should take homage of the younger, she should be as seignioures to them all, & should haue the wards of them & their heires, which should be vnto other but to call the lambe to the wolfe to be deuoured. And therefore the commaund you, y you calle y forsaide customes not be altered from the auncient vsage of Englande in this case, to be maintained vpon the payne and penalties of forfaiture, & to be strictely kept & obserued. In testimonie whereof &c. ¶ Witnes my selfe at Westminster the 15. day of February, the xiiii. yere of our raigne. Anno 14. H. 3.

Homage

Sisters Homage

Eldest

Homage ward Mariage

ste in the newe printed boke commo
ly called Magna charta late printed by
Richard Tottel. Ann. 1556. folio. 158.
like statute almost word for worde to
thys.

Jointenãtz

3 ¶ All jointenants and tenaunts in
common that now be or hereafter shall
bee of any estate or estates of inhery-
taunce in their owne rightes or in the
rightes of their wiues of any maners
landes tenementes or hereditaments
within this Realme of England, wales,
or the marches of the same, shall and
may be coacted and compelled, by ver-
tue of this p̄sent act, to make parti-
tion betweene them of all such ma-
nours, landes, tenementes, and here-
ditamentes, as they now hold or here-
after shal hold as jointenauntes or te-

Tenants in common

naūtes in common, by writt de par-
ticipatione facienda, in that case to bee
deuised in y kinge our soueraigne lordes
court of Chauncery, in like manner &
forme as coparceners by the comon
lawes of this Realme haue beene and
are compellable to doo, and the same
writte to bee pursued at the common
law, p̄uided alway &c. that euery of
the sayde jointenauntes or tenauntes
in common and their heires after such
partition made shall and may haue aid
of the other or of their heires, to the

Ayde

entent to denaigne the warrantie para
mount, and to recouer for the rate as
is bet betweene coparceners after
partition made by the order of the co-
mon lawe any thing in this act contay-
ned to the contrary not withstanding.
Anno. H. 8. ca.

Jointenãts Tenants in cõmon

4 ¶ All tenauntes and tenauntes
in common and euery of them, which
nowe hold or hereafter shall hold joint
lye or in common for terme of lyfe
yeares or yeares, all jointenauntes,
or tenauntes in common where one
or some of them haue or shall haue
estate or estates for terme of lyfe or
yeres, with the other that haue or shall
haue estate or estates of inheritaunce
or freholde in any mannours, landes,
tenements or hereditaments, shall &
may bee compellable from henceforth
by writt of partition to bee pursued out
of the kings court of Chauncery, vpon
his or their case or cases, to make seue-
rance and partition of all such manors,
landes, tenementes, & hereditaments,
which they hold jointly or in common

Terme of life yeres

for terme of life or liues, yere or yeres
where one or some of them hold joint-
ly or in cõmō for terme of life or yeres
with other, or that haue an estate or
estates of inheritace or freehold. Pro-
uided alway &c. that no such partition
nor seuerance hereafter to be made by
force of this act, be nor shalbe preiudi-
cial or hurtful to any person or persons
their heirs or successors, other then such
which bee parties vnto the said parti-
tion, their executors or assignes. An.
32. H. 8. ca. 32.

## ¶ Passage or Arriuage.

Where as before this tyme a horse-

Horseman

mā was wont to haue his passage
ouer the sea frō the porte of Douer for
ii.s. and a footeman for vi.d. & now of
late the keepers of the passage and the
passengers haue take more, to y great
damnage of the people: It is agreed y
at the same porte, and all other passages
of this land as well in fresh waters as
in armes of the sea, they that doo passe
shall from henceforth pay as they were
wont to pay in old tyme, and of more
shall then not bee charged, nor the pas-

Footman

sengers and keepers of the passage shall
take no more. And be it commaunded
to the cōstable of Douer, that he cause
this article to bee kept in this Bayli-
wicke, vpon the peril that therein ma-

Constable of Douer

yeth. And where any offending
this act, he shall punish him at their
meetes but that full ouersit cōpayne
and do right. Like it also commaunded
to the Bayliffes at the places where
such passages bee, that they do in like
maner. And the Justices of assises in
y counties that haue power to enquire,

Bayliffes

Just. of all.

if any

if anye offend this statute, and punish them, and doe right therein, as well at the kings suite, as at the suit of the partie. An. 4. E. 3. cap. 7.

Pilgrime

2 ¶ No Pilgrime shall passe out of our Realme to the partes beyonde the sea, but only at Douer, vpon paine of a peeres imprisonment. Anno. 9. E. 3. stat. de moneta. cap. 8.

Douer
Imprison

3 ¶ The king our soueraigne Lord of his royall maiestie defeneth the passage vtterly of all maner of people as wel clarks as other in euery porte and other towne and place vpon the cost of the sea, vpon paine of forfeiture of all their goods, except only the Lords and other great men of the Realme, & true and notable merchants, and the kings souldiors. And euery person other then before excepted, which after publication of this ordinance made, shall passe out of the said realme without ye kings speciall licence (which licence the king will & commaundeth that it be not fro henceforth made but only in one of the portes vnder written, ye is to say London, Sandwich, Douer, Southampto, Plimmouth, Dertmouth, Bristowe, Yermouth, S. Botulph, Kingston vpon Hull, Newcastle vpon Tine, & the other portes and passages towardes Irelande and the Iles pertayning to the Realme of England) shall forfaite towards the King as much as he hath in goods as aboue is said, and neuertheleste the maister or mariner of the shippe or of other vessell in which hee shall carrie ouer beyonde the sea, any person but suche onely as be before excepted, without the said licence, and therof be conuict duely, he shall forfait the said vessell to the king. And the king commaundeth all wardens and searchours of the portes and passages through England, that they shal from henceforth diligently vse their office, and make good and strait search. And if any searchours or warden of the portes and passages through the said Realme by negligence or in other maner doe or suffer wittingly to be done in any point the contrarie of the said two articles, touching the money of golde or siluer, and the said passages of people, and therof be duely conuict, he shall forfait to the kinge his said office and all his goods, and his body shalbe committed to prison, there to abide by an whole yeere without redemption. And therupon whosoeuer espyeth and proueth duely that any thing be done against the intent of the said two last articles, whereby the said forfaiture ought to fall vpon any person, he shall haue halfe of the same forfaiture for his labour of the kings gifte. Ann. 5. R. 2. cap. 2.

Licence

Ship master

Wardens
Serchors

Money
Gold
Siluer
Forf.

Imprison

Mottie

4 ¶ All Pilgrims, and al other people, except notorious & knowen merchants, and also souldiours and men of armes that wil passe by the Sea out of the realme, shall passe at the portes of Douer or Plimmouth, and not elswhere, without especial licence of the King him selfe, but they that will passe towarde Ireland, shall passe at Liuerpole, Chester, Bristow, or elsewhere, where shall please the. A. 13. R. 2. ca. 20

Pilgrimes
Merchants
Souldiours

Douer
Plimmouth
Licence

5 ¶ Forasmuch as the commons of the realme of Englande being in the same Parliament, at the instance and speciall request of the faithful liege people of our soueraigne lord the King, the Baylifs, Burgesses and communaltie of the towne of Tewkesburye within the countie of Gloucester, haue made to our soueraine Lorde the king, a very greeuous complainte in the same Parliament, that whereas the saide towne of Tewkesbury is adioyning to the riuer of Seuerne, within the said countie of Gloucester, which Riuer is common to all the liege people of our soueraigne the Kinge, to carry & bring within the streame of the said Riuer in boates, troughs, and otherwise, all manner of merchandise, & other goods and cattels to Bristowe, and to euery part adioyning to the same Riuer, in the which riuer, diuerse persons of the

Tewkesbury
Seuerne

sayd towne of Tewkesburye often-tymes and nowe of late haue charged theire proper vessellies & trowes with wheat, rye, and other corne and goodes to the value of .v. hundred pounds, & so ye same vessels and trowes so charged haue comeyed in the same river towardes the sayd Towne of Wistowe by the coastes of the forest of Deane, within the sayd countie of Gloucester, joyning to the sayd river, there haue cõe great multitude of people and rouers of the commones of the same forest, and of the hundred of Bledislow and Welsbury, with great riot and force in maner of warre, as enemies of a strange land, and wyth force haue spoiled the same persons of the sayd vessels, and taken of them all their corne and goodes within the same vessellies, and the same persons haue manaced and threatned to if they made any resistence or any suyt, quarell, or complaint for the same, to the great hinderaunce, losse, and impouerishment of the sayd persons, and oppression of all the countrey there adioynyng. And afterwarde the same our soueraigne Lorde the kinge by the aduise and assent of hys councell, sent hys letters of priuy seale, directed to diuers persones of the sayd forest, to make open proclamation that no man of the sayd forest should be so hardy to inquyre or disturbe hys people to passe by the river with all maner of corne, goodes, and cattels, or any other marchaundise, vppon the payne of treason, after which proclamation so made, the sayd trespassours came to the sayd river with more greater routes and riottes then euer they dyd before, not esteeming nor regarding the sayd letters of priuye Seale, and there spoyled at diuers times eight trowes of wheate, rye, flowre, and diuers other goodes and cattels, and the people of the same trowes dyd throwe ouer the borde, and diuers of them drowned, & the sternes of the sayd trowes did cut away, and did threaten the owner of the said goodes and cattels, and also the people of the sayd trowes, that they should not bee so hardy to carrie no maner of vitale by the said streame much nor little for Lord nor for Lady. And that they would hew all to peces the said boates, if they came another time by the coastes of the said Forrest of Deane, for the which riot and Rebellion no persoune of the said Towne of Tewkesbury, nor of the Countrey adioyning, dare not carry any Corne nor other goodes nor cattels in the said River, nor pursue to haue remedie for such oppressions and greenes to them done, for asmuch as the said forest of Deane and hundredes bee very large and the people inhabitinge and resyaunt in the same, verie wilde, and nigh adioyning to the Countrey of Wales. And all the commons of the same forest and hundredes of one affinitie and confederacie in malice and riott, not pondering nor regarding the law, nor the officers and ministers of the same, nor caryng of the procesle, nor punishement of the lawes of the lande, in so much that they will not obey, but at their owne wyll, any minister of the kinges lawes, nor execution of the same, nor the Officers nor ministers of the law of the said Countie, dare not in any wise come into the sayed Forest, to execute any matter or procesle of the law agaynst the will and intent of the commons of the Forest and hundred aforesayd. Our Soueraigne Lord the king, hauing tender respect and consideration of the sayd mischiefes, and also considering the inconueniences which bee like to ensue and follow vppon the same, and vpon that willing to resist the malice of such transgressours and offendours, and to prouide hastie and conuenable remedy for his sayed faithfull lyege people, so greeued in thys behalfe, by the aduise and assent of the Lords spirituall and temporall, beeing in thys present

Deane forest

Rouers

Treason

preſent Parliament, and at the ſpeciall requeſt of the ſayd communs there aſſembled, hath ordeined by auctho:itie of the ſame Parliament, that in euerie ſuch caſe hereafter to come, o:̄ els had, o:̄ chaunced the laſt yeare paſſed, the ſhirife of the ſayd Countie, o:̄ the baylifes of the Towne of Glouceſter for the time being o:̄ one of them vppon paine of forfeyture of xl. pound, to bee leuied of their landes, goodes, and cattels, to the vſe of our Soueraigne lord the king, make proclamation at the ſaied Towne of Glouceſter, wythin fower dayes next after notification made to them o:̄ to any of them by the perſons ſo indamaged, o:̄ by any other in their names, of ſuch iniuries & treſpaſſes done, that the ſaid treſpaſſours and offendours ſhall reſtore in the ſame Towne of Glouceſter, wythin fifteene dayes after the ſayd proclamation to the ſayed perſonnes ſo indamaged, their ſaied corne & marchandiſes, goodes and cattels ſo taken, o:̄ the very value of the ſame with reaſonable amendes for theyr damaged of ſuch takynge. After which proclamation if the ſayd treſpaſſours doe not reſtore the ſayd corne and marchaundiſes, goodes and catales, o:̄ the valour of the ſame, to the partyes ſo greeued in the fourme aforeſayd, with reaſonable amendes for theyr damages, nor that the ſayde treſpaſſours bee not brought to the kinges priſons to the caſtell of Glouceſter for the ſayd treſpaſſes by the officers of the ſayed foreſt and hundredes, o:̄ by the comminaltyes of the ſame, to be demeaned in ſuch caſe by the king and hys counſell, that then by conſyderation of the ſtatute of Wynchester put for the robery of any perſon, which grueth an actyon for hym, which is robbed, againſt the hundred, wythin which the ſame robery is done after the fourme of the ſame ſtatute, the ſayd comminaltyes ſhalbee charged of the ſame corne and marchaundyſes, goodes and catales ſo taken, o:̄ of the very value of the ſame, to the partyes ſo greeued, to ſatiſfye them of theyr damages for the ſame takyng, And that the ſayd partyes ſo endamaged & greeued, may haue theyr generall actions of debt againſt the ſayd comminalties of the ſayd foreſt and hundred of the ſumme of money, to which the value of the corne marchaundiſes, goodes and catals ſo taken do extend. And although the ſaid comminaltyes be no comminalties corporate yet they ſhal haue proces in ſuch actions of debt by ſommons, attachementes and diſtreſſe, as if he were to haue an action of debt at the common law, ſo that if the ſayd comminaltyes make defaute at the ſecond diſtres in ſuch actyons, that then ỹ partye which ſhal ſue, ſhal haue iudgement to recouer his debt againſt the ſaid cōminaltyes after the ſuppoſel of theyr goodes, in the fourme aforeſayd, with his reaſonable dowages and expences. And whatſoeuer yſſue tryable by enqueſt in the ſaid foreſt and hundredes ſhall happen to be taken to ſuch actions, it ſhal be tryed by enqueſt of ỹ bodye of the ſayd countie out of the ſame foreſt and hundredes. And that the goodes and cattels of euery ſinguler perſone of the ſaid comminalties for the tyme being, ſhalbee had, taken, and holden in lawe conuict, as the comen goodes & cattelles of the ſame comminalties, touching the returne, ſeruing, and all executions of writtes, proces, and iudgementes, in and of the ſaid actions. And that euery ſinguler perſonne of the ſaid Foreſt and comminalties, haue power by auctho:itie of the ſayd Parliament, to attach and arreſt the ſaid treſpaſſors by their bodies as well wythin the ſayd foreſt as without. And them ſo arreſted to commytte to the ſayd priſon. And that the keper of the ſame priſon vppon peyne of forfeyture pound, to be leuyed of hys goodes and cattelles, landes, and tenementes,

Shirife Baillifes

Forf.

Proclamation

Meſſore

Statut of Winchester

Hundred

Proces

Arreſt

Impriſon Gaol

to

to the vse of our soueraigne Lord the king, shal safely kepe euery person so committed to his custody, til the time that the king or hys Counsaile hath ordeyned and prouided their deliuerance of record. And if the goodes or cattals of any singuler person or persons of the said forest and hundredes, being not guiltie of the said robberies, happen to be put in execution, because of any such accions and iudgementes, that then the said person or persons so being not guiltie, may haue their speciall accion of debt or trespas vpon their case of the goods & cattels so put in execution, against the said trespassours to recouer their damages, as well for the value of the goods or cattels so put in execution, as for their damages and costes which happened to be had because of such accions of debt, and they shall haue such processes in the sayed accions of debt or trespas, as is to bee had in the said accions of debt for the said persons so endamaged and spoiled An. 8. H. 6. ca. 27.

Accion

Damages

Proces

6 ¶ The said liege people of the king may haue and inioy their free passage in the said River (that is to say of Seuerne) with flotes and dragges, and all maner of merchandises, and other goods and cattels at their wil, without disturbance of any. And if any be disturbed of his free passage in the said riuer, the partie greeued shall haue his action according to the course of the common laive. An. 9. H. 6. cap. 5.

Free passage Seuerne

7 ¶ No Pilgrime, merchaunt, nor none other person or persons, horse or beast, except souldiours & merchaunts with their merchandises in the maner and fourme before recited shall from henceforth take their passage at none other place or port within the countie of Kent, but onely at the said porte or towne of Douer, if they may there haue sufficient passage and shippinge. And also that no Pilgrime, merchant, nor none other person or persons, horse or beast, shall come frō Caleis to any port or other place within the said countie of Kent, but only to ỹ port of ỹ said towne of Douer, except souldiours and merchants wᵗ their merchandises, vnlesse they haue & shew the kings commandement in writing so to doe, or els be compelled and driuen to some other place or port by soddain tempest. And that euery person, of what estate, degree or condiciō he be, which voluntarily doth against this act or ordinance shall forfait for euery time ỹ he so doth v. marks. Our soueraigne lord ỹ king to haue ỹ one halfe, to be imployed vpon the reparation of the castle of Douer by the surueying of the cōstable or his lieutenant there, the other halfe to that person or persons of the said towne or castle, being a freeman of the said townes of Douer, ỹ will commence or sue an action therof against ỹ offender. And that euery persō or persons of the said towne or castel, freemen of the said towne of Douer, may in his owne nāe haue against euery person that willingly offendeth this statute, a generall action of debt of the said sūme of v. mar. & declare especially vpon the same act or ordinance. And ỹ processes of outlagarie, and all other processes and determination shalbe had in the said action, as is had and vsed in other generall actions of debt. And also the master of euery ship and vessell, which willingly contrary to this act, doth cōuey to any place or places, any Pilgrime, merchant, or other person or persons, horse or beast, shall likewise forfait at euery time that he doth so func marks, in the maner and fourme aforesaid, to be sued, had, recouered, leuyed & imployed. Anno. 4. E. 4. cap. 10.

Tempest

Forf.

Moitie

Accion of debt

Outlagary

Ship maisters

Forf.

8 ¶ What soeuer person or persons of what estate, degree, or condition he or they be, ỹ hereafter take any imposicion of any of the kings liege people for trough, boat or any other vessel, for any goods or other merchandises caried or conueied in, and vpon the said riuer and water of Seuerne, or let, ber-

Imposicion Seuerne Boats

or

Boats

or interrupt any boates, troughes or other vessels, so passing by the saide ryuer and water, for any such imposition or other wise against your lawes.

That euery such person or persons so doing & offending, shall forfait to the King our soueraine Lord for euery such offence. xx. li. And for euery such sume or sumes so forfaited the partie greued & other persons ỳ will sue for the same forfeiture, shall haue and sue an action popular of debt, as wel to & for the vse of our soueraine lord the king as to the vse of him ỳ shall sue for it in his owne name. And that our soueraine lord the king haue two partes of the said sume so forfaited. And the partie that so shal sue the same, haue the third part therof. And the partie defendaunt in euery such actiõ shal not be receiued to wage his lawe. And also be suted of delatories in the same action, as protections, essoine, & other. And if it fortune ỳ parties in any such actiõ to vse & plead to any issue for any offences don or cõmitted contrarie to the premisses triable in the citie of Worcester, or the liberties of the same, then the same issue to be tried by twelue men within the county of Worcester, not dwelling ne hauing any lands within the same citie, ne the suburbes of the same. And if the parties aforesaid in any such action defend & plead to an issue for any office done or committed contrarie to ỳ premisses triable in the shire of the town of Gloucest. or in ỳ countie of Glouceſter of the same issue to be tryed by twelue men of or in ỳ countie of Glocester thereto adioyning not hauing any lands ne dwelling within the same shire of the towne of Gloucester. Prouided alway that this act or any thing in the same contained or specified in any wise extend not nor be preiudiciall or hurtful to any person or persons hauing any lãds or medowes adioyning to the said streame or water of Seuerne, to take of euery person or persons, going vpon his or their said lands & medowes, & haling or drawing any such trowe boate, or vessell reasonable recompence or satisfaction for such hurts and offences, as he or they hauing such lands or medowes adioyning to the said streame or water, shal sustaine by reason of any such gouge or drawing of any such trowe boate or vessel. Prouided alway that if any person or persons spirituall or temporal or any body corporate come before the Lordes of the kings honorable counsell in the Starre Chamber at Westminster at any time hereafter before the feast of the Assencion of our Lord that shalbe in the yer of our Lorde God 1405. and there make any sufficient proofe & lawfull title of their owne offer, or by other meanes before the said feast to haue any maner of duty or impositiõ of and for any maner boat trow or other vessell aforesaide, or for any other marchandises or goods in any of the same caried & conueied in and vpon the said riuer & water of Seuerne, and ỳ same proofe & title by the said counsel admitted & decreed before the same feast to be good & auailable to ỳ partie or parties that sue for the same: That then from henceforth after such proofe & title shewed, & so by the said counsell admitted & by the before the same feast decreede to be good, those persons hauing such lawful title, may & shall haue from the time of ỳ decree made all manner such dutie of euery of ỳ kings liege people, so carrying or cõueying any boat trow or vessell in and vpon the said water of Seuerne, according to their title and right so prooued & decreed after the maner & forme of the same title & decree. This present act or any thinge therein contained in any wise notwithstanding

Foyl.

Accion of debt

Delatories

Worcester

Issue

Glocester

Recõpence

Duitie

Lawfull title

An. 19. H. 7. cap. 18.

8 ¶ Where as by the laudable custome and vsage within this realme of England, time out of minde vsed, that euery of the kings subiects, & all other persons passing by the riuers of Thames or midway, and repayring to the

Thames

Barge Boate wherie London Graues end

same by water in barge, or whirye boate, that is to say, from London to Graueſende, and from Graueſend againe to London one perſon or mo, to haue a barge of the owners or occuppyers of the ſame to paſſe them ſelf, with their males or fardels betweene ỳ ſaid places, for the ſumme of foure ſhyllinges, or elſe euerie perſon paſſing in the ſaied barge to pay for him ſelfe, or him ſelfe, his male or fardel two pence ſo that the ſame ſumme of two pence of euerie perſon amount to the ſumme of foure ſhillings. And a whirie boate betweene the ſaid places, for the ſume of two ſhillings hath beene compelled to paſſe forth at euery tide, betweene the ſaid places. And in likewiſe it hath ben vſed of like time, that euery of the kinges ſubiects, and all other perſons paſſing or repayring by water in the tide boate or whirie boate, from London to Eriche, Greenehites, Graysfor-rocke, or Purflete, or from anie of the ſame places to London, one perſon or moe, to haue a whirie boate of the owners, or occuppyers of the ſame boate to paſſe them ſelues with their males or fardels betweene euery of the ſaid places for the onely ſumme of xii. pence, or els euery perſon paſſing in the ſaid boate or whirie to pay for him ſelfe, or for him ſelfe, his male or fardel one peny, ſo that the ſumme of one penie of euery perſon amount to the ſumme of twelue pence, hath beene compelled to paſſe forth at euery tide betweene the ſaid places. And alſo it hath beene vſed of like time that euery of the kings ſubiectes, and all other perſons paſſing or repayring by water in the tide boat or wherie boat, from London to Wolwich, or from Wolwich to London, one perſon or more to haue a boate or whirie of ỳ owners or occupiers of the ſame, to paſſe them ſelf wᵗ their males or fardels betweene the ſame places, for the onely ſumme of viii. d. or els euery perſon paſſing in the ſaid boate or whirie to pay for him ſelfe, his male, or fardel a ob. ſo that the ſumme of ob. of euery perſon amount to the ſumme of eight pence hath beene compelled to paſſe forth at euery tyde betweene the ſaid places. And alſo it hath beene vſed of like time, that euerie the Kinges ſubiects, and all other perſons paſſing or repairing by water in boate or whirie from London to Greenewiche, or from Greenewithe to London, one perſon or moe, to haue boate or whirie of the owners or occupiers of the ſame to paſſe them ſelues with their males and fardels, betweene the ſame places, for the onely ſumme of foure pence, or els euery perſon paſſing in the ſaid boate or wherie, to pay for him ſelfe, or for him ſelfe his male or fardell ob. ſo that the ſumme of ob. of euery perſone amount to the ſumme of foure pence, hath beene compelled to paſſe forth at all times betweene the ſame places. And that of like time it hath been vſed & accuſtomed, that euerie of the kings ſubiects, & all other perſons paſſing or repairing by water in boate or wherie from London bridge, the olde Swanne, the Crane in the Wintrie, Poules wharfe, or from Saincte Mario Queries to Weſtminſter, or Lambbith, or from Weſtminſter, or Lambbith to anie of the ſaied places, one perſon or moe, to haue a boate or wherie of the owners or occupiers of the ſame, to paſſe thē ſelues with their males and fardels, betweene euery of the ſaid places, for the onely ſumme of three pence, or elſe euery perſon paſſing in the ſaid boate or wherie, to pay for him ſelfe, or for him ſelfe and hys fardell a halfpeny ſo that the ſumme of ob. of euerie perſon amount to ỳ ſume of three pence, hath been compelled to paſſe forth at all times betweene the ſame places. And alſo it hath beene vſed of like time that euery of the kings ſubiects, and all other perſons paſſing or repairing from the blacke Fryers, Bridewell, or from the Temple, to Weſtminſter or Lambbith, or from Weſtmin-

4.ſ.

iij.d.

Tide boate

xij.d.

i. Peny

viij.d.

Halfpeny

Greenewich

iij.d.

Halfpeny

weſtminſter

iij.d.

Halfpeny

weſtminſter Lambeth

Westminster or Lambith to anie of the said places one person or moe, to haue a boate or wherie of the owners or occuppers of the same to passe themselues with their males and fardeles, betweene euery of the same places for the onely summe of two pence, or else euery person passing in the said boate or wherie to pay for him selfe, or for him selfe, his male or fardel ob. so that the summe of one halfe penie of euery person amount to the summe of two pence, hath beene compelled to passe forth at all times betweene the saide places. And also it hath beene vsed of like time that all manner of persons, passing or repairing from Westminster to Lambith, or from Stangate to Westminster or from any of the saide places ouerthwharte the water, one person or more to haue a boate or wherie to passe betweene euery of the said places, in maner and forme afore said, for the onely summe of a ob. and the owners or occupiers of boats haue beene compelled to passe forth at all times betweene the same places for the same summe. And also it hath beene vsed of like time ẏ euery of the Kings subiectes, and all other persons passing from London to Horthelake, or from Horthlake to London, one or more to haue a boate or wherie of the owners or occupiers of the same to passe them selfe with their males or fardels, betweene the said places, for the onely summe of twelue pence, or else euery person passing in the said boat or wherie, to pay for him selfe, or for him selfe his male or fardell ij. d. so ẏ the summe of ii.d. of euery person amount to the said summe of twelue pence. All suche laudable customs and vsages not withstanding the owners or occuppers of the said Barges, boates, and wheries nowe refuse, and will not passe with noe man for the said summes, except that they haue according to their owne willes and desires to the great lette and vnquietnesse of all the Kings fiii. iects, & of all other that passe and repaire by the same, and contrarie to the said auncient vsages & customes. For breaking of which ordinaunce diuerse and many assaultes and frayes daily beene made, so that oftentimes thereof manslaughter doth ensue. And ouer that the poore husbandmen, and other houlholders, dwellinge nigh aboute where such ferries bene vsed, can haue no seruants that will serue by the yere, but only by the weeke, & at the weekes end to be at their liberty to the intent that they may be watermen for theire singuler and excessiue lucre in that behalfe: Be it therefore &c. that the said laudable custome and vsages, in manner and forme afore rehearsed, bee obserued and kept and duely put in execution in euery point. And that all and euery the watermen, rowing in great barges, wᵗ any lord or Lords or other person or persons, what soeuer they be take no more for his wages or labour by the day then vi.d. without meat or drinke, except he rowe to Horthlake or Grenewich, and then to take viii.d. only without meat and drinke. And that if the Kings subiectes, or any of them, or any other person or persons from henceforth require the owners or occuppers of any such barges, boates, or wheries, at any of the said ferries, to passe with them, offring them money for their fare or fares, in forme as is afore specified: or els if the said Lordes, or other, require the saide watermen, to goe with them in their Barges or barge, for the fire pēce aboue said, and the said owners or occupiers, watermen or bargemen refuse to passe forth with him or them for the same fare or wages, then the same owners or occupiers of such barges, boates or wheries or the said watermen or bargmen so refusing and euery of thē, for euery such refusal, for fait the treble value of the fare, fares, or wages so refused: The one halfe of the said treble value of the said fare, fares, or wages, to be

Halfepeny
Ouer the Thames
Halfepeny
Horthlake
ij.d.
ij.d.
watermen
wages
vi.d.
Requyre
Forfet.
Vollis.

to the vse of the king, & the other halfe to him that will sue in that behalfe, which sute the partie that in that case will sue to haue his sute by action of debt, informatiõ or presentment, & the party defendant there not to be admitted to wage his lawe, ne to be essoined ne protection for him to be allowed in the same. And ouer that be it lawful to the Baylifs, Constables, and other of the kings officers, and euery of them, in euery place next adioinaunt, where the said feries bene exercised, vpon cõplaint to them or any of them therof made by any of the kings subiectes, or any other person or persons, that finde them greeued in that behalf, arrest the said offender or offenders, and to commit them to warde for their misdemener, & to make fine for the same. And that the iustices of peace of euery shire where the said feries bene exercised, the Maior and Shirifes of London, and the stewards in their lætes, and euery of them, haue auctoritie to inquire at euery sessions and lætes, as well of the defaults of the said owners, or occuppers of such barges, botes, wheries watermen, and bargemen, as of the defaute of the said officers for lacke of punishement of euery such offenders. An. 6. H. 8. cap. 7.

Baylike
Constable
Arrest
Fine
Iust. of p.
Feries
Maior
Shirifs
Steward

9 ¶ No person or persons interupte by any obstacle, lett or otherwise, any person or persons passing or repassing on and vpon euery of the saide pathes, customed (s. a path of a foote and a half on euery side of the riuer of Seuerne) nor also alse, take, or demaund any tol called a draught or bottel of wine, any other tare or imposition of any of the kings subiects there going in the saide pathes accustomed vpon euery side of the riuer of Seuerne there haling or drawing their bootes, troughes or vessels, vpon peine to forfait for euery time that he or they so shall interupt any of the kings subiects, or aske or take any such imposition by what name so euer it be called xl. s. The one half therof to be to the king & the other halfe to the partie greeued that will sue for the same &c. in the whiche suit noe essoins &c. shalbe allowed. Anno. 23. Hen. 8. Capitulo, 12.

Path
Seuerne
Tolle
Forf.
Mortie

10 ¶ Euery person or persons taking vpon him or them to haue & keepe any of the saide passages or any other passages vppon Seuerne aforesaid, from henceforth do not conuey, neither cary with any maner barge, boate, or other vessel, any person or persons, with horses, mares, oxen, kine, or any other cattel, nor no other person or persons, before the time of the sunne riting in the morning, & after the time of the sunne being gone downe at night, vpon paine of imprisonment, & fine to set on him ẏ shall so conuey or cary ouer any of the said passages of the said riuer of Seuerne out of Englande into Wales, or the forest of Dene, or out of Wales, or the said forest of Dene into England, vnlesse the saide passengers & euery of them haue good knowledge of such person, and persons, and of their dwelling places, and vpon request to them made by any person or persons to disclose the name and the dwelling place of euery such person or person, so by them conueyed ouer the said water, to any such person or persons requiring the same, if suit be made for & after them vpõ any outcry, hue or fresh suit, or of any felony, robery, murder, & manslaughter cõmitted & done frõ henceforth. And ẏ the kings iustices of peace win euery the said cõtities of Glou. & Somerset at their quarter sessions, shall haue full power & auctoritie to cal before them all such persons which hereafter shall keepe any of the saide passages or any other ferry or passage ouer the said water into Wales, or the said forest, or out of Wales, or the said forestte into England, and to binde them with sufficient suerties with them in recognisance, in such summes of money as it shall seeme to the discretion of the said Iustices of peace, that they and euerie of

Passage Seuerne
Sunne rise
Sunne set
Imprison
Wales
Hue & cry
Iust. of p.
Quarter sessions
Recog.
Iust. of p.

of them being passengers and keepers of ferries and passages, as is aforesaid, from hence forth shal not after the sayd times beefore limitted and appointed, conuey or cary, or cause to be conueied or caried any maner of person or persones, or any kinde of cattel, but such persones as they do knowe and will answere for, and know where their abidinges, dwellings, and habytations bee, and vppon request made to them or any of them as is aboue saied, shall from time to time disclose aswel ẏ sãe person, or persones, as the goods and cattelles so passynge the sayd passages vppon freth suyt made or hereafter to be made vppon any felony, murder or robberie committed, and done in ẏ borders of the counties aforesayed, or any other place within this realme or south Wales, Ann. 26. Henrici. 8. capitulo. 5.

Cattell

men ¢ not aboue the number of two shal rowe together in one boat or whirry, in any place or places betwixt Graues end and Windsore aforesaied, shall presũe or interprise to receiue or take any person or persons into his or their boat or whirry, to the intent to cary or conuey him or thẽ therein, vnlesse one of the same two watermen, hath ben for the most part exercised and vsed in rowing vpon the said ryuer of Thamis by the space of two whole yeres before the time. And that also one of ẏ same two watermen at the least, bee duely admitted ¢ allowed by the same eight ouerseers and rulers or the most part of them by writyng vnder their knowen seale, to be a sufficyent ¢ hable waterman, vpon paine that euery person ¢ persons presumyng or offending contrary to the true meaning of this present act, shall by the said eyght ouerseers or rulers be cõmitted to prison in one of the Counters of the city of Londõ, there to remaine by ẏ space of one moneth or lesse as the offence shall require. And also be it ¢c. that no personne or personnes beeynge single men not keeppynge household and not retayned, shal from and after the sayd feast of Pentecost next comming vse or exercise to rowe betwixt Graues end and Windsore aforesaid, vnlesse he or they bee prentice or prentices, or in seruice retayned with a master by the whole yeare at the least vpon payne of ỳe imprisonment. And also bee it ¢c. that the Lorde Maior of London and the Aldermẽ of the same Cytie, and the Iustyces of peace wỉ in the Shyres next adioyning to the sayed Ryuer of Thamise euery of thẽ wythin their seuerall iurisdictions ¢ authorities, shall haue full power and authoritie by vertue of thys present act, vppon complaynt made to them or any of them by the saied ouerseers and rulers, or two of them or the master or maisters of any such seruants, not only to examine, heare ¢ determine

Maior
London
3. Persons
Outrseers
Allowed
Imprison
Single men
Not retained
Prentice
Imprison
Maior
Iust. of p.
Oier ¢ ter.

determine all complaintes & offences to bee done or committed by any such person or persons that shal offend contrarie to the true meaning of this present act, and to set at large all and euery such person and persons, as shall fortune to bee imprisoned by the sayd ouerseers and rulers according to this act if iust cause shal appere vnto them so to do: But also by their good discretions and wisedome to punish correct and reforme the said ouerseers and rulers, & euery of them that shal iustly, or wythout good cause or ground punish any personne or personnes, by colour of this present act, or any thing therein contained. And be it &c. that if any person or persons whatsoeuer, frō henceforth do or shal make any whirry or boate, to the entent commonly to vse rowing and carying people vppon the sayd riuer of Thamis, whych shall not bee two and twenty foote and halfe in length, and fower foote and a halfe broade in the myd shyppe, or which shall not bee substancyally and well hable and sufficyent to cary two personnes on euery side tyght according to the old quantitie, scantlyng, thyckenesse of boorde goodnesse, & good proporcion, heretofore hadd and vsed: that then the same boat or boates, so being made contrary to the proporciō & sort before expressed, shalbe taken as forfayt, and shalbe forfayt, ỹ one halfe thereof to the kinge and Quenes maiesties vse, & to the vse of the heirs and successours of the Quenes maiestie, And ỹ other halfe to him or them that will sue &c. wherein no wager of lawe &c. shalbe allowed.

And be it &c. that if any person or personnes which from and after the said feast shall vse and exercise the occupation of rowing betwirt Grauesend & Windsore aforesayd which in ỹ time of the execution of any commissiō of pressing that shalbe had for the seruice of the kyng and Quenes maiesties, and the heires and successours of the Quenes maiestie, in their affaires, shall willingly voluntarily & obstinately, withoraw, hide, or conuey hym or the selues in the same time of pressing into secrete places, and out corners, & after when such time of pressing is ouerpassed shal retourne & come againe to the said riuer of Thamyse, to rowe betwirt Grauesend and Windsore aforesaid, and that duely proued by two indifferent witnesses, before the sayd Maire and court of Aldermen, or Justices of the peace, and two of the sayd rulers, that then hee or they so doyng and offending, shall suffer imprisonment by the space of two weeks, and bee banished any more to rowe from thencefoorth, vppon the said Riuer of Thamis, by the space of one whole yeare and a day, then next folowing.

And bee it &c. that it shalbee lawfull to the sayed viii. rulers for the tyme being, and their successours from time to time to conuent and call beefore them at some conuenyent place, by them to bee appointed all and euery such person & persons, which frō and after the said feast of Pentecost shal occupy & vse the said trade and occupation of rowing betwyrt Grauesend and Windsore aforesaid, and shal enter and regyster the name & names of them, & euery of them that shalbee by them allowed or admitted for watermen, to row betwirt Grauesend and Windsore aforesayed, in a booke to be made for the same intent and purpose, & to take such further order, & direction therein, ỹ euery of the said parties, by thauctoritie of this preſt act, as it shal seme meete & necessary by ỹ discretion of the said ouerseers & rulers for that time being. And also that the sayed ouerseers and rulers, shall and may by auctoritie of this act ouersee, vse and survey, at all and euery time and times hereafter, all maner boates, and whirries, that shal from and after the said feast be made before the saied boate or boates whirrie or whirries bee launche

Absent

Maior Iust. of p.

Imprison

Banished

8. Rulers

Regyster names

Survey Boats wheries

lanched out of the yard or grose wher in ỳ saie boat or boats, whirie or wherries, shall fortune to bee made into the sayd Ryuer of Thamis, to the intent that they and euery of them may bee made and prepared in such manner & forme, and according to the goodnesse, proporcion & quantitie in this present act before limitted and expressed. And be it &c. that if any person or persones, which at any time hereafter shalbee elected or chosen to be a ruler or ouerseer, as before is expressed, doo happen negligently to vse & exercise, hys or their rowme or place, or that will obstinatly refuse to take vppon hym or them, the rowme or rowmes, place or places of any the saied ouerseers or rulers: that then al and euerie such offender, or offenders so offendynge, shall loose and forfait the summe of fyue poundes of lawefull money of England, The one halfe thereof shall bee to our Soueraygne Lorde and Lady the kynge and Quéenes maiesties vse, and to thuse of the heires and successours of the Quéens maiesties, and thother halfe to him or them, that will sue for the same in any of the king & Quéenes maiesties courtes of record by action of debt, or by any other the waies or meanes aboue specified wherein no wager of laive Essoine protection, or iniunccion, shalbee admitted or allowed, for ỳ defendãt or defendaunts. And be it &c. that the said Maior & court of Aldermen of the said city of London, for the tyme beyng, shal from time to time at their discretions limit set & assesse the prices and prices, & sumes of money that euerie person or persõs so authorized to row as is aforesaid betwixt Graueseng & Windsore aforesaid, shall take for his or their labor or fare frõ place to place particularly betwixt Graueseng and Windsore aforesaid & ỳ same prices & assessementes to be set, shal bring or cause to bee brought to the privy coũsell of our soueraigne lord and lady the king and Quéene to bee viewed & sene by some of the said privie counsel, and after that the sayd assessementes and prices, shalbe signed & subscribed with the handes of two of the saied privie counsell, at the least, tho saied Maior & court of Aldermen for the tyme being shall cause the saied prices and assessementes to bee drawen and set vp in tables in the Guild halle, in the citie of London, Westminster hall, and else where, where ỳ saied Maior and court of Aldermen shal thinke conuenient. And euery person and personnes that shal take for his or their fare or labour aboue ỳ prices ỳ shalbe assessed wrewed written and set vp in forme aforesaid, shal forfait for euery such offence forty shillinges, and also shall suffer imprysonment by one halfe yere, ỳ one moitie of the said forfaiture to be to ỳ king and Quéenes maiesties, their heires and successours, & thother moity thereof, to him or them that will sue for the same in any of the kings & Queenes maiestes courts of record by accyon of debt or by any other the waies or meanes aboue specified, wherein no wager of laive essoigne, protection, or iniunction shalbe admitted or allowed for the defendant or defendaunts. And be it &c. that no person nor persons occupying or vsing any Westerne bargo shall retaine, take or receyue into his or their seruice, any single person, not kepinge house or householde, but onely such as shall be retained with him or them by the whole yeere and no householder, but such as he or they will and shall answere for, for his or their good behauiour, vpon paine of forfaiture for euery such offence, fortie shillinges, the one moitie therof to be to the king and Queenes maiesties, her heyres and successours, and the other moitie therof to him or them that will sue for the same in any of the king and Queenes courts of record by action of debt, or by any other the waies or meanes aboue specified, wherein no wager of

Negligent
Refuse
Forf.
Moitie
Maior London
Price
Fares
K. counsell
Publcribed
Tables
Forf. Imprison
Moitie
Westerne barge
Single person
Retained
Good behauiour
Forf.
Moitie

law, essoune protection, or iniunccyon, shalbe admitted or allowed for the defendant or defendants. An. 2. & 3. H. 6. Pa. ca. 36.

¶ *Patens & Patenmakers.*

Aspe
Foyl.
Fletchers

A. 8. H. 5. cap. 3. an act was made that patenmakers should make no patens nor clogges of Aspe vppon payne of C.s. so that fletchers myght sell their arrowes at more easy price.

2 ¶ An. 4. E. 4. cap. 9. it was enacted that patenmakers might make pattens of Aspe, that were not sufficient for arowes, and patenmakers, making patens or cloggs of Aspe, sufficient for arrowes, should forfait. x. s.

Aspe
Foyl.

¶ *Patents.*

Mencion
Knightes fee
Advowsons
Dowers

When our soueraigne lord the king geueth or grannteth land or a mannour with the appurtenaunces wythout he make expresse mencion in hys deede or writinge of knightes fée, advowsons of Churches, & dowers whé they fall belonging to such manours or landes, then at this day the king reserueth to himselfe such fees advowsons, and dowers, all bee it that amonge other persons there shalbee impleaded no such reseruation. Prerogatiua regis ca. 15. An. 17. E. 2.

Annuities

2 ¶ All the annuities & other thinges geuen or graunted by our soueraygne Lord the kinge, or by hys father, or grandfather to any maner persones vp the daule: Quousque quod p̄ fratris sui aliter duxerimus ordinandum, shalbe wholy void and of no force, if ỳ same persons haue accepted, after ward any other thynges of the kynge and of his said father or grandfather. An. 11. R. 2. ca. 8.

Gift
Forfetures

3 ¶ An. 11. R. 2. ca. 7. It was enacted that the kinges great officers might sell parcel of the forfaitures of them ỳ were forfeyted in that parlyament And after Anno. 1. H. 4. ca. 9. it was enacted that thole grauntes should bee good notwythstandynge any other grauntes, and that they that would might haue confirmations of them.

Ments
Offices
Annuities

4 ¶ All they which fromhencefoꝛth doo demaund of the king, lands, tenementes, rentes offyces annuities, or any other profittes, shal make expresse mencion in their peticions, of ỳ value of the thynge so to bee demaunded, & also of that that they haue hadd of the kynges gyft, or of other hys progenytours or predecessours beefore.

Mencion
Peticion
Voyd

And in case they make not such mencion in their sayd petycions, and that duely proued, the kynges letters patentes thereof made, shal not be auayllable, nor of no force nor effect, but wholy reuoked repealed, and annulled for euer, to the punishment of them which so haue done discrete to the king as they that be not worthy to enioy. ỳ effect and benefit of the letters patēts to thē graunted in this behalfe. Anno. 1. E. 4. ca. 6.

yerely gift
Fee

5 ¶ All they whych fromhēcefoꝛth do sue to the same our soueraigne lord the king, to haue of him any grace or yerely gift, or in fee or other wyse, shal make expresse mencion in their petition, of howe much they haue hadde of the gift and graunt of the noble king Edward grandfather to our Soueraigne lord the kynge or of Richard late kynge, or of Edward late prince of Wales, or of John late duke of Lancaster, father of our Soueraigne Lord the kinge, or of the kinge hymselfe, and of none other progenitour or predecessour of ỳ same our Soueraigne Lord. And hee that maketh not such mencion in his petycyon, hys letters patentes made to him at the same tyme by our soueraigne lord the king, shalbe of no force nor effect.

Mencion
Peticion
Voyd

And moreouer as to the wordes that is to say (other profittes) compiled in the sayed statut, our sayed soueraigne Lord the king hath declared and grantted, that of no profits, gyftes, goodes,

or cattels, or any other things graunted or geuen by the same our Soueraigne Lord the king to any to the valour of C.li. or within, except wardes and mariages, of whych the king wil that hee, which so shall sue to hym, shal make expresse mencion in his petition of the valour of the same, none shall incurre the paine comprised in ỳ saied statut. And it is not the kynges mynd, that for any confirmatyon or licence made to any by our said souereygne Lord the king of any liberties, fraunchises, annuities, or any other thinges graunted by any of his progenitours or predecessours or other person, and not specified in any petycion, so to bee demaunded otherwyse then aboue is declared, none shal incurre ỳ paine of the sayd statut. And as to thother articles comprised in the said statut, our souereigne lord will that they bee fermly holden and kept and put in due execution. Anno. 2. Henrici. 4. capit. 2.

wards
Mariages

Maine

Confirmation

6 ¶An. 4. H. 4. cap. 4. the kynge declared that hee would abstaine from grauntes of reuenues, lands, & wardships, but to such as had deserued, and they that asked any such should bee punyshed and shoulde not haue the thynge.

Abstaine

Punish

7 ¶Anno. 6. H. 4. ca. 2. it was enacted that the Quene nor the kynges sonne should not be restrayned by the statut of An. 1. H. 4. ca. 6.

8 ¶An. 7. H. 4. ca. 16. it was enacted that they that had the elder letters patents or graunte of annuities by H. 4. Ed. 3. or R. 2. should be first payd at the Eschequer. &c.

Paied Eschequer

9 ¶Euery warraunt herafter sent by the same our Soueraigne lord the king or his heires, to the Chauncelour of England for the time being, ỳ day of the deliuerie of the same to ỳ chauncelour shalbee entred of record in the Chauncery. And ỳ the Chauncelour doo letters patents to be made vpon the same warraunt, bearinge date the day of the said deliuery in the chauncery, and not before in no wyse. And if any letters patents be fromhencefoorth made to the cõtrary, they shalbe voyd and holden for none. Anno. 18. H. 6. capit. 1.

Warrant

Chaūcelor

Date

Void

10 ¶Euery graunt, releas, confirmatyon, and restitution made & graũted by the kynge in fee simple or fee taile, to any persone or persones after the iiii. day of March, the first yeare of hys raygne, of any manor or manors landes or tenementes wt theyr appurtenaunces, whereunto the saied persone or persones before the time of euery such graunt, releas, confirmation, or restytution to him or them so made, hadd in or to the same ryght or title, shalbe of such force and effect as they were beefore the beeginninge of the sayed parlyament: Any act made or to bee made in the same parliamẽt, notwythstandynge. Anno. 7. E. 4. capit. 4.

Graunt
Releas
Cõfirmation

11 ¶The kinges highnesse of hys goodnesse calling to hys remembrãce that where hys grace hath graunted to dyuers of his seruauntes (for their seruice to his grace done) landes, tenements, fees, offices, and other things, to haue to them durynge his pleasure: and after other personnes by their sutory suites haue obtayned of his highnesse other letters patents of ỳ same, not aduertising hys grace of his former grauntes, whereby the sayed former patentees haue bene auoided and putte from the auauntage of theyr sayed former grauntes and patentes contrary to the entent and graunt of our souereygne Lord. Wherefore bee it &c. that if any persone or persons, fromhencefoorth doo make suit to the kings highnesse for any landes, tenementes, offices, or any other thinges, so by his grace graunted, or hereafter to bee graunted to anie persone or personnes durynge hys pleasure, the said first patentee, then beeing in life, that hee do expresse in his sayd byl of petition

During pleasure

Mencion

petition or patent the tenour of ỹ ſaid former patent. And that the kynge then hath determined his pleaſure agayn ſt the ſaid firſt patent, or elſe the ſecond letters patentes of any of the premiſſes to any perſonne hereafter to bee graunted, bee void and of none effect. An. 6. H. 8. ca. 9.

Void

12 ¶ Where the kinges moſt excellent highneſſe, ſithen the fowerth day of Febuary, in the xxvii. yeare of hys maieſties raygne hath obtayned and purchaſed, aſwell by exchaunges, as by giftes, bargaines, fines, feoffemẽts recoueries, deedes enrolled, and otherwyſe, of diuers and ſundry perſonnes, many ſundry and dyuers honours, caſtelles, mannours, lands, tenemẽts meadowes, paſtures, woods, rentes, reuerſions, ſeruyces, and other hereditamentes, and hath not onely payed dyuers and ſundry great ſummes of money for the ſame, but alſo hath geeuen and graunted for and in conſideration thereof, vnto diuers perſonnes late owners thereof, diuers and ſundry mannours, landes, tenementes, and hereditaments, and other recompences, in and for full ſatiſfaccion of all ſuch honours caſtelles, mannours, landes tenementes, rents reuerſions, ſeruyces and other his hereditaments by his highneſſe obtained, purchaſed or hadde as is aboueſayed. Bee it therefore &c. that our ſaied ſouraigne Lord the king, his heires and ſucceſſours, ſhall haue hold poſſeſſe and enioy all and ſinguler the ſame honours caſtels, manours, landes, tenements, and other hereditaments, wheych hys highneſſe, ſith the ſaid fowerth day of Febuary, in the xxvii. yeare aboueſaid, hath obtained and hadde, or at any time during the ſpace of vii. yeres next enſuing the makinge of thys preſent act, ſhall obtaine, purchaſe, or haue by way of exchaunge bargayne purchaſe or other whatſoeuer meane or meanes according to the true meaning and intent of hys highneſſe bargaine, exchaunge or purchaſe therein, miſrecitall, miſnaming, or non recital, or not naming of any of the ſaid honours, caſtels, manours, landes, tenementes, and other hereditamentes, or of the true names or certenties of the or any of them, compriſed, or mencioned in the bargaynes or writtinges made beetweene the kinges highneſſe and any other partie or parties, or of any part or parcell thereof, or of any of the Townes or comties where the ſaid honours, Caſtels, manours lands, tenements and hereditaments lye and beene or any other matter or cauſe whatſoeuer it bee, in any wyſe notwithſtanding. Sauing to all and euery perſonne and perſonnes and to their heirs, bodies politike and corporat, and their ſucceſſours, and to euery of them, other then ſuch perſonne and perſonnes, and their heires, and their wiues, and the wiues of euerie of them, bodies politike and corporat, and their ſucceſſours, and euerie of them, of whom the kinges hyghneſſe hath obtained by exchaunge, gift, bargaine, fine, feoffement, recouery deede enrolled, or otherwyſe, or at any time hereafter during the ſaied vii. yeares next commynge, ſhall obtaine, purchaſe, or haue any ſuch honours Caſtelles, mannours, landes, tenementes and other hereditamentes, as is afore ſaid, all ſuch right, title, vſe, intereſt, poſſeſſion, rentes, charges, annuyties, commodities, fees, or other profittes, (rentes ſeruices, and rentes ſeckes onely except) wheych they or any of them haue, myght or ought to haue hadde, in or to the premiſſes ſo obtayned and had, in or to any parcel thereof, in as ample & large maner, forme, and condition, to all intents, conſtruccions and purpoſes, as if this act hadd neuer ben had ne made: This preſent act or any thing therein contayned to the contrary notwythſtanding. And where alſo our ſaied ſoueraygn Lord the king ſithen the ſaid fowerth day

Mistrecitall
Misnaming
Nonrecital

Bodies politike

Rent ſeruice
Rent ſeck

Exchange
Bargaine
Purchaſe

day of Februarij, in the saied xxviij. yeare of his maiesties raigne, aswell vppon diuers and sundry good consyderations, hys maiestie specyally moueynge, as also other wyse, hath bargayned, sold, exchanged, geuen and graũted by his graces seuerall letters patentes, indentures, or other writinges sealed vnder his highnesse great seale of England the seale of his duchie of Lancaster, and the seale of offyce of ẏ court of Augmentations of the reuenues of his crowne or any of them, aswell to bodies politike and corporat, as to dyuers and sundry other of his louing and obedient subiectes, dyuers and sundry honours, Castelles, manours, monasteries, abbathies, prioryes, landes, tenementes, rentes, reuersions, seruyces, personages appropriated, aduowsons, tythes, oblatyons, pencyons, porcyons, fraunchises, priuiledges, liberties, offices, & other hereditamentes, commodities, & profits in fee simple fee taile, for terme of life or lyues, or for terme of yeres, as in the same seuerall letters patentes, indentures and other writings is mẽcioned and declared. And where also the kinges maiestie heretofore sithen the said xxvij. day of Februry, by his seuerall letters patents, sealed vnder the said great seale of England or otherwise, of his accustomable goodnesse, hath newly erected, ordained & made diuers Bishoppes, deanes and chappiters, colledges, and other bodies polytike & corporat, & hath by hys seuerall letters patentes sealed vnder the sayd great Seale of England geuen and graunted aswel vnto them, as to dyuers other bodies politike and corporat & to their successours by such name or names as they then were, bee or nowe stand corporat, diuers manours, landes tenementes personnages, tythes, pencions, porcions, aduowsons nominations, presentatyons, and other hereditaments, and such or lyke liberties and iurisdiccions in the same manors, landes, and tenements, mencioned in any of the same letters patents, as he to whom any such letters patents were or be made or graunted, or his predecessors before had or enioyed in the manors, landes, tenementes, and hereditamentes, departed or appointed to the king, or such as any the late abbot or priour of any late monasteries or priories, or other persone or persones, whatsoeuer or any of them mencioned in any of the saied letters patentes, lawfully had, exercised, vsed or enioyed within the said castels, manors, landes, tenements, and hereditamentes, mencioned in any of the saied letters patentes, in auoyding, dysturbing, hurting, or hindering of diuers of the said seuerall letters patentes, indentures, and other writinges, and of the manours, landes, tenementes, hereditamentes, and other things in them contained, sundry and many ambiguities, doubtes, and questions haue or might hereafter happen to bee moued, obiected, alleaged, inuented, procured or stirred, aswel for misnaminge misrecitall, or non recitall of any of ẏ sãe honours castelles, manours monasteries, abbathies, priories, landes tenementes and other the premisses, or any parcell thereof, or for lacke of findinge of offyces, or inquisitions of and in the premisses, whereby the title of the kinges highnesse therein ought to haue bene found, before the makynge of the same letters patentes, or other writings, or for misrecitall or non recitall, of leases thereof before made, as well of recorde as not of record, or for lacke of the certeintie, miscastyng, rating or settinge forth of the yearely values and rates of the premysses or of the yerely rentes reserued of & for ẏ premisses, or any parcel thereof mencioned or contained in any of the said letters patentes or other writings, or for that the premisses be, or any part thereof is valued to a more or lesse value in the saied letters patentes or writinges

Hold
Geuen
Seale
Lancaster
Augmentation
Doubtes
Misnaming
Misrecital
Nonrecital
Offices
Bodies politike
Bishops
Deanes
Misrecital
Nonrecital
Leases
Miscasting
yerely value
Rents

writtinges, then the sayed mannours, landes, tenements, and other the premysses then were or shalbe in ỳ yeare ỳ value: or for mysnamynge of the Townes, Hamlettes, Parysshes, or Counties, where the same Honours Castelles, mannours, Monasteries, Abbathies, Prioryes, landes, tenementes, rentes, hereditamentes, and other the premisses, and euery parcell thereof, or any parcell thereof, lyen or bene: or for lacke of the true nampng of the natures, kyndes, sortes, or quantities of the saied possessions, or hereditamentes, or any parcell thereof: or for lacke of the true meanyng of the corporation of the same: or for lacke of attornement, lyuerie of seyson, or for misnaming of any the late tenaunts or fermours of the same so sold, geuē or exchanged. For remedy & reformation whereof, be it &c. that aswel all & euery the sayed letters patentes, inventures and other writynges and euery of them, sealed with or vnder ỳ seale or seales aboue sayed, or any of them, made or graunted by the kings highnesse sithen the sayd viii. day of february in the said xxviii. yeare of hys most noble raigne, as also all and singuler his graces letters patentes, inventures and other writinges hereafter, duryng the space of seuen yeares next ensuing the making of thys present act to bee hadd, made or graunted wyth or vnder any of the seales aboue sayed to any body politike, or corporat, or to any other persone or persones of any honours, castels, mannours, monasteries, abathies, prioryes nunries, colledges, hospitalles, houses of friers, or of other religious or ecclesiastical houses or places, sites, circuits precinctes, landes, tenements, personages, tithes, pensions, porcions, aduowsons, nominations, presentations franchises, liberties, & other hereditaments, commodities, possessions, and profits, of what kind, nature, or qualitie soeuer they or any of thē be, is or shalbee, or by what soeuer name or names they or any of thē be, is or shalbee named, knowen, or reputed, shall stand & be good, effectuall, and anaūsable in ỳ law to al intents, respects, cōstructions & purposes against his maiestie, his heires & successors without any confirmation, licence, dispēsation, or tolleration of the kings highnesse, his heirs or successours, or of any other person or persons whatsoeuer, any thē cause or matters aboue mencioned, contained or hereafter during the sayd vii. yeares, to be contained in any such letters patentes, indentures or other writings to the contrary in any wise notwithstandinge. Prouided alway, & be it &c. that all and singuler such letters patents, which at any tyme heretofore sithen the xxviii. day of Apryl, in the xxvi. yere of our said soueraygne Lordes raigne haue bene graunted or made, or hereafter shalbe made by the kinges highnesse, to any person or persons, of any office of keeping of anie castel, blockhouse, parke, chase, forest or keping of any mannours or manstō place, house or houses, with an annuall fee or other yearely profittes, for the exercising of the same, and after ỳ said castel, blockhouse, mannour, manstion place, house or houses, parke, chase, or forest happen to be fallen downe, departed, dilapidated or distroied, so that the cause of the exercising of such office is determined: that then the letters patents of graunt of the same offyce & offices, wyth the fee and fees or other profits for the exercising of the same, shalbe from thencefoorth clerely determined, and stand and remaine as void for euer: Any thing in this act contayned to the contrary notwithstanding. Prouided also that thys act, or anie thing therein contained, shall not in any wyse extend to reuyue or make good any letters patents of the grante of any offyce or offyces heretofore graunted or made by our sayed soueraigne Lord the kinge, wyche nowe is or

Mysnaming

True naming Quantitie

Attornemt Liuery of seisin Mysnaming

xxix. yeres

Effectual

Confirmation. Licence Dispēsation

Office Kepers

Void

is or be, or at any time heretofore haue beene adnihilated, determined or made voyde, by auctority of Parliament, iudgement, decree, or otherwise, any thing in this act contayned to the contrary notwithstanding. Prouided alway, and bee it ec. that all and singuler such patentees, grauntees, & donees, as at any tyme from hence forthe during the saied seuen yeares now next comminge, shall fortune to haue or obtaine any castels, manours, landes, tenementes, tythes, pensyons, porcions, or other hereditaments: of the gift, graunt, sale or exchange of the kynges maiestie, or of the onely gift of the kinges maiestie, of his most liberall disposicion and not solde, which at the day of the date of the letters patents thereof made, shall bee of more or better yearely value to the kinge in yerely rent and ferme, then shalbe contened, mencioned or specified in any such letters patentes and particulers thereof made by the auditour or auditoures, and in such bille or billes as shalbee signed and sealed wyth the hand or handes of the patentee or patenters thereof, to be exhibited to the kynges maiestie, or hys officers within whose suruey the saied manours, landes, and tenementes, and other the premisses, or any part thereof shalbee, or within any of them, which bill shalbee signed, sealed, hadde and made as is aforesaied before any byll shalbe therof signed by the kynges maiestie, that then euery of the saied patentees, graintees, and donees, their heires, executours, or administratours, within one yeare next after due proofe and decree thereof made and hadde in the courte, within whose suruey the same castels, manours, landes, tenementes and other the premisses, or any parcel thereof then shall bee, shal content and pay vnto the king, for the same ouerplus and more value for the same manors, landes, tenements, tithes, pensions, porcions and other hereditamentes to hym solde or exchanged, after such rate as the other landes, and tenementes were before to him sold or exchanged: And for the ouerplus and more value of such landes and tenementes, as shall happen to bee geuen by the kynges maiestie, and not solde as is aboue saied, the saied patentee hys heires, executours or administratours, shall content and pay to the kynge after the rate of twenty yeres purchase, so that the same proofe and decree be had and made in fourme aboue saied, within ten yeares next after the date of the said letters patentes. Prouyded alwaies, that this act nor any prouision, clause or article therein conteyned, shall not be vnderstande or interpreted to bee hurtfull or preiudicial to any the kynges letters patentes, indentures or writtings heretofore made concerning any bargaynes, couenants sales, graunte, exchaunges, or gifts of any castels, manours landes, tenements, or other hereditamentes in fee simple, or in fee taile, sithen the fowerth day of February, in the seuen & twenty yeare of his maiesties raign, and before the xxviii. day of Aprill, in the xxviii. yeare of his saied highnesse raigne, vnder any of the seales aboue specified in this act: nor to any act or statute heretofore made for the corporation of any such letters patentes indentures or writting. Anno. 34. H. 8. cap. 21.

10 yeres purchas

Fee simple Fee taile

13 ¶ Where the kynges most excellent highnes sithen the eight & twentie day of Januarie, in the first yeare of his maiesties raigne, aswell vppon diuers and sundry good considerations hys maiestie specially moouing, as also otherwise, hath bargained, solde, exchanged, geuen, restored and graunted by hys graces seuerall letters patentes, indentures, or other writtings sealed vnder hys highnesse great seale of England, the seale of the Duchy of Lancaster, and the seale of the court of Augmentations and the reuenues of



Gift Graunt Sale Exchange

Better value

Bill

One yere Court

Ouerplus

his crowne, or any of thē, as well to bo-
dies politike & corporat, as to diuers &
sundry of his louing & obediēt subiects,
diuers & sundry honours castelles, ma-
nours, landes tenements, rentz, reuer-
sionz, seruicez, personagez appropriated
aduowsons tythes, oblationz, pencions
porcions, fraunchises, priuileges, liber-
ties, & other hereditaments commodi-
ties & profits, in fee simple, fee taile, for
terme of life or liues, or for terme of
yeares, as in ỳ same seuerall letters pa-
tents indentures, and other writinges
is mencioned and declared. In auoy-
ding disturbing, hurting or hindering
of the said seuerall letters patentes, in
dentures, and other writinges, and of
the said manours, landes tenements he
reditaments, and other thinges in the
conteined, sundry and many ambigui-
ties, doubtes and questions haue or
might hereafter happen to be moued,
obiected, alleaged, inuented, procured,
or stirred, as well for misnamyng,
misrecitall, or non recital of any of the
same honours castels, manours, landes
tenements and other the premisses, or
any parcel thereof, or for lacke of fynd-
yng of offices or inquisitions, of and
in the premisses, whereby the title of
the kinges highnesse therein ought to
haue beene found before the makyng
of the same letters patentes, or other
writings, or for misrecitall or non re-
citall of leases thereof before made as
well of recorde as not of record, or for
lacke of the certentie, miscastyng, ra-
tyng or setting forth of the perely va-
lues and rates of the premisses, or for
the yearely rentes reserued, of and for
the premisses, or any parcell thereof
mencioned, or contained in any of the
said letters patents, or other writings,
or for that the premisses bee or any
part thereof is valued to a more, or
lesse value in the saied letters patents
or writinges then the saied honours,
manours, landes tenementes, and
other the premisses then were or shal-
bee in perely value, or for misnaming

Tearme of life yeres

Doubts

Misnaming Misrecitall Nonrecitall

Offices

Misrecitall Nonrecitall Leases Lacke of certentie

Rents

Value

Misnaming

of the Townes, Hamlettes, parti-
shes or counties, where the same ho-
nours, castelles, manors, landes te-
nementes, rentes, hereditamentes,
and other the premisses, and euery
parcell thereof, or any parcell thereof
lyen or beene, or for lacke of the true
namyng of the natures, kyndes, qua-
tes and quantities of the sayed possessi-
ons, or hereditamentes or any par-
cell thereof, or for lacke of the true na-
minge of the corporatyon of the same
bodies politike, or corporate, or for lacke
of attornement liuery or seasen or
for misnaming of any of the late te-
nauntes or fermours of the same pre-
misses so solde, geuen, graunted or
exchanged, as for dyuers and sundry
other suggestions and surmises not cō
prised in the sayed letters patentes
which hereafter myght happen to be
moued, surmised, or procured, agaīst
the same letters patentes. For reme-
dy and reformation whereof, bee it ec.
that as well all and euery the saied let-
ters patentes, indentures, and other
writinges, and euery of them sealed,
with or vnder the seale or seales aboue
named, or any of them made or graun-
ted by the kynges highnesse, sithence ỳ
xviii. day of January last past, as also
all and singuler his graces letters pa-
tentes, indentures, and other writ-
tinges hereafter during hys highnesse
life (which our Lord long continue)
to bee had, made or graunted with, or
vnder any of the seales aboueslated to
any body politike or corporate, or to
any other person or personnes of any
honours, castelles, manours, landes,
tenementes, rentes, reuersions, seruī-
ces, personages, tythes, pencions, por-
cions, aduowsons, nominations, pre-
sentations, franchises, liberties & other
hereditaments, commodities, possessi-
ons, and profites, of what kynde, na-
ture or qualitie so euer they or any of
them bee, is, or shalbee, or by what so-
euer name or names they or any of thē
bee, is, or shalbee named, knowen or
reputed

Natures

Quantities

Corporation

Attornement Liuerie of seison

reputed, shal stand and be taken, reputed & iudged good, sure perfecte, effectuall, & auaillable in the lawe, during the states in them limitted & specified to al intents, respectes, constructions and purposes against the kynge, hys heires and successours wythout any confirmation, licence, dispensation, or tolleration of the kynge, hys heires or successours, any thes causes or matters aboue mencioned, conteined, or hereafter during his saied highnesse life to be conteined, had, or made in any such letters patentes indentures, or other writinges by the kinge our soueraigne Lorde to the contrary, in any wise not withstanding. Prouided alway that this act, ne any thing therein contayned, shall not in any wise extende to reuyue, or make good any letters patentes made of any office or offices to any comptroller, customer, alneger or searcher, ne to any letters patentes of the graunt of any other office or offices, heretofore graunted or made by our sayed soueraigne lorde the kynge, which nowe is or bee, or at any tyme heretofore haue beene annihilated, determined or made voide by iudgement by authority of parlyament or decree, nor to any patent to bee made to any persone or persones for terme of yeares, or during the minoritie of an heyre, of or in any manours, landes, or tenementes, whereof any trauers hereafter shalbee tendred within three monethes after any office founde and certefied into any of the kynges courtes of record, ne to any leases or grauntes of any manours, landes, or tenements, of our saied soueraigne Lordes hereafter to bee made vnder any of the seales of the courtes aforesaied, contrary to the limitation, ordinance, prouision, establishment, & authoritie of the same Courts, any thing in this act contayned to the contrary notwythstanding. Prouyded also and be it &c. that this act, nor any thing therein contay-

Good Effectuall

Reuiue Offices Comptroller Customer Aulneger Sercher

Terme of yeres minoritie

Trauers

Leases

ned, shall not extend to make any letters patets of any office or offices, to be of any other effect, force, or strēgth then the same letters patents were or should haue bene before the making of this act. Prouided alway and be it &c. that all and singuler such patentees, grauntees, donees, as any time hereafter during the life of our saied soueraigne Lord, (which almighty God long preserue) shall fortune to haue or obtaine any Castels, manors, landes, tenements, tythes, pēcions, porcions, or other hereditamentes of the gyft, graunt, sale, or exchaunge of ỳ kinges maiestie, or of the only gift of ỳ kinges maiestie, of his most liberall dispositiō, and not sold, which at the day of the date of the letters patentes thereof made shalbe of more or better yere ly value to the kyng in yearely rent and ferme, then shallbee contayned mencioned, and specified in any such letters patentes, and perticulers therof made by the particuler surueiour or surueiours thereof, and in such bill or billes, as shalbee signed & sealed wyth the hand and handes of the patentee or patentees thereof to be exhibited to the kynges maiestie, or hys officer or officers, within whose surney the said manours, landes and tenementes, and other the premisses or any parte thereof shalbee, or within any of them, which bill shalbee signed, sealed had & made as is aforesayd before any bill shalbee thereof signed by the kinges maiesty, that then euery of the sayd patentees, grauntes, and donees, their heires, executoures, and administratours, vnto one yeare next after due proofe and decrees thereof made and had in the court wythin whose surney the same castelles, manours, landes, tenements and other the premisses, or any parcel thereof, before the said giftes & grantes were, shal content and pay to the king for the same ouerplus, and more value of the same manours, lands, tenements tithes, pencions, porcions, and other here-

Offices

Gift Sale Exchange

Value

Bill

One yere

Ouerplus

hereditamentes, to him sold or exchanged, after such rate, as other landes, and tenementes were before to hym solde, or exchaunged, and for the ouerplus and more value of such landes & tenements as shall happen to bee geuen by the kinges maiesty, and not sold, as is aboue said, the sayd patentee, his heires, executours, or administratours shall content and paye to the king after the rate of twenty yeares purchase, so that the same proofe and decree bee had and made in maner and fourme aboue sayd, within tenne yeres next after the date of the sayd letters patentes. Anno. 1. Edwardi. 6. capitulo. 8.

Paye 20 yeres purchase

14 ¶ Whereas in the Session of the parlement holden vpon prorogation at Westminster the xvij. day of January in the xxviij. yeare of the raigne of the late king of famous memory king H. the eight, and there continued & kept vntill the xij. day of May in the xxx. yere of the raigne of the said late king, amongs diuers and sundry, and many statutes, there was then one statute made for the confirmation of letters patentes notwithstanding any misnaming, misprision or misrecytal or any other default conteined, or rehersed in the same act: wherin it was prouided and enacted by the authority of the same parlement, that all and singuler such patentees, grauntees, and donees as at any time from the making of the same statute, during vij. yeares then next following should fortune to haue, or obtaine any Castels, manors, lands tenements, tithes, pencions, porcions or other hereditamentz of ỳ gift, graūt sale exchaunge of the kyngs maiestie, or of ỳ onely gift of the kings maiestie of his most liberall disposition, and not sold, which at the day of the date of the letters patentes therof made, shalbe of more or better perely value to the king in perely rent and ferme, then shalbee conteined mencioned, and specified in any such letters patentes, and particulers thereof made by the auditour or auditours, and in such bill or billes, as should be signed & sealed with the hand or hands of the Patētee or Patentees therof to be exhibited to the kings maiestie, or his Officer or Officers, within whose surueie the sayed manours, landes and tenementes, and other the premisses or any part thereof shalbe, or within any of them, which byll shalbee signed, sealed, had and made as is aforesaied before any bill should bee thereof signed by the kinges maiestie, that then euery of the sayed patentees, graūtees, and donees, theire heires, executors, or administratours, within one yeare next after due proofe and decrees thereof hadde and made in the Court, within whose surney the same castels, manours, landes, tenementes and other the premisses, or any parcel thereof then should be, should content and pay vnto the kinge for the same ouerplus, and more value for the same manoures, landes, tenementes, tythes, pencions, porcions, and other hereditamentes to hym sold or exchanged after such rate, as the other Lands and Tenementes were before to hym solde, or exchaunged and for the ouerplus, and more value of such landes and tenementes, as should happen to bee geeuen to the kynges maiestie, and not solde, as is aboue sayd: The sayed patentee, his heyres, executours or administratours should content and pay to the kynge after the rate of twentie yeares purchase. So that the same proofe, and decree were hadde and made in fourme aboue said within tenne yeares next after the day of the sayed letters patentes, as by the statute more at large it doth and may appeare. And also where as in the Parlement begun at Westminster in the fourth day of Nouember, in the first yeare of the raigne of our most dread soueraigne Lorde the kinge that now is, kinge Edward the first, and from thence continued to the

Bill

Pay Ouerplus

Misnaming Misprision Misrecital

7. yeres

10. yeres purchase

10. yeres

Maine

xviiii. day of December then next ensuing, that is to say, that first session of the same parlement, amongest diuers and sundry statutes, there was then also one other statute made for the confirmation of letters patents, notwithstanding any misnaming, misrehersall or any other default, contained, or rehearsed in the same acte: wherein it was also prouided and enacted by the authoritie of the same parliamēt, that all and singuler such Patentees, graun tees, and donées, as at any time after the sayed Parlement, and during the life of our saied soueraigne Lorde king Edward the first, should fortune to haue or obtaine any Castels, manours, landes, tenementes, tithes, pencions, porcions, or other hereditamentes of the gift, graunt, sale or exchange of the kinges maiestie, or of the onely gifte of the kinges maiestie of hys most liberal disposition, and not solde, which at the day of the date of the letters patentes thereof made, should bee of more or better yearely value to the kynge in yearely rent, & ferme, then should be contained, mēcioned and specified in any such letters patentes, and partyculares thereof, made by the partyculer surueiour or surueiours thereof. And in such bill or billes, as should bee signed, and sealed with the hande, or handes of the patentee or patentees thereof to be exhibited to the kynges maiestie or hys officer or officers win whose surueigh the saied manours, landes and tenementes, and other the premisses, or any part thereof should bee, or within any of them, which bill should bee signed, sealed, had and made, as is aforesaied, beefore any bill should bee therof signed by the kynges Maiestie: That then euery of the sayed patentees, grauntees, and donées, theyr heires, executors, and administratours within one yeare nert after due proofe and decrees thereof made, and had in the Court, within whose surucy the same Castelles, manours, landes, tenementes, and other the premisses, or any parcel therof before the saied gifts and grauntes were, should content and pay to the kinge for the same ouer plus, and more value of the same manours, landes, tenementes, tithes, pencions, porcions, or other hereditaments, to him solde and exchanged, after such rate as other landes, and tenementes were beefore to hym sold, or exchanged, and for the ouerplus and more value of such landes and tenementes, as should happen to be geuen by the kinges maiestie, and not solde as is aboueslaid, the said patentee, hys heires, executors, or administratours, should content and pay to the king after the rate of twenty yeres purchase, so that the same proofe, & decree were had, and made, in maner and fourme aforesaid, within tenne yeres nert after the date of the saied letters patentes, as by the same statute more at large it doth, and may appeare: Sithence the making of which statutes diuers of the said patentees, grantées, & donées, according to the rule, meaning and intent of the said statutes, & prouisions of the same, haue by theyr billes seuerall, signed and sealed with the handes & seales of the said patentees exhibited to the kinges maiestie, or to his officer mencioned in the said seuerall actes, & prouisions, beefore the same bill, were signed by the said late kinge, or by the kinges highnesse that now is which billes so signed by the saied patentees some time by the negligence of the same officers, or their clerkes, sometimes by the death of the same officers, & sometime by the alteratiō and chaunge of the saied officers, many of the saied billes so signed & sealed beene now by negligence imbeseled, and lost and many tymes there haue bene no such billes made, but omitted and forgotten, by reason wherof diuers questions, ambiguities and doubtes may arise, aswell for the kynges iuerties &

Misnaming Misrehersal

Value

Bill

One yeare

Pay

Ouerplus

20 yeres purchase

satisfaccion, as for the patentees, their heires and assignes: ¶ For the auoyding of al which ambiguities, questionz, and doubtes. Be it &c. that alwel all and singuler letters patentes, made by ỳ said late kynge, as by the kinges maiestie that now is, sithence ỳ making of the said seueral statutes and actes, or that hereafter shalbee made by our said soueraigne lorde the king that now is, during his life, (whose life God long preserue) shalbe good and effectuall, to all and euery patentee, their heirs and assignes, ỳ lacke or want of any such bil, or billes, or whether ỳ particuler or particulers were had or made, or hereafter to be had or made by any of ỳ kings auditour or auditours surueiour or surueiours in any wyse notwythstandyng.

Will
Particulerz

Auditour
Surueighour

And that the same patentées, grauntees and donees, their heires and assignes, and euery of them, shal from hence forth haue and take all & singuler such profits, benefites, commodities and auauntages mencioned in the said seueral statutes, as though the said billes hadde beene signed and sealed, & were ready to bee shewed according to the true intent of the said statutes or any of them.

And to the intent the kinge shalbee truely aunswered of the ouerplus of ỳ yerely value of ỳ said manours, Lands Tenementes & hereditamentes conteyned, or to bee conteined, in any such letters patentes as is aforesayed, according to the true meaning of the sayed act or actes, and the prouisions of the same.

Bee it enacted by the aucthority aforesaid, that all and singuler such Patentees, grantees, and donees, as at any time from the makyng of the said seueral statutes haue obtayned, or gotten, or hereafter shall obtaine, or gett any Castelles, mannours, Landes, Tenementes, Tythes, Pentions, porcions, or other hereditamentes of the gift, graunt, Sale, or exchange of the saied late kyng, or of the kyng that now is, or of the onely gyft of the said kynges or of any of them, of his, or their most liberal disposicio, or of any of them not sold, which at ỳ date of ỳ letters patētes therof made, or hereafter to be made, shalbe of more, or bett yerely value to ỳ said late kig, or to ỳ king ỳ now is, in yearely rent and ferme, thē is, or shalbee contayned, mencioned, or specified in any such letters patentes, or particulers therof made by the sayd auditour or auditoures, surueiour or surucioures, or other officers, that then euery of the said patentees, graūtees and donees, theyr Executoures and assignes within one yeare next after due proofe and decree therof made and hadde in the Court, within whose surucie the same castelles, manoures, landes, tenementes and other the premisses or any parcel thereof then were or shalbee, shall content and pay to the kynge for the same ouerplus, and more value of the same manoures, landes, tenementes, tithes, pencions, or other hereditamentes, to hym or them sold or exchanged or hereafter to bee sold or exchanged, after such rate as the other landes, and tenementes were beefore to hym sold, or exchanged, or that here after shalbe so sold or exchanged, and for the ouerplus and more value of such lands and tenements, as should happen to bee geeuen by the sayed late kynge or the kings maiestie that now is, or ỳ hereafter shalbe geeuen by the kynge that now is and not solde as is aboueſaied, the sayed patentee, and patentees, and his and theyr heyres, executoures, and assignes, shall content and pay to the kyng after the rate of twenty yeares purchase, so that the same proofe, and decree bee or shalbee made, in fourme aforesaid, within viii. yeares next after the date of such, and the same letters patentes made or to bee made in fourme aforesaid. Prouyded alwayes and bee it &c. that this act or any prouisyon therein contayned

Gift
Maine
Rent
One yere
Ouerplus
Pay
20 peres
purchase

Sale
Exchange

ned shall not in any wise extend to cõfirme, ratifie or make good any lease or leases made or hereafter to be made for terme of life liues or yeares where vppon the olde & accustomed rentes, or more, be not, or hereafter shall not bee reserued and yearely payable, during the tyme and terme of the saied lease and leases, nor to any lease or leases made in reuersion of any part or parcell of any manours landes tenementes, or hereditamentes parcell of the Duchy of Lancaster or within the survey of the same Duchy. Prouyded also and bee it &c. that this act nor any thing therin contained shall extẽd to confirme, ratifie or make good any letters patentes heretofore made, or hereafter to be made of estate of enheritance by any kinge or kynges of this realme but to such letters patentes as were made by the said late kyng Henry the viii. sithence the said fourth day of February in the saied xxvii. yeare of his raigne, or hath bene or hereafter shalbee made by the kynges maiestie that now is during his life (which god long preserue) any thing or matter conteined in this act or any of the prouisions beefore rehersed, to the contrary thereof in any wise notwithstandyng.

And where also the late kynge of famous memory Henry the eight, and also our soueraigne lorde the kynges maiestie that now is, as well by diuers bargaynes and sales for dyuersgreat summes of money, as by giftes, exchaunges, or otherwise, haue geuen and graunted by theyr seuerall letters patentes, vnder the great seale of England or vnder the great seale of the Duchy of Lancaster, diuers manours, landes, tenementes, or other hereditamentes with the appurtenances to dyuers and sundry theyr louing subiects of any estate of enheritance to holde in Socage onely, & not in capite for al maner of seruices, & wout reseruation of any tenthes or rentes in the same letters patentes, as by the same seuerall letters patentes may appeare. And for as much as by certein statutes heretofore made, doubtes & ambiguities may rise vpon such letters patents, for lacke of tenure in Capite, or reseruations of tenthes or rents which might be hereafter to the vnquietnesse of such patentees, their heirs assignes or successours contrarie to the intentes and mindes of the said late king, and of our said soueraigne Lorde the kinges maiestie that now is, for the auoidyng of all doubtes and ambiguities, and for the quietnes of the kynges louing subiectes: Bee it also enacted and established by the auctority aforesayed, that all letters patentes sealed, or hereafter to be sealed with the greate seale of England, or with the greate seale of the Duchy of Lancaster, shallbee good perfect, and available in the lawe to all intentes and purposes according to the sayd letters patentes, the nonage of our soueraigne lorde the kyngs maiestie that now is, as Duke of Lancaster, albeit alwaies as kynge, hee is of full age, or any acte, statute, or lawes for or concerning any tenures or reseruations of rents or tenthes, to the contrary notwithstandinge. Sauing to all and euery personne and personnes bodies politike and corporate, their heires, successours, executours, & assignes, and to euery of them other then the kynges maiestie, hys heires & successours as kinges of this Realme or as Dukes of Lancaster, al and euery such rightes, titles, leases condicyons, rents and interestes whatsoeuer, as they or any of them should, ought, or myght haue hadde, yf thys act hadde neuer beene hadde or made: thys act or any thynge therein contayned to the contrary in any wise notwithstandyng. Anno 7. Ed. 6. capitulo. 3.

15 ¶ Where sithẽ the vii. day of July in ỹ first yere of ỹ Quẽns maiesties raigne, diuers & sundry honours, castels manours landz tenementes rents reuer-

R. nonage.

Dukes of Lancaster

Lease

Rents

Lease in reuercion

Lancaster

Socage

reuerſions ſeruices, & other hereditamentes haue been conueyed & aſſured to her highneſſe, her heires & ſucceſſors by or from diuers and ſundry perſonnes and bodies politike, aſwell for the diſcharge and ſatiſfaccion of great debts, & ſummes of money, as for other good conſiderations for the perfect aſſurāce confirmation and further ſuerty wher of &c. Be it enacted that all feoffemēts fines, ſurrenders, aſſurances, conueyances & eſtates in any wiſe conueyed, had or made, to or for our ſaied ſoueraigne lorde & lady ẏ kyng & Queenes maieſties, or to or for our ſaied ſoueraigne lady the Queene by or frō any ſuch perſon or perſonns, bodies politike or corporat, of any ſuch honors, caſtels, manors landes tenements rents reuercions ſeruices or other hereditaments for any debt, ſumme or ſummes of money, or other conſideratiō whatſoeuer, ſhall ſtand remaine & be good & auayable in the law to al intentes, cōſtruccions & purpoſes, according to the true, meaning intēt & purport of the ſame, Sauing to all and euery perſon and pſons & to their heires, bodies politike & corporate, and to their ſucceſſors, and euery of them, other then ſuch perſone or perſones, and their heires & wyues & euery of thē, bodies politike and corporate, and their ſucceſſours and euery of them, of or from whom the king and Queenes highneſſe, or the Queenes highnes onely hath obtained or purchaſed ẏ ſaidpremiſſes or any parcel therof by exchange gifts, bargaine fine feoffement, recouery, deede inrolled, or otherwiſe all ſuch right title intereſt vſe poſſeſſion rents reuerſions remainders offices fees commons profits and commodities whatſoeuer, which they or any of them haue might or ought to haue had of in or to ẏ premiſſes, or any part therof, in as large & ample maner forme and condicion, to all intents conſtructions and purpoſes, as if this act had neuer ben had ne made: This preſent act or any thing therin contayned to the contrary notwithſtanding. And where aſwell our ſaied ſoueraigne lorde and lady, as our ſaid ſoueraigne lady the Queenes highneſſe, ſithen the ſayd vii. day of July in the firſt yeare of her maieſties raigne, aſwell for diuers and greate ſummes of money, as alſo for diuers and ſundry other conſiderations, haue and hath bargained, ſolde, geeuen & graunted by their or her graces ſundry letters patentes, indentures or other writinges, ſealed vnder the great Seale of Englande, or the ſeale of the Duchy of Lancaſter, as well to bodies politike and corporate, as to diuers and ſundry other their loyng and obedient ſubiectes dyuers & ſundry honours, caſteles, manours, landes, tenementes, rentes, reuerſions, ſeruices, and other hereditamentes in fee ſimple, fee taile, or for terme of life, liues, or yeres, as in the ſame ſeuerall letters patentes, indentures and other writinges is mencioned and declared. And to thintent the ſame letters patentes, indentures, and other writings, ſhould bes of good, auailable, and perfect force and effect to all and euery her highneſſe louyng ſubiectes, accordinge to the true meanyng and effect of the ſame. Be itenacted and eſtabliſhed, that as well all and ſinguler letters patentes, endentures, and other writinges ſealed vnder the greate ſeale of England, or vnder the ſeale of the Duchy of Lancaſter, and heretofore made or graunted by our ſaid Soueraigne Lord and Lady the king and Queene, or by our ſayd ſoueraigne Lady the Queene for any ſummes of money, or for and vpon any other conſiderations, as all other letters patents hereafter to bee made by our ſaid Soueraigne Lord and Lady for any ſumme or ſummes of money during the ſpace of vii. yeres next enſuing the making of this act to any body politike or corporat, or to any other perſon or perſones whatſoeuer, of any honours, caſteis, manors

lord

Feoffments Fines Surrenders

Bodies politik

lordships, granges, meses, landes, tenements meadowes pastures rentes reuersions seruices woods aduowsons nominatyons patronages annuyties rightes interestes entries conditions Lætes Courtes liberties p̄uiledges frāchises or of any other hereditamēts with their appurtenaunces, or of any part or parcell of them sealed wyth or vnder the great seale of England, or vnder the seale of the Duchy of Lancaster, of whatsoeuer kynd nature or qualitie, they or any of them bee, or shalbee reputed knowē or taken with their appurtenaunces or any part or parcell of them, shalbee good perfit & effectual in the lawe, and shall stand be taken, reputed, deemed & adiudged good perfect sure auaylable and effectuall in the lawe, as well agaynst the king & Quēnes maiestie, as agaynst the Quēne her heires and successours according to the tenour of the said letters patentes, the same to bee expounded cōstrued deemed and iudged most beneficial for the patentees and graun tees of the same according to ẏ wordes and purport of euery of the said letters patentes without any confirmatyon, licence or tolleration of the Quēne, her heirs or successors any misnaming misrecitall or non recitall of anie the same honours castels manours lands tenemēts and other the p̄emisses, or any parcel thereof, or any lacke of finding of offices or inquisitions, of and in the p̄emisses whereby the title of ẏ Quēnes highnesse therein ought to haue bene found beefore the makynge of the same letters patentes or other writinges, or any misrecitall or non recital of leases thereof before made, as well of Record as not of Record, or any lacke of the certaine miscalling ratynge or setting forth of the yearely value and rate of the p̄emysses, or of the yearely rentes reserued of and for the p̄emysses or any parcel therof mēcioned or contained in anie the saied letters patents or other writinges, or for the p̄emisses be or any parcel thereof is valued to a more or lesse value in the said letters patentes or writinges then the sayed manours landes tenementes and other the p̄emisses, then were or shalbe in yerely value, or any naminge of the townes, hamlets parishes, or counties where the same honours castelles, manours, lands tenements, rentes, hereditamentes, and other the p̄emisses and euery parcell thereof, or any parcell thereof lien or bene, or any lacke of the true namyng of the landes tenementes or heredytamēts, or of the natures, kinds, sorts or qualities, of the sayd possessyons or hereditaments or any parcell thereof or any lacke of the true naminge, or the corporation or any lacke of attornement liuerie or seyson or any mysnaming of any the late tenauntes or fermours of the same so sold or geuen notwithstanding.

Value
Falle naminge
Natures
Corporation
Attornemēt
Liuery
Seison
Misnaming

Prouided that thys act, nor anie thyng therein contayned, shal not extend to make any letters patents of any office or offices, to be of any other effect, force, or strength then the same letters patentes were or should haue ben before ẏ making of this act. Prouided that al & singuler such patentees grauntees and donees, & euery of thē, which at any time heretofore sithence the said vii. day of July haue obtained and gotten of our said soueraigne lord and lady the king and Quēene, or of any of them, or at any time hereafter during the space of seuen yeares shall obtaine and get of our said soueraigne Lord and lady the kinge and Quēne that now be, or of any of thē, by way of exchange, or for any sūme or sūmes of money, and letters patentes of any monasteries, abbathies, priories, nunries, or other ecclesiasticall possessions or of any parcell of them, or of any other mannours landes tenements or hereditamentes whatsoeuer, which at the date and making of any the same letters patents so made sithēce ẏ saied seuenth

Offices
Offices
Misnaming
Misrecital
Nonrecitall
Offices Inquisition
Leases
Miscalling
Exchange

seuenth day of July, or hereafter to bee made during the space of seuen yeares as is aforesaid, where or shallbee of better & more yearely value to the kinge & Quenes highnesse or to any of them in yearely rent and ferme then was, is, or shalbee contained mencioned or specyfied in any such letters patentes, or in ỹ perticulers or rate therof made or to be made by any auditours, surueiour or surueiours, or other officer, that then euery such patentee, grantee and donee, their heires, executours, or assignes and euery of them, wythin one yeare next after office and other due proofe order & decree thereof made and had, or to bee made & had vpon the space and terme of tenne yeares next after this presēt parliamēt in ỹ court of the Eschequer, shall content & pay vnto the Quenes maiestie, her heirs and successours, for the same ouerplus and more value of the same monasteries, abathies, priories, nunries, manours lands, tenements, and other hereditamentes whatsoeuer with their appurtenances so sold geeuen granted or exchanged as is aforesayd, after the rate of twenty yeares purchase, and according to the yearely value & rate as the same mannours, landes, tenementes, & other hereditaments what so euer, were at the time of the makinge of any such letters patentes, so made or to bee made in maner and fourme aforesaid: any thing contained in any such letters patents, to the contrary, in any wise notwithstanding.

Prouided that this act or any prouyso therein contayned, shall not in any wise ertēd to confirme ratifie or make good any lease or leases made or to be made by our said soueraigne Lord and Lady the king and Quene or by any of them for terme of life, lifes or for yeares, whereuppon the old & accustomed rentes or more, bee not or hereafter shall not bee reserued & yearely payable duryng the tyme and terme of euery such lease, nor ỹ thys present act shall in any wise extend to reuyue or make good any letters patentes made of any office or offyces to anie comptroller, customer, aulneger, sercher, ne to any letters patentes of the graunt of any other offyce or offices heretofore graunted or made by the king and Quenes maiestie, or any of them, which nowe be, or at any time heretofore haue bene adnihilated determined or made void, by iudgment by authoritie of Parliament, or by decree, nor to any patent to bee made to any person or personnes for terme of yeres or during the minoritie of any heire, of any mannours, landes or tenementes, whereof anie trauerse hereafter shalbe tendred within three monethes after any office found and certified into any of the kings courts of Record, ne to make good any letters patentes made by our said soueraigne Lord and Lady or any of them of any office or offices to bee of anie other effect, force or strength, then ỹ same letters patentes were, or should haue beene before the makyng of this act. Prouided that this act or any thig therein contayned shall not extend to any letters patentes whych at anie time heretofore sithen the begynnung of the Queenes maiesties raign haue beene or hereafter shallbee made by the kinge and Quenes highnesse, or by the Quenes maiestie onely to any persone or personnes of any mannours, landes, tenements, rentes, reuersions, seruices, or other hereditamentes, by force of any information, suit, or suggestion made or to be made to her highnesse, that the same mannours, lands, tenementes, or other hereditaments so contained in any such letters patents were concealed lands, nor to any letters patentes heretofore made by our said soueraigne lorde and lady the king and Quenes maiesties, or any of them to Rause Jackeson clerke now master of the hospitall of ỹ Sauoy in the parish of saint clements Dacorum,

Value — Perticulers — One yeare — 10. yeres — Eschequer — Ouerplus — 20. yeres purchase — Lease — Rents

Cõptroller Customer Aulneger Sercher — Minoritie — Trauers 3. monethes — Concealed lands — M. of the Sauoy

Wacozum, without the Barres of the newe Temple London, and to hys brethren, beeing perpetuall Chaplains of the same holpitall and to their succeſſours, but that the same letters patentes and euery of them ſhall ſtand remayne and bee in the ſame force, ſtrength, and effect, as they were before the making of this act, any thyng in this act mencioned to the contrarie notwythſtandinge. And where the mannour of Southwel in the countie of Nottingham, and alſo the ſite and precinct of the Colledge of Southwel in the ſame county together with dyuers other lands tenements and hereditaments to ỹ ſaid late colledge lately belonging or appertaining, were conueied & aſſured by indenture, fine, or otherwiſe by or from John Beamont Eſquier vnto our late ſoueraigne lord king Edward the vi. and to his heires and ſucceſſours, for the diſcharge and ſatiſfaction of diuers great ſumes of money, wherein the ſame John Beamount was indebted to the ſaied late king: Be it enacted and eſtabliſhed by the auctoritie aforeſaid, that the ſaid conueiance and aſſurance ſhalbee perfect, good, ſufficient, and available againſt the ſaid Beamount & his heires to al intents, conſtruccions, and purpoſes, accordinge to ỹ purport, tenour and true meaning of the ſame conueiaunces and aſſuraunces. Sauing to al and euery perſon or perſones & bodyes politike and corporat, their heirs and ſucceſſours, and euery of them, other then the ſaied John Beamount, hys wife and his heires, and al other claiminge any eſtate or intereſt, by or frō them or any of them, ſithen the ſame conueyance and aſſuraunce, al ſuch right, title, intereſt, poſſeſſion, eſtate, leaſes, rentes, ſeruyces, commons, & all other profittes and commodities, whatſoeuer, as they or any of them ſhould or might haue hadde yf this act had neuer bene hadde ne made: Any thing therein contained to the contary notwythſtandinge. Anno. 4. & 5. P. & M. cap. 1.

## ¶ Pauinge.

Strond croſſe Charing croſſe

A N. 24. H. 8. ca. 11. an act is made for pauinge of Strande croſſe and Charing croſſe.

Holborne Southwarke

2 ¶ An. 25. H. 8. cap. 8. an act is made for pauing of Holbourne and Southwarke.

London

3 ¶ An. 32. H. 8. c. 7. an act was made for pauing of diuers ſtrætes and lanes in London.

London

4 ¶ In. 34. H. 8. ca. 12. an act is made for pauing of diuers ſtrets & lanes in London, & nere vnto London.

Calcis

5 ¶ An. 2. E. 6. ca. 37. an act is made for the pauing of Caleys, and for the couering of the houſes there with tyle or ſlate.

London

6 ¶ Anno. 13. El. ca. 23. an act was made for the pauing of certain ſtrets and lanes about Algate and Whyte chappell in the ſuburbes of London, & for clenſinge certayne Dyches there aboutes, and that Juſtices of peace of London & Middleſex to enquire therof and to aſſeſſe fines for the defautes to the Quenes vſe.

Chicheſter

7 ¶ Anno. 18. Elizabeth ca. 19. an act was made for the pauing of ỹ cytie of chicheſter.

## ¶ Peace.

Juſt. of p.

AS to ỹ kæping of the peace in tyme to come: it is ordeined and enacted that the ſtatutes made in tymes paſte with the ſtatute of Wincheſter ſhalbee obſerued and kept in euery point. And where it is conteined in the end of the ſayd ſtatute of Wincheſter, that the iuſtices aſſigned ſhal haue power to enquire of the defautes, and to report to the kyng in his parliament, and the king remedie it, which no man hath yet ſene: the ſame iuſtices ſhall haue power to punithe the diſobeiours and reſiſters. Anno. 2. E. 3. cap. 6.

2 ¶ Our

2 ¶ Our said soueraigne lord ỹ king greatly destringe the tranquilitie and quietnesse of his people, wil and strait ly commaundeth, that the peace wyth in his Realme of England bee surely obserued and kept, so that all his lawfull subiects may frõhencefoꝛth saufely and peasibly goe come and dwel after the lawe and vsage of the realme, And that iustice & right be indifferent ly ministred to euery of his sayd subiectes. An. 1. R. 2. ca. 2.

Justice

3 ¶ All the kings lieges & subiectes shall freely and peaceably vnder hys saffe protection, goe and come to hys courtes, to pursue and to defend, wyth out disturbaince oꝛ impeachment of any, and that Justice & ryght be done to all as wel to the pooꝛe as to ỹ rych in his courtes alooꝛelayed. Anno. 2. R. 2. cap. 4.

Justice

4 ¶ And that the peace within the Realme be holden and kept, so that all the kinges liege people and Subiectes may frombencefoꝛth saufely & peasibly goe, come, and abide, accoꝛdinge to the lawes and vsages of the sãe realme, and that good Justyce and euen ryght bee done to euery personne, sauinge to the same our soueraigne lord the kynge hys regaly and Pꝛeroga tyue. Anno. 1. H. 4. capit. 1. & Ann. 7. H. 4. cap. 1.

Justice

Prerogatiue

¶ *Pedlers & Tinkers.*

NO person oꝛ persons, commonly called Pedler, Tinker, oꝛ pety Chapman, shall wander oꝛ go frõ one towne to another, oꝛ frõ place to place out of the towne, parish, oꝛ village where such persons shall dwell, and sel pinnes, poyntes, laces, gloues, knifes, glasses, tapes, oꝛ any such kinde of wares what soeuer, oꝛ gather cony skinnes, oꝛ such like thing oꝛ vse, oꝛ exercise the trade oꝛ occupatiõ of a tinker, but onely such person oꝛ personnes as shalbe there vnto licenced, And that in such circuit oꝛ compasse as shalbee to him oꝛ then assigned, by two Justices of peace oꝛ mo of the same Shire, where he oꝛ they shal dwel by writing vnder their handes and seales, vppon paine that euery person which shal offende contrary to the meanyng of this acte, shall by any Justice of the Shire where ỹ same offence shalbe committed, vpõ complaint and due pꝛoofe had by witnes oꝛ other wise, be impꝛisoned by the space of xiii. dayes at the least. An. 5. E. 6. cap. 21

Pinnes
Poyntes
Gloues
Knifes
Glasses
Conyskins
Lpence
Just. of p.
Just. of p.
Impꝛison

*Pencions, porcions and corodies.*

NO pencion shal hereafter be assigned by the oꝛdinary, oꝛ by anie other maner of agreement by collateral suerty, oꝛ otherwise vppon any resignatiõ of any dignitie, benefice, oꝛ pꝛomotion spirituall, aboue the value of the third part of the dignitie, benefice oꝛ pꝛomotion spirituall resigned. And if any pencion amounting aboue the value of the third part of the dygnitie, benefice, oꝛ pꝛomotion, spirituall heretofoꝛe resigned, be already limitted and made sure to any spirituall personne oꝛ personnes, by decree of the oꝛdinary, oꝛ otherwyse by any collateral suertie, oꝛ hereafter shal happen to bee assigned, and made sure to any personne oꝛ personnes spirituall, oꝛ to any other to their vse, by decree of the oꝛdinary, oꝛ by any other collateral suerty vppon any resignation thereof, yet neuertheleste the incumbent charged wt such pencion noꝛ his suerties collateral, shal not be compelled to pay any moꝛe pencion then the value of ỹ third part of his dignitie, benefice, oꝛ pꝛomotion spirituall so resigned shall mount vnto, but shal by aucthoꝛitie of this act bee clerely acquited and discharged of so much of the said pencion, as shal amount aboue the value of the thyꝛde part of the dignitie oꝛ benefice resygned, any decree oꝛ assignement of the oꝛdinary, oꝛ any collateral writinges

Ordinaris
3. part
Suertie
Incumbent
3. part

oꝛ suerties

or sureties heretofore made or hereafter to bee had or made for the same, to the contrary thereof notwithstanding. An. 26. H. 8. ca. 3. And it is further enacted, that euery predecessor of abbots or priours, hauing any pencion aboue the yearely value of xl. li. shalbee dessalked of the moitie thereof. And that euery abbot and all other charged for the payment of such pencion aboue the yerely value of xl. li. shalbee discharged of the moitie thereof.

Moytie

Diuers other matters bee in this act which I leaue out.

2 ¶ If any person or persons beeinge fermour or occupyer of any manours landes tenements, personages, benefices, or other hereditamentes, of any of the said late monasteries or ecclesiasticall houses or places, or belongyng to them or any of them, by the kings highnesse gift, graunt, sale, exchaunge or otherwise, out of which premysses, any such pencions, porcions, corodies indempnities, sinodes, or priories, or any other profitts, haue beene heretofore lawefully going out, aunswered, or paied to any of the Archbishoppes, Bishoppes, Archedeacons, and other ecclesiasticall persones aboue sayd, do at any time after the first day of April next comminge wilfully deny the payment thereof, at the daies of paymēt heretofore accustomed, of any of the said pencōs, porcions, corodies, indēpnities, sinodes, priories, or any other profitts, whereof the sayd archbishops Bishoppes, Archedeacons, or other ecclesiasticall persones were in possession, at or within tenne yeres, next before the time of the dissolution of any such monasteries or other ecclesiasticall houses or places, that then it shalbee lawefull for the same Archebishoppes, Bishoppes, Archdeacons, or other ecclesiasticall persones afore said, being so denied to be satisfied and paied thereof, and hauing right to the same thing in demaund, to make such processe, as well against euerie such

Fermour

Sinodies
Priories

Archebishopes
Bishopes
Archedeacons

Ecclesiasticall pleas

Proces

persone and persones as shall so denay payment of the same pencōs porcions, corodies, priories, indēpnities, sinodes, or any other profites, which of right ought to be paid as is aforsaid, as against the church or churches charged with the same, as heretofore they haue lawfully done, and as by and according to the lawes and statutes of this Realme, they may now lawfully do, for the true payment and recouery thereof. And if the party defendant be lawfully cōuict in any such suit, cause or matter according to the ecclesiasticall lawes, then the party plaintife shall haue and recouer against the party defendaunt the thing in demand, and the value thereof in damages, wyth his costes for his suit. And be it &c. that if it fortune the cause or matter of variaunce betweene any of the said parties be determinable at the common law, that then the party greeued to sue for his recouery and remedy therein at ỳ common law. And if the party defendaunt fortune to be by the course of ỳ common lawe lawfully condempned to the party plaintife, then the sayed party playntife, shall likewyse haue and recouer agaynst the party defendaunt the thinge in demaund, and the value thereof in dammages, with his costs for his suit.

Comyns

Damages

Comon law

Damages
Costes

Prouided alway and be it &c. that all and singuler such of the said Archebyshops, bishops, archdeacons, and other ecclesiastical persōs, which haue right or title to clame, demaund, or enioy any of the said pencōs, porcions, corodies, indēpnities, sinods, or priories against any person or persons, to whō the kinge had made, or hereafter shall make in writting, vnder seale any sale gift, graunt or lease for terme of lyfe, lines or yeres, of any of the sayd mannours, lands, tenementes, personages benefices, and other hereditamentes, charged or chargeable to or with any of the saied pencions, porcions, corodies, indēpnities, sinodes, or priories,

Archebishops
Bishopes
Archdeacons

and

and also hath couenanted, graunted, promised, or agreed, or hereafter shall couenaunt, graunt, promise or agree, by the said writing, to acquit discharge
B. couenāt or saue harmeles the same person or persons of al pentions, porcions, corodies, indēpnities, smoos and p̄ories, going out of the p̄emisses by any parcell therof, as be or shalbe mencioned in the same writings or any of them, shall sue for their remedie and recouery therof in the court of thaugmētat-
Augmentation ions of the reuenues of ỹ kings Crown and not els where. And that the party defendant hauing any such discharges being couented called or sued in any other court or place, or before any other iudge, for any the causes aboue sayed, shalbe discharged and dismissed out of the same court or place, without any thing paying for the same, by the onely shewing forth any of the sayed writings sealed vnder any of ỹ kinges seales p̄ouing or declaringe the kyng to haue couenaunted p̄mysed or agreed to acquit, discharge or saue harmeles the said party defendaunt therof as is afore said: Any thing contayned in this act to the contrary notwithstanding. An. 34. H. 8. ca. 16.

3 ¶ All and euery person and persons that at any time hertofore since ỹ first Sessions of the parliament holden at Westm. in ỹ first yere of the raygne of our said soueraigne Lord the kynge
Fraud. that now is, by any fraudulent or disceiptfull way or meanes, hath or haue gotten or obtained for money or otherwise, any gift, grant, bargaine, or p̄omyse, of any pencioner or porcioners of his or their said patent or patentes, concerning his or their saied pencyon graunted or to be granted or assygned out of any manours, lands tenemēts and other hereditaments that did belonge or appertaine to any of the late monasteries, p̄iories religious houses colledges, chauntries, guildes, fraternities or other spirituall possessions, or by reason of the same, which came as well to the possession of our soueraigne Lorde the king that now is, as to the late kinge of famous memory king Henry the eight by reason of dissolution, attaindour or surrender, and before the last day of June next comming vppon a repayment or lawefull tender of the money or other thing taken for the same, by any such pencioner or pencioners, patentee or patentees made to hym or them, do not redeliuer to euery such pencioner & pencioners, patentee and patentees Redelyuer
his or their said patent and patents as all other writing or writynges made concerning ỹ same pencion: That thē the said gift, grant, bargaine and p̄omise made of euery such pencion & patent, and euery of them shalbe void. Void
And also that then and from thencefor̄th euery such pencioner & patentee shall haue and enioy the pencion by him so geuen, granted, bargayned, sold or p̄omised, as though no such gyft, grant, bargaine, sale, or p̄omyse, had ben made, of his or their said pencyon, fee or annuitie, notwithstandinge anie writings made sealed, or deliuered, betweene any such parties concernyng the same.

And for the more true & sure paiment of al and euery maner of persone and persons of and for their seuerall pencions, fees and annuities, due and to be due to them or to any of them out of ỹ p̄emisses or any part or parcel therof or by reason of the same: Be it &c. that if the receiuour or receiuours or any of them, their assignes, deputies, clerkes, or seruaunts, or the assignes, deputies clerkes or seruauntes of any of them hauing or which shall haue to do with the paiment of any such pencions, fees and annuities, or of any part or parcell of them, doe not at all and euery time & times before the tenth daie of June, and the feast of the purification of our Lady next immediatly enluyng euery day and feast specified in euery such graunt or patent, for the payment

of

of the said pencions, fees, and annuities, vpon a reasonable request thereof made to the sayed Receyuour, or Receiuours, their assignes or deputyes, assigne or deputie, or to hys or their clerkes or seruaunts aboue sayed, by any of the said pencioners or grantees or their seuerall deputies, attourneis, or assignes, or by the seuerall deputie, attourney or assigne of any such pencyoner and grantee, well and truely pay vnto the said grantees and pencioners their seuerall deputies, attourneis, or assignes, their pencions, fees, & yerely annuities to them graunted and hereafter to bee graunted during their seuerall lines or otherwise accordinge to the tenour and effect of their seuerall grauntes to euery of them made and hereafter to be made, without any further delay, not taking of ỹ said grauntees, pencioners, or of any of the their deputies, attourneis, or assignes, for ỹ paiment of any of their said pencyons fees or annuities, or for the more spedy payment thereof to them or any of them to bee made, any other or more summe or summes of money, or any other thing or profit, but only for euery pound of euery such pencyon, fee or annuitie to the paied viii.d. and for the acquitaunce of euery such party, truely payed of hys sayd pencion, fee, or annuitie, if the said partie, his deputie or deputies, bring and offer to deliuer mone ready made, viii.d. and not aboue, that the euery such receiuour or receyuers, their deputie and deputies, clerks and seruauntes as aforesaid, to whom any such reasonable request shallbee made for the payement of the same as is aforesayed, for euery tyme that the sayed officer or officers, or hys or their deputie or deputyes, or hys or their clerke or clerkes, hauing to doo with the office or offyces of such Receyuour or officer as is aforesayed, shall delay or cause to bee delayed any the said grauntees or pencyoners, of the payment of their pencions, fee, or annuities, or of any part thereof after the x. day of June and the feast of the purification of our Lady, as ys aforesaid, shall forfait for euery such delay C.s. And that also if any treasourer or Treasourers, Receiuour or Receiuours, officer or officers, or hys or their deputie or deputies, or hys or their clerkes, or any of them as is aforesaied, for euery time that they or any of them doo exact and take of the sayed pencyoners grauntees, or any of them their deputyes attourneis, or assignes, or of the deputy, attourney, or assigne of any of them aboue ỹ rates beefore declared, shall lose and forfayt for euery tyme so exactinge and takinge, tenne tymes so much as they or any of them shall so exact and take, or cause to bee exacted and taken: All which forfayture shalbee to the partie that shall find him selfe greued if hee will sue and demaund the same within seuen monethes nert after the sayed forfayture in any of the kings maiesties courtes of his bench, common place, or Eschequer, by accion of debt, by originall writt, byll, playnt, or information: in which suit no essoin protection, nor wager of law shallbee allowed or admitted for ỹ defendant. And be it ec. that the kings iustices of assise, and of oyer and determyner in their seuerall circuites, and the Iustyces of peace in euery Comtie within this Realme of England and Wales at their generall sessions, shall haue full power and auctho̅rytie by vertue of this act to enquire, heare and determine al & al maner of offences hereafter to bee done and committed contrary to the tenour of thys act, aswell by information, as by presentment of xii. men, & shall haue full power & authoritie to award process vpon euery presentment or information hath beefore them or two of them, whereof the one to bee of the Quorum, of all and euery offence and offences done and committed contrary to the tenour of this

viij.s. vpon the pound Acquitance

Receiuer

Forf.

Treasorer Receiuer Officer

Exact

Forf. Party greued

7. monethes

Iust. of assise

Iust. of oyer & terminer

Iust. of p.

General sessions

Oyer & ter.

Process

Quorum

this act as in cafe vpon inditement of treſpas. Prouided allway that if anie ſuch pencioner or graunte, doo not make requeſt in proper perſonne for payment of his or their layed pencion or annuitie as is aforeſaid, but doth require the ſame by his deputie, attorney, or aſſignie, that then if ſuch deputie, attourney, or aſſignie do not bring with him a letter ſubſcribed with the handes of one iuſtice of the peace of the ſame ſhire where the ſame pencioner or graunte is dwelling, or elſe of the ſurueiour of the ſame ſhire for ỹ tyme being, witneſſing the ſame pencioner or graunte to be then liuing, that then the ſaid receiuour and all other officer and officers, their deputies clarkes or ſeruants, to whom requeſt by anie deputie, attourney, or aſſygne of anie ſuch pencioner or graunte, ſhall bee made as is aforeſaid, ſhall not be bound to pay anie ſuch ſumme of money, to anie deputie, attourney, or aſſigne, of anie ſuch pencioner or patentee by vertue of this act, nor for non payement thereof, ſhal incurre the danger of anie paine or forfaiture before mencioned. Anie matter or thing before expreſſed to the contrary in anie wiſe not withſtanding. Prouided allway, and bee it &c. that this act nor anie thing therein contained, ſhal not extend to reſtraine anie ſuch receiuour or receiuours, or other officer or officers as is aforeſaid, but that they and euery of them ſhall and may pay or cauſe to be payd to anie of the layed pencioners patentees or graunters, their ſaid pencyons, fees and annuitie, quarterly accordyng to the tenour and effect of their patentes or graunties as they haue heretofore done, anie thing therin to the contrary thereof not withſtanding. Ann. 2. E. 6. cap. 7.

Proper perſon

Juſt. of p.

Surueyour

Forf.

## ¶ Pardon.

WRit is prouided alſo, that no writte ſhall from henceforth iſſue out of the Chauncery for the death of man to en-

Writ

Chauncerie

quire whether he were ſlaine by myſfortune, or in his defence, or otherwiſe for felony. But the offendour ſhall bee in priſon till the comming of the Iuſticers in eire, or Iuſticers aſſigned to the gaole deliuerie, and put him ſelfe before them for good and euil: in caſe it be founden by the countrey, ỹ he did it in his defence, or by miſfortune, the the Iuſticers ſhal doo the king to wete thereof, and the king ſhall take him to his grace: if it pleaſe him, Glouceſter. ca. 9. An. 6. E. 1.

Murder Felony

Iuſtice in eyre

2 ¶ In ſtatut. de tallagio non concedendo, the kynge pardoned diuers perſonnes.

3 ¶ By a ſtatut made. An. 7. E. intituled, ne quis occalionetur pro rebus Petri de Gauelton, a pardone was gyuen to them that take his part and by an other ſtatut made. An. 7. E. intituled ſtatutum ne quis occalionetur pro morte Petri de Gauelton, a pardo was giuen, that none ſhould bee impeched of his death.

4 ¶ An. 1. E. 3. cap. the king pardoned all them that were with him & his mother in the parliat againſt hys father, and other for al acts done in ỹ parliat.

5 ¶ An. 1. E. 3. ca. 2. ca. 3. the kyng pardoned diuers iſſues and amercyamentes.

Iſſues Amercias

6 ¶ Where as offendours haue been greatly encouraged, becauſe that charters of pardon haue ben ſo liberally grãted in tymes paſt of manſlaughters, robberies, felonies, and other treſpaſes againſt the peace: it is ordeyned & enacted, that ſuch charters ſhal not bee graunted, but only where ỹ king maie do it by his othe, that is to ſay, where a man ſleeth another in his owne defence, or by miſfortune. Anno ſecundo E. 3. cap. 2.

K. othe

Miſfortune

7 ¶ An. 2. E. 3. ca. 11. the king pardoned all fines forfaited for writs for a certaine time.

Fines

8 ¶ An. 4. E. 3. ca. 8. ỹ king parvoned diuers things.

9 ¶ Becauſe

Felony Manslaughter

9 ¶Because diuers charters of pardon, haue ben graũted of felonies, robberies, and manslaughters, against the fourme of the statut made at Northapton, conteining that no mã should haue such charters out of the parliament, whereby such mysdoers haue bene the more bold to offend: It is enacted, that from henceforth the same statute shall bee kept and mayntened in all pointes. Anno. 4. E. 3. ca. 12.

Murderers Felons

10 ¶Where as murderers, robbers & other felons bee greatly encouraged to offend, by reason the charters of pardon of manslaughter, robberie, felonies, and other trespalles against the peace, haue beene so lightly graunted before this time: It is accorded and established by our soueraygne Lord the kinge, by the assent of his prelats, earles, barons, and at the request of the said knightes and commons, that no such charters from henceforth shall be graunted by our soueraigne Lord the kyng, against the fourme of the statut late made at Northampton, the second yeare of his raigne. And in case that our soueraigne Lorde the kynge graunt any such charters in tyme to come, that within iii. monethes after the making of the same, they that haue the sayd charters, shall come and find before the said sheriffes and coroners of the said couties, where the felonies be done, such mainprise, and also as before is sayed of their good bearing. And the said mainprises sealed shal be retourned into the chauncery within three weekes after the end of the said three monethes. And if they that shall haue such charters wyll in time to come aide the selfe thereby, and haue not found such mainprises, or after such mainprise found, doe beare the otherwise against the peace the they ought, their charters shalbe holden for none, as afore is said An. 10. E. 3. cap. 2. & 3.

3. monethes

Shirifes Coroners

Mainprise Good abering

Chauncery

11 ¶An. 14. E. 3. cap. 2. & 3. ỳ kyng pardoned diuers forfaitures, and hys debtes due before a certen tyme &c.

Misbemenor

Croyd

Forfaitures Debts

12 ¶No charter of pardõ of ỳ death of a man, nor of other felonie, shall bee from henceforthe graunted to any mã but in case where the king may the sãe doe, sauing the othe of his crowne, as it is conteined in the statuts made before this tyme. And if any charter bee from henceforth graunted against the sayd statutes, the same shalbee holden for none. An. 14. E. 3. cap. 15.

Felony

Othe

13 ¶An. 14. E. 3. staf prelatorũ cap. 3. the king pardoned diuers things.

14 ¶Frõ henceforth in every charter of pardon of felony, which shall be graunted at any mans suggestion, the said suggestion, and the name of hym that maketh the suggestion, shalbe compised in the same charter. And if afterward the same suggestion be found untrue, the charter shalbee disalowed, and holden for none. And the Justices before whom such charters shalbee alleaged, shall enquire of the same suggestion, and that as well of charters graunted before thys tyme, as of charters which shalbe graunted in time to come. And if they finde them untrue, then they shall disalow the charters so alleaged. And shall moreouer therof do as the law demaundeth. Anno. 27. E. 3. cap. 2.

Felony

Suggestion

Justices

Disalow

Escapes Felons goodes

15 ¶Anno. 31. E. 3. capi. 13. the kyng pardoned escapes, and goodes of felons & fugitiues.

16 ¶An. 36. E. 3. ca. 16. ỳ king graũted a great pardon.

17 An. 42. E. 3. cap. 2. It is enacted ỳ ỳ pardon that the king graũted in An. 36. E. 3. should be holden.

18 ¶An. 43. E. 3. the kinge pardoned offences in his forestes, except certain officers.

19 ¶An. 50. E. 3. cap. 3. ỳ kyng by parliament gaue a generall pardon with exceptions.

20 ¶An. 1. R. 2. cap. 10. ỳ king graũted that the generall pardons ỳ E. 3. made in An. 50. of his raign should be allowed.

21 ¶An. 4. R. 2. cap. 2. the kyng pardoned

doned all escapes, except certaine.

22 ¶An.5.R.2.ca.5.& an.6.R.2.ca. 13.& An.6.R.2.sta.2. capit:3 ỹ kyng gaue a pardon of all offences done in ỹ late insurrection.

23 ¶No charter of pardon from henceforth shalbe allowed beefore any officer for murder, or for the death of a man slayn by awayt assault or malice prepenced, treason or rape of a womā, vnles the same murder, death of ỹ mā slayne by awayt, assault or malice prepensed, treason, rape of the woman, be specified in the same charter, and if a charter of the death of a man be alleaged before any officers, in which charter it is not specified, that he of whose death any such is arrayned, was murdred or slaine by awayt, assault or malyce prepensed, the same Justices shall enquire by a good enquest of the visne where the dead was slayne, if he were murdred or slayne by wayt, assault or malice prepensed, & if they find, that he was murdred or slain by await, assault or malice prepensed, the charter shalbe disallowed and further it shalbe done as the lawe commaundeth. An.13.R.2. stat.2.cap.1. All this is enacted to bee kept by An.16.R.2.cap.6. And it was further enacted in an.13.R.2. stat.2. cap.1. that his name that sueth for such a charter should be indorsed by ỹ chāberlain, or vnder chamberlaine, & that no such charter should be sealed by the Chaunceller, without a warrāt from the priuy seale, & that hee that sueth for such a charter should forfait as there appeareth, but all this part of this act cōcerning the doing and suing and sealing of the chartre is repealed by 16.R 2.capitulo.6.

24 ¶An.21.R.2.ca.15. the kinge by parliament gaue a pardon for many thinges, but this parliament was repealed by 1.H.4.cap.14.

25 ¶An.1.H.4.cap.2. it was enacted that none ỹ came in aid of king H. the fourth against king R. the 2. should be molested.

26 ¶An.1.H.4.ca.20. the king by parliament pardoned diuers thinges.

27 ¶An.21.R.2.ca.13. ỹ king by parliament gaue a pardon of diuers offences. And after an.2.H.4.ca.13. it was enacted, that euery person might enioy the benefit of ỹ pardon, notwithstanding that the parliament holden An.21.R. 2. & all the statutes therin made, were repealed by An.1.H.4.ca.3.

28 ¶Because that diuers common & notorious theues be indicted of diuers felonies, murders, and rapes, in diuers Countreyes, and vpon the same aswel before the kynges Justices as before ỹ king him selfe arrained of the same felonies, and for sauegard of their liues they become prouours to such intent ỹ in the meane time by hyrcage graunts and gyftes to bee made to diuers persons to pursue and haue their charters, and then after theyr deliueraunce they become more strong notorious theues then they were before: It is ordeined and stablished, that if any person, of what estate or condition that hee bee, man or woman, pray or pursue, or doo to be prayed or pursued fromhēceforth for any such theefe, so attainted by his owne confession, to haue any charter of pardon, that the name of him or her that pursueth such charter, be put in the same charter, making mencion, that ỹ same chartre is graunted, at his or her instance. And if he to whom such chartre is graunted, after hys deliueraunce becommeth a theefe agayn, that the same person which did so pursue for his chartre, shall incurre the paine of C.li. to be leuied to the kynges vse. An.5. R.2.cap.2.

29 ¶An.5.H.4.ca.15. the king by parliament gaue a generall pardon wyth diuers exceptions.

30 ¶An.7.H.4.ca.18. ỹ king by parliamēt pardoned all such as were with him or at his commaundement for punishment of riots or insurrections.

31 ¶An.4.H.5.cap.8. the king by parliament pardoned diuers offences.

32 ¶An.

Murder
Treason
Rape
Enquest
Disalowed
Name indorsed
Chamberlayne
Chaficelor warrant
Repealed
Parliamēt
Repealed
Indict
Felony
Murder
Rape
Prouers
Name
Foyl.
Riots
Insurrections

Priestes Rape

32 ¶An.27.H.6.cap.6.ẏ king by parliamẽt pardoned al priestes of felonies of rape, & al stipẽdary priestes of al forfaitures for taking of wages contrary to the statutes.

33 ¶It appeareth in the abridgemẽt of statutes that E.ẏ fourth gaue a pardon, but I cannot find it in any booke of statutes printed.

34 ¶An.1.H.7.ca.6.a pardon & dyscharge is geuen to them that came wt the king, or were with him in the field against kig Richard, for murder, spoile or trespas, done then or after to certain persons.

L.patents

35 ¶An.5.H.8.cap.8.it is enacted ẏ those ẏ would sue for letters patẽts of generall pardon (which the kinge had graunted to all his subiects) should be allowed wout writ of allowance.

36. ¶It appeareth in the abridgement ẏ H.8.an.7.ca.8.& An.8.H.8.statut. per se, gaue pardons, but I cannot find any of these two statutes in any printed booke of statutes.

37 ¶An.21.H.8.ca.1. the king by parliament gaue a generall pardon wyth many exceptions.

Clergie

38 ¶An.22.H.8.ca.15.ẏ kyng by parliament gaue a generall pardon to the Clergy (wt many exceptions & diuers persons there excepted) in cõsideration of a subsidy graũted to him by ẏ clergy

Tẽporalty Premunire

39 ¶An.22.H.8.ca.16.ẏ king by parliament gaue a pardõ to ẏ temporaltie of al offences of premunire.

40 ¶An.23.H.8.ca.19.ẏ king by parliament gaue a general pardon with many exceptions.

41 ¶An.26.H.8.ca.18. the kinge by parliament gaue a generall pardon wt many exceptions.

42 ¶An.23.H.8.ca.49. the kinge by parliament gaue a general pardon wt many exceptions.

43 ¶An.33.H.8.ca.21.a pardõ by parliament was made to them that spake or did any thing against Queene Katherine Hayward.

44 ¶An.35.H.8.ca.18.the kinge by parliament gaue a generall pardon wt many exceptions.

45 ¶An.1.E.6.ca.15.the king by parliament gaue a general pardõ with many exceptions.

46 ¶An.2.E.6.ca.39.ẏ king by parliament gaue a generall pardon with many exceptions.

47 ¶An.3.E.6.ca.24.ẏ king by parliament gaue a generall pardon with many exceptions.

48 ¶An 7.E.6.ca.14. the kynge by parliament gaue a general pardon, wt many exceptions. And the like graũted 5.El.

49 ¶The like graunted 8. El. & the like graunted 13. El. and agayn ẏ like graunted 18. El.cap.24.

## ¶ *Periurie.*

Chauncellor Treasorer

An.11.H.7.ca.25.ã act was made to endure to the nert parlyament, for the punishment of periury by examination of the Chauncellor, Treasorer &c. And after An.12.H.7.ca.2.that act was continued to the nert parliament, & then it expired.

Procure witnes

Be it therefore enacted &c. that all & euery such person and persons, which at any time hereafter the tenth day of Aprill nert comming, shall vnlawfully and corruptly procure any witnes, or witnesses by letters, rewards, promisses, or by any other sinister and vnlawfull labour or meanes whatsoeuer, to commit any wilful and corrupt periurie in any matter or cause whatsoeuer, now depending, or which hereafter shall depend in suit in variaunce, by any writ, accion, bill, complaint, or information, in any wise touching or concerning any landes, tenementes, or hereditamentes, or any goodes & cattels, debtes, or damages, in any of the Courts before mencioned, or in any of the Quenes maiesties Courts of Record, or in any Leete, Tyewy franke pledge, or lawe day, auncient

Courts Court of record Leete

Auncient demeane Court baron Stannery

demeane, Court Ba-ron, or in the court or courtes of the Stannery, in the counties of Deuonshire and Cornewall, or shall like wise vnlawfully and corruptly procure, or subborne any witnesse or witnesses, which shall from and after the sayd tenth date of Aprill be sworne to testify in Perpetuã rei memoriam, that then euery such offendor or offendors shall for hys heires or theyr sayd offence being thereof lawfully conuicted or attainted, lose and forfait ỹ summe of xl.li. And if it happen any such offender or offenders, so being conuicted or attainted, as aforesayd not to haue any goods or cattals, lãds, or tenementes, to the value of xl.li. that thẽ euery such person so being conuicted or attainted of any the offences aforesaid shall for hys or their offence suffer imprysonment by the space of one halfe yere without baile or mainprise, and to stand vpon the pillory, by the space of one whole houre in some market towne, next adioyning to the place wher ere the offence was committed, in open market there, or in the market towne it selfe where the offence was committed. And that no person or persons being so conuicted or attainted, to be from thencefoorth receiued a witnes to be deposed or sworne in any court of record within any of the Queens high nesse dominions of England, Wales or the marches of the same, vntill such time as the iudgement geuen agaynst the said person or persons shalbe reuersed by attaint or otherwise, and ỹ vpon euery such reuersal, the parties greeued to recouer his or their damages, against all and euery such person and persons as dyd procure the said iudgement soo reuersed to be first geuen against them or any of them, by action or actions to be sued vpon his or their case or cases, according to ỹ course of the common lawes of this realme. And be it further enacted that if any person or persons after

Perpetuam rei memoriã

Fork.

Imprison Mainprise Pillory

Disabled

Reuerse

Damages

the said tenth day of Aprill next comming either by the subornation vnlawfull procurement, sinister persuasiõ, or meanes of any others or by their owne act, consent, or agrement, wilfully and corruptly commit any manner of wilfull perury, by hys or their deposition in any of ỹ courtes before mencioned, or being examined (ad ppetuã rei memoriam) that then euery person and persons so offending, and being thereof duely conuicted or attaynted by the lawes of this realme, shall for hys or their said offence, lose & forfeit twenty poundes, and to haue imprisonment by the space of vi. monethes without baile or mainprise, and the othe of such person or persons so offending, from thence forth not to be receiued in any court of record within this Realme of Englãd or wales, or the marches of the same, vntill such tyme as the iudgement geuen against the saied person or persons shalbe reuersed by attaint or otherwise. And that vpon euery such reuersall, the parties greeued to recouer hys or their damages against al and euery such person and persons as did procure the said iudgmẽt so reuersed, to be geuẽ against them or any of them by action or actions vpõ his or their case or cases according to the course of the commõ lawes of this Realme. And if it happen ỹ said offendour or offendours so offending, not to haue any goodes or cattelles to the value of twenty poundes, that then hee or they to be sett on the pillory in some market place within the Shere, Citie or Borough, where the sayed offence shalbee committed by the Sheriffe or hys ministers, if yt shall fortune to bee without any Citie or Towne corporate: And yf it happen to bee within any Cytie or Towne corporate, then by the sayed head officer or officers of such Citie or towne corporate, or by hys or their ministers, and there to haue both hys eares nayled, and from thencefoorth to be

Subborne

Wilfull periurie

Fork.

Imprison

Disabled

Reuerse

Damages

Pillory

Shirife

Eares nayled

Disabled

Reuerse Damages

Moytie

Judges

Iust. of assise
Iust. of Gayole
Iust. of p.

Enquire

Oyer & ter.
Iudgemt
Proces

Iust. of assise

hee discredited and disabled for euer to bee sworne in any of the courtes of Recorde aforesaid, vntil such time as the iudgement shalbe reuersed, and thereupon to recouer his damages in maner and forme before mencioned. The one moity of all such summes of money, goodes, and cattelles, to bee forfaited in maner and fourme aforesayd, to bee to the Queene our soueraigne Lady, her heires and successours, and the other moitie to such person or personnes as shalbee greeued, hindred, or molested, by reason of any of the offence or offences before mencioned, ẏ will sue for the same by accion of debte byll, plaint, information or other wyse, in any of the Queens maiesties courts of Recorde, in the which no wager of law, essoine protection or iniunctyon to be allowed.

And be it also enacted by the authoritie aforesaid, that aswell the Iudge & Iudges of euery such of the said courts where any such suit is or shalbe, & wher vpon any such periury is or shall happen to be committed, as also the Iustices of Assises and Gaoyle delivery in their seuerall Circuites, and the Iustyces of the peace in euery County wᵗ in this Realme, or in Wales, at their quarter sessions, both within the lyberty and without, shall haue full power and auctority by vertue hereof, to enquire of all and euery the defaults & offences perpetrated committed or done contrary to thys act by inquisition, presentment, bylle, or informacion, before thē exhibited, or other wyse lawfully to heare & determyne the cāe and ther vpon to geue iudgement, award proces, & execution of the same, according to the course of the lawes of of this Realme.

And be it further enacted by thauctoritie aforesaid, that the Iustices of assise, of euery Circuit wythin thys Realme, and elsewhere within the Queenes dominions, shall in euerie Countie within theyr Circuites, two tymes in the yere, that is to say, in tyme of their sittinges, make open proclamation of this statute, or of the effect therof, to thentēt no person or persons shalbe ignorāt or miscognisāte of ẏ penalties herein conteined. Proclamation

Prouided also that this act nor any thing therin conteyned, shall not extend to any spirituall or ecclesiasticall court or courts within this Realme of England or Wales, or the marches of the same: but that al and euery such offendour or offendours as shall offende in fourme aforesaid, shal and may bee punished by such vsual & ordinary lawz as heretofore hath bene and yet is vsed & frequented in the said Ecclesiasticall Courtes: Any thing in this present act conteined to ẏ contrary in any wise not withstanding. Spiritual courts

Prouided also, and bee it further enacted by thauctority aforesaid, that if any person or persons, vpō whom any proces out of any of ẏ courtes of record within this realme, or Wales, shal be serued, to testify or depose, concernyng any cause or matter dependyng in any of the same courtes, and hauing tendred vnto hym or them, according to hys or their coūtenance or calling, such reasonable summes of mony for his or their costes and charges, as hauing regard to the distaunce of the places, ys necessary to be allowed in that behalfe, do not appeare according to the tenour of the said proces, hauing not a lawful and reasonable let or impediment to ẏ contrary, that then the partie making default to loose & forfait for euery such offence x. li. and to yelde such further recompence to the partie greeued, as by the discretion of the Iudge of the court, out of the which the saied proces shalbe awarded, according to the losse and hinderance that ẏ partie which procured the said proces, shall susteyne, by reason of the non apparance of the said witnes or witnesses, the sayed seueral summes to bee recouered by the party so greeued, agaynst the offendour or witnes Charges Forf. Losse

offendours, by accion of debt, byll, plaint, or information in any of the Kynges maiesties courts of record, in which no wager of law, essoine or protection to be allowed.

Prouided alwaies, that this act, or any thing therin contained, shall not extend in any wise, to restrayne the power or auctority geuen by act of parlement, made in the time of king Henry the vii. to the Lord Chauncellour of England, and others of the kings counsell for the time being, to examine & punish riots, routs, heinous, periuries, & other offēces & misdemeanings, which ỳ lord Chauncellour & others sithence the makinge of the said act, haue most commonly vsed to heare and determin such matters in the court at Westm. commonly called the Starre Chāber, nor to restraine the power or auctoritie of ỳ lord president and counsell of ỳ marches of Wales, or of the Lord president and councel in the North, nor of any other iudge hauing absolute power to punish periury beefore the makyng of this estatut: But that they & euery of them shall & may procede in the punishment of al offences heretofore punishable, in such wise as they myght haue don and vsed to doo before the making of this act to all purposes, so that they set not vpon the offender or offenders lesse punishment thē is conteined in this act: This act to continue vnto the end of the next parliament. An. 5. El. cap. 9. This act is cōtinued, 13. El. cap. 25. vntill the end of the next parliament. And 14. El. cap. 11. likewise.

Chancelor
Riots
Starre chamber
L. President of wales

## ¶ *Person vicar and personage.*

PErsons, vicars, wardeins of chapelles and prouostes, wardeins and Iuris vtrū
priestes of perpetuall chauntries, shall haue their writtes of iuris vtrum of landes and tenementes, rentes, and possessions annexed and geuen perpetually in almes to vicarages, chapels or chauntries, and recouer by other writtes in their cases as farforth as per sons of churches or prebendes. Anno 14. E. 3. cap. 17.

## ¶ *Pewterers.*

NO person nor persones vsing the said craftes of pewterers and brasyers, from henceforth shall sell or chaunge any pewter or brasse newe or olde at any place or places within thys your realme, but onely in open fayres or markettes, or in theyr owne dwelling houses, but if they be desired by the sayed buyers of such ware, vpon paine of forfaiture to our soueraigne lord the king for euery such default tenne pound. Also that it may be &c. that no person nor persons of what condicion or degree soeuer hee or they bee, from henceforthe within the said cities of London and Yorke or without, either cast or worke any pewter, vessel, or brasse, at any place or places within this your realme, but that it bee as good fine mettal as is the pewter and brasse cast and wrought after the perfyt goodnes of ỳ same within the City of London, and by the statutes of the same owe to bee, vpon paine of forfaiture of all such pewter and brasse so cast and wrought, or worse pewter & brasse thē ought to bee wrought in the same cities. The one halfe of euery such forfaiture to be to ỳ vse of your hyghnes, & thother halfe to the vse of the finders thereof.

Brasiers
Pewterer
Brasse
Faires
Markets
Forf.
London
Yorke
Goodnes
Forf.
Moitie

Prouided alway, that this forfaiture in no wise stretch ne extend to brasse or pewter being in the possession of any person other then the workers of the same, or such as haue ỳ same to sell or being of the craftes or mistteries.

Also that it may &c. that no maner of personne or persons, of what degree or condicion soeuer he or they be from henceforth make no hollow wares of pewter, that is to say, salts and potts that are made of pewter called lay mettal, but that it may bee after the assise of pewter lay mettall, wrought with in the Citie of London. And that the makers of such wares, shall marke the same

Hollow wares
Marke

same wares with seuerall markes of theyr owne to the entent that the makers of such warez shal awow the same wares by them as is aboue said to be wrought. And that all and euery such wares not sufficiētly made & wrought and not marked in fourme aboueiaied found in the possession of the same maker or seller to bee forfayted. And yf the same ware bee solde the sayed maker to forfait the value of ỹ same ware so vnlawfully wrought and sold, the one halfe of the sayed ware or the value thereof to be to the vse of your highnes, and thother halfe to bee to the vse of the fynder or finders or serchers thereof. Also that it may ꝛc. that yf any persone or persones hereafter vsing buying and selling of pewter or brasse, that hereafter occupy any deceiuable or false beames or weightes of the saied wares, that euery such person or persons vsing or occupying such deceiuable or vntrue beames or weightes to forfayt xx.s. thone halfe to the kyng, and thother halfe to the party that thereforе shall sue by Accion of debt. And that in the sayed accyon no protection, nor essoine shall bee allowed. And also the sayed partie so offendyng shall forfayt hys beame to hym that shall seale it, and if the saied offender or offenders bee not sufficient to pay the sayd summe or summes by them so forfaited, that then yt shalbee lawfull to the maiors, bayliffes, or other head officer of such place or places where any such offendours shall bee found, to put them in the stockes, and them so to kepe tyll the nert market day nert ensuyng. And in the market place to put them on the Pillory all the market tyme. And furthermore that it bee lawfull by the sayed auctority, that the master and wardens of the sayed craft of pewterers within euery City, and Borough of thys realme where such wardens are, and where no such wardeins are, the head officers or gouernoures of the same Cytie or Borough to appoynt certayne personnes most expert in knowledge of the same, to make serch wythin the sayd Cities or Boroughes where they dwell. And ouer thys the Justyces of peace, wythin euery Shere at the generall Sessions, holden at Michelmas shall assygne and appoynt two certayne personnes, hauyng experyence to make search in the premysses in euery part of that Shere, aswell within the fraunchise as without, sauing in Cityes or Boroughes where searchers bee appoynted by the heads or gouernoures of the same, and that of all such vnlawfull pewter or brasse, as the sayed Searchers shall finde, thone halfe to the vse of your grace, and the other halfe to the sayd Searcher, and that in the default of the sayd maysters and wardeins of the occupations not searchyng in forme as is aforesayd, and whereby that any such vnlawfull mettall is cast or made, or vnlawfull weyghtes vsed: That then it shalbe lawfull to any person or persones hauing sufficiēt cunning and knowledge in the sayd occupations by ouersight of the mairs, baillifes and hed officers of the said cyties and boroughes to search al the said places, and to put the sad auctority & act in execution in forme aforesayd.

Marginalia: Forf. Forf. Moitie Falle weights Forf. Moitie Forf. Maiors Bailifes Stockes Pillory wardens Serche Iust. of p. General sessions Moitie Maiors Bailifes Serch

Prouided alway, that thys present act cōtinue and endure to the nert parliament, and no longer. An. 19. H. 7. c. 6. This act is made perpetual in. An 4. H. 8. cap. 7.

2 ¶ The said act (s. an. 19. H. 7. ca. 6. before 1.) may endure for euer. And euer that be it ꝛc. that if any vntrue or disceiuable mettall or workmanship of tyn or pewter be founde either in platters, chargers, dishes, sawcers, potengers, trenchers, basons, Flegons, Bottels, pots, Salt sellers, Goblets, Spones, cruetes, or Candelsticches, or any other such wares of tinne or pewter, what soeuer it bee, eaſte made or wrought, within thys Realme or wythout, and

Marginalia: Untrue mettall Tinne

brought to bee solde wythin the same Realme, that then it shalbe lawfull to the maire of the Citie of London, and the maister and wardens of the craft of pewterers (of the said city for ẏ time being) and their deputies, to haue serch of the same within the city of London and the suburbes of the same. And that in al other cities, boroughes, & townes where any wardens bee or shalbe, the maiors, balliffes, or head officers and wardens to haue like authoritie. And where no wardeins be, then the heade officers or gouernours of the same cities, boroughs and townes, to appoint certain persons most expert and cunning in knowledge of the sãe, to make serch within the sayd cities, boroughes and townes, where they dwell. And if any such newe wares wrought of tinne & pewter as is aforesaid, be found defective, and being in the possession of the seller, that then the same person or persons that putteth any such new wares of pewter to sale, shall forfait the same wares, thone halfe to the vse of our soueraigne lord the king, & thother halfe to the serchers or finders of the same. Prouided allway that this act concerning the forfaitures be not preiudiciall nor hurtfull to any person or persons hauing graunt of our soueraigne lorde the kinge, or of any of his noble progenitours by his letters patents of such forfaiture, but that they & euery of them shal haue and enioy ẏ same, according to their former graunted & liberties. An. 4. H. 8. cap. 7.

Wayte
London
Wardens
Serch

Pewter

Forf.
Moytie

Letters p.

3 ¶ That no person nor persons hereafter at any time now inhabiting, or which hereafter shall inhabite wythin this realme, shal buy, or otherwise take by exchaunge for other wares any maner wares made, or hereafter to bee made out of this realm, of tin or myxt with tinne, as platters, dishes, saucers, pots, salons, ewers, flagons, goblets, saltes, saltsellers, spoones or any other thing made of tyn or pewter, as is aforesaid, whatsoeuer it bee, vppon paine of forfaiture of the same ware in whose handes soeuer it may bee found or taken, and also lawfull money current in this Realme, to the full value thereof, thone halfe of the same forfaiture to be to the vse of the kinges highnes, and the other halfe to be to ẏ vse of the finders of the same. And furthermore be it &c. that it shalbee lawfull to the master and wardens of ẏ said craft of Pewterers as wel within the Cytie of London, as within euery other City, borough and towne of this realme, where such wardens be, and where no such wardeynes bee, to the head officer or gouernour, head officers or gouernoures of the same City, Borough or Towne for the tyme beyng to appoint diuers personnes most expert in knowledge of the same, to make serch and seisure, and to take into their handes & possessions al such wares as hereafter shalbe brought contrary to ẏ true entẽt & effect of this prẽsẽt act in whose soeuer hãds or possessiõs anysuch shalbe foũd.

Timne

Pewter

Tinne

Forf.
Moytie

Charged

Forf.

And also be it &c. that no person nor persons occupying the said craft or occupation of pewterers within this realme, shal sett on worke, or retaine in his or theyr seruice any person or persons to be his or their apprẽtice or iourneman beeing straunger borne out of this realme, vppon paine to forfait for euery such Apprentice and iourneyman tenne pounde sterling. And that no straunger borne out of this Realme shall occupy, exercise or vse from the feast of Pentecost next comming, the sayd craft of pewterers, ne worke any manner of vessel or other ware aforesaid to bee made of tynne or pewter, within any place or places of this Realme, vppon payne of forfaiture of x. li. sterling. And also vppon payne of forfaiture of the same pewter or tinne so wrought, in whose handes so euer it shall be found or taken.

Apprentice
Iurneman
Straunger

Borne in the realme

And also be it &c. ẏ no persõs beeing borne within this Realme, occupying or exercising the saied craft of pewterers

rers, shall at any tyme herafter reſort unto any ſtrange regions and coũtreis there to vſe, teach, or exercyse the ſayd craft of pewterers, vpon payne to loſe ẏ p̃uiledge and benefit of an Engliſh man. And if in caſe any of the kynges ſubiectes at this preſẽt time beig dwelling in any ſtrange coũtrey or region, and other occupying the ſaied craft of pewterers, do not repaire into this realme wythin three monethes next after requeſt and warnynge to hym to be geeuen by writing ſealed wyth the common ſeale of the wardeins of the ſaied craft within the ſaid city of London, and here in this realme contynually from henceforth dwell and inhabit, that then, and from thenceforth he ſhalbee reputed & taken as none Engliſhman, but ſhall ſtand and bee from thenceforth out of the kynges p̃otecyon. And forasmuch as ſundry euyll diſpoſed perſonnes, which commonly boene called hawkers, by auctority of the kings letters patentes or Placard. doo not onely go about from place to place wythin thys realme, bying buying and ſelling of braſſe and pewter, and by colour and pretence of the ſame lycences or placardes, vſe vnlawfull and deceiuable weightes and beames, but alſo do vſe to ſell both braſſe and pewter, which is not good nor truely nor lawfully mixt nor wrought to ẏ great deceipt of the kings liege people contrary to the fourme and effect of ẏ ſayed good act and ſtatut made in the ſaid iiii. yeare of ẏ kynges moſt noble raigne (s. ca. 7. before. 2.)

Be it therefore &c. that all ſuch licẽces and placardes heretofore hadde, made or graunted to any ſuch perſon or perſonnes, contrary to the true meaning forme and effect of thys ſtatut, ſhall bee from henceforth by auctoryte of this preſent parliament, clerely voide & of nonn effect.

And whereas in the ſaid act of parliament concerning the craft of pewterers, and braſſiers, made the ſayed iiii. yere (s. c. 7. before. 2.) for diuers cauſes and conſiderations in the ſame act contayned, amongſt other things it is expreſſed, that no perſon or perſons vſinge the ſayed craft of pewterers or braſſers, ſhould from thenceforth ſell or change any pewter or braſſe newe or old at any place or places wythin this Realme, but onely in open faires and markets, or in their owne dwellinge houſes, but if they were deſired by ẏ buyers of ſuch wares, vpon paine of forfayture of euery ſuch default .x. li. Forasmuch as the ſame forfaiture is to the onely vſe of the kings hyghneſſe, and that any party ſearching or finding the ſame, is not entituled to haue any benefitt thereby, it hath not bene knowen, that any perſon or perſons haue taken any payne, to ſearch or make any inquiry thereof, by reaſõ whereof diuers and many euill diſpoſed perſonnes, vſing buying or ſellyng both of braſſe and pewter, and not regarding the ſayed good act, neither the ſaid penaltie, dayly goe about frõ village to village, Towne to towne, and from houſe to houſe, to ſell ſuch pewter and braſſe, which is not good, and alſo vſe deceiuable weightes & beames as they did before the making of the ſayed act, to the great hurt and decript of the kynges true liege people & ſubiectes. Wherefore bee it &c. that aſwel the moitie of the ſayed forfayture of x. li. limitted in the ſayed ſtatut, made in the ſaid fowerth yeare (s. cap. 7. before 2.) as alſe the moity of al other forfaitures before expreſſed, and euery of thẽ bee and ſhalbee to the vſe of the kings highneſſe his heires and ſucceſſours, & the other moitie of the ſãe forfaitures and euery of them to the vſe of him or them that ſhal ſeaſe, ſue or proſecute the ſaied forfaitures or any of them, or that ſhall ſue for the ſame &c. wherein the defendaunt ſhall in no wyſe bee admitted to wage hys lawe &c. ſhal bee allowable. This act to endure to the laſt day of the next parlyament.

An.

3. monethes

wardens

London

No Engliſheman

Hawkers Letters p.

Braſſe Pewter

Weights

Placard

Lloyd

Sell Change

Fayres Market

Forf.

Weights Beames.

Moitie.

Ann. 25. H. 8. cap. 9. This act is continued. Anno. 28. H. 8. cap. 9. & An. 31. H. 8. ca. And after An. 33. H. 8. ca. 7. it is made perpetual as here folowynge appeareth.

4 ¶ That all and euery of the sayed acts & statut (s. An. 4. H. 8. c. 7. before 2. & An. 25. H. 8. ca. 9. before. 3. & all and euery article, sentence and clause comprised in the same, may frō henceforth stand & abide in as ful strēgth & effect for euermore frō henceforth to endure according to the purport tenour & effect of the same act & acts, as though the said articles, sentences, and clauses were especially limitted, recited, or declared in this present act. And that no personne ne persones fromhenceforth buy or take by exchange, or otherwise take into or within this realme to thē tent to sel any such things or wares abone rehersed, made or to be made out of this realme, vppon paine of like forfaiture & penalties, as are and were expressed in the said seueral actes, the sāe penalties and forfaitures to bee leuied as is afore expressed. And that it maie bee &c. that if any personne or persons doo vnlawfully withstand, interrupt, disturbe or lette the maister and wardens or their deputies of the sayd craft of pewterers for the time being or the head officer, or gouernor head officers or gouernours of cities, townes, or boroughes within this realme, wherein no such master and wardeines are or shalbe, or any of them, in searchyng, seasing and taking into their handes and possessions such wares as shall happen to bee bought or brought into this realme contrary to the purport & effect of the sayed estatut, made in the saied xvj. yere of the raigne of our sayed soueraigne lord (capit. 9 before. 3.) that then euery such personne and persons so offendyng in letting, disturbinge or withstanding the sayed seisure, or takinge of such wares, as is afore sayed, shall lose and forfait for euery time so doing ỳ summe of v. li. sterling, the one halfe wherof shalbe to the kings vse, & thother halfe to him or them ỳ wil or shal sue for the same by accion of debt, writt, bil, plaint or information in ane the kinges courtes of record. In which accion or suit no protection &c. shalbee allowed nor admitted. Anno. 33. H. 8. capitulo. 4.

Disturbe wardens

Brought in to Englād

Forf. Mortie

¶ *Phisitions & Surgeons.*

NO personne wythin the Cytie of London, nor within seuen miles of the same take vppon him to exercise and occupy as a phisition or Surgeon, except he be first examined, approued and admitted by the bishopp of London, or by the Deane of Poules for ỳ time being, calling to him or thē iiii. doctours of Phisike, and for surgery other expert persons in that faculty, and for the first exampnatyon such as they shall thinke conuenient, and afterward alway. iiii. of them that haue bē so approued, vppon the payne of forfaiture for euery moneth that they do occupy as phisitions or Surgeons not admitted nor examyned after the tenour of this act, of fiue pound to be imployed thone halfe thereof to the vse of our soueraigne Lord the king, and the other halfe thereof to any person ỳ wil sue for it by accion of debt, in which no wager of lawe, nor protection shalbe allowed. And ouer this that no personne out of the said citie and precinct of vii. miles of the same, except he haue beene (as is aforesaid) approued in the same, take vppon him to exercise and occupy as a phisition or surgeon, in any diocese wythin thys Realme but if hee bee first examined and approued by the Bishopp of the same diocesse or hee beeyng out of the same diocesse by his vicar generall either of them calling to them such expert personnes in the sayed faculties, as their discretion shall thinke conuenient, and geruinge their letters testimonials vnder their seale to him that they shal so approue, vppon lyke paine to them that occupy contrary

London 7. Miles

Examined Bishop of London

Deane of Poules

4. Doctors

Forf. Moneth

Mortie

Approued

Bishop

Letters testimonial

Forf.

contrary to this act (as is aboue sayed) to bee lenied & employed after ỳ forme beefore expressed. Prouyded alwaie that this act nor anie thynge therein contained, be prejudicial to the vniuersities of Oxford and Cambrydge or either of them, or to the priuileges graunted to them. Ann. 3. Henrici octaui ca. 11.

Oxford
Cambridge

2 ¶ From henceforth your said supplyaunts (s. the wardeines and felowship of Surgeons in London) bee discharged and not chargeable of constablelhip, watch and all maner of offyce bearing any armour, and also of al enquestes and iuries within the Citie of London. And also that this act in all things do extend to all barbours Surgeons, admitted and approued to exercise the said misterie of Surgeons according to the fourme of the stat. lately made in that behalfe, so that they exceede ne be at one time, aboue the number of twelue personnes. Anno. 3. H. 8. cap. 6.

wardens
London
Constable
watch
Bearing armour
Enquests
London
Barbours
Approued
12. Persõs

3 ¶ In their most hũble wise sheweth vnto your highnesse, your true & faithfull subiectes & liegemen John Chamber, Thomas Linacre, Fernandes de victoria, your phisitions, and Nicolas Halliwel, John Fraunces, & Robert Parley, and all other men of the same faculty within the city of London, and seuen miles about, that where your highnesse (by your most gracious letters patentes bearing date at Westminster the three and twenty day of September the tenth yeare of your most noble raigne, for the common wealth of this your Realme in due exercising and practising of the faculte of phisicke, and ỳ good ministration of medecines to be had, haue incorporated and made of vs and of our company aforesaid, one body and perpetuall cõmunaltie or felowshippe of ỳ facultie of phisicke, & to haue perpetual succession and common seale & to chose yerely a President of the same felowship & communaltie, to ouersee rule, and gouerne the saied felowship and communaltie, and all men of the same faculte, with diuers other liberties and priuileges by your highnesse to vs graunted for ỳ commõ wealth of this your realme, as in your said most gracious letters patents, more at large is specified & contained, ỳ tenour whereof followeth in these wordes.

London
7. Myles
Letters p.
President

The letters patents

HEnricus dei gratia, Rex Anglie & Frãcie & domin⁹ Hibernie õnib⁹ ad quos presentes littere peruenerint salutem. Cum regij officii nostri munus arbitremur ditionis nostre hominum felicitati omni ratione consulere. Id autem vel inprimis fore si improborum conatibus tempestiue occurramus, apprime necessarium duximus, improborum quoque hominum qui medicinam magis auaritie siue causa quam vllius bone conscientie fiducia profitebuntur, vnde rudi & credule plebi plurima incommoda oriantur, audaciam compescere, itaque partim bene institutarũ ciuitatum in Italia, & aliis multis nationibus exemplum imitati, partim grauium virorum doctorum Johãnis Chambre, Thome Linacre Fernandi de victoria medicorum nostrorum, Nicholai Halliwel, Johannis Francisci, & Roberti Parley medicorũ, ac precipue reuerendissimi in christo patris ac domini Thome tituli sancte ecclesie, trans Tiberim, sacro sãcte Romane ecclesie presbiteri Cardinalis Eboracensis Archiepiscopi et regni nostri Anglie Cancellarii charissimi, precibus inclinati, collegium perpetuum dictorum et grauium virorum qui medicinam in vrbe nostra Londino et suburbibus intraque septem millia passuum ab ea vrbe quaqua versus publice exercreant, institui volumus atque imperamus. Quibus tum sui honoris, tum publice vtilitatis nomine cure vt speramus erit malitiosorum quorum meminimus inscitiam temeritatemque, tam exemplo grauitateque sua deterrere quam per leges nostras nuper edit. ac per cõstitutiones per idẽ collegium

collegium condendas punire. Que quo
facilius rite peragi possint memoratis
doctoribus Johāni Chambre. Thome
Linacre, Fernando de victoria medi-
cis nostris, Nicholao Halliwell. Jo-
hanni Francisco & Roberto Parley
medicis, concessimus quod ipsi omnes-
que homines eiusdem facultatis de & in
ciuitate predicta sint in re et in no-
mine vnum corpus & communitas
perpetua, siue collegium perpetuum, et
quod eadem communitas siue collegi-
um singulis annis in perpetuum eli-
gere possint & facere de communi tale
illa aliquem prouidum virum & in fa-
cultate medicine expertum in presidē
tem eiusdem collegii siue cōmunitatis
ad superuidendum recognoscendum &
gubernandum, pro illo anno collegi-
um, siue communitatem predictam et
omnes homines eisdem facultatis et
negotia eorundem. Et quod idem pre
sidens & collegium, siue communitas
habeant successionem perpetuam, et
commune sigillum, negotiis dicte com-
munitatis & presidentis in perpetuum
seruiturum. Et quod ipsi & successores
sui in perpetuum sint persone habiles
Purchase & capaces ad perquirendum & possiden
dum in feodo, et perpetuitate terras et
tenementa, redditus, et alias possessio
nes qualscunque. Concessimus etiam
eis et successoribus suis pro nobis & he
redibus nostris, quod ipsi & successores
sui possint perquirere sibi & successori-
bus suis, tam in dicta vrbe quam extra
pch. li land terras et tenemēta quecūque ad annui-
um valorem duodecim librarum non
excedēs statuto de alienatione ad ma-
num mortuam non obstante. Et quod
Implead ipsi per nomina presidētis collegii, seu
communitatis facultatis medicine Lō
don placitari & implacitari possint co-
ram quibuscunque iudicibus in curiis
& actionibus quibuscunque. Et qđ pre-
dicti presidens & collegium siue com-
munitas et eorum successores congre-
gationes licitas & honestas de seipsis,
ac statuta & ordinationes pro salubri
gubernatione superius & correctione
collegii seu communitatis predicte, et
omnium hominum eandem facultatē
in dicta ciuitate seu per septem miliaria
in circuitu eiusdem ciuitatis exercen.
secundum necessitatis exigentiam (quo
ties & quando opus fuerit) facere valeāt
licite & impune. sine impedimento nos-
tro hered. vel successorum nostrorū iu-
sticiariorum escaetorum, vicecomitum,
& aliorum ballīorum, vel ministro-
rum nostrorum heredū vel successorū
nostrorū quorumcūque. Concessimus
etiam eiusdem presidenti & collegio seu
communitati et successoribus suis, qđ.
nemo in dicta ciuitate, aut per septem
miliaria in circuitu eiusdē, exerceat dic
tam facultatem nisi ad hoc per dictum
presidentem & communitatem, seu suc
cessores eorum qui pro tēpore fuerint
admissus sit. per eiusdem presidentis & Fol.
collegii litteras sigillo suo communi si
gillatas, sub pena centum solidorum
pro quolibet mense, quo non admissus
sanū facultatem exercuit, dimidiū in-
de nobis & heredibus nostris, et dimi-
dium dicto presidenti & collegio appli-
candum. Preterea voluimus & concedi-
mus pro nobis & successoribus nostris
(quantum in nobis est) quod per presi-
dentem et collegium cōmunitatis pro
tempore existen. et eorum successores
imperpetuum, quatuor singulis annis
per ipsos eligantur, qui habeant super-
uisū et scrutinium correctionem & gu-
bernationem, omnium, & singulorum,
dicte ciuitatis medicorum vtentium
facultate medicine in eadē ciuitate, ac
aliorum medicorum forinsecorum quo
rumcunque facultatē illam medicine
aliquo modo frequentantium et vtenti
um infra eandem ciuitatem & suburbia
eiusdem, siue infra septem miliaria in
circuitu eiusdem ciuitatis, ac punitionē
eorundem pro delictis suis in non bene
exequendo faciendo et vtendo illa, nec
non superuisum & scrutinium omnimo
do medicinarum et eorum receptionē
per dictos medicos seu aliquem eorū
huiusmodi ligeis nostris pro eorum in
firmitatibus curādis & sanandis, tādis

imponendis,

imponenda, et prenois, quotiens et quando opus fuerit pro comodo et utilitate cujuslibet vestrum ligeorū nostrorū quia quod punitio hujusmodi medicorum ut dictum dicta facultate nouit nō fit in premissis delinquentibus pro finibus amerciamentis, imprisonamentis corporum suorum, et per alias vias rationabiles, et congruas exequatur. Volumus etiam et concedimus pro nobis heredibus et successoribus nostris (quātum in nobis est) quod nec predicti nunc aliquis de collegio predicto nūcio sint nec successores sui, nec eorum aliquis exercens facultatem illam quoquo modo in futurū infra ciuitatē nostram predictam, et suburbia eiusdem, seu alibi summoneantur, aut ponantur, neque eorum aliquis summoneatur, aut ponatur in aliquibus assisis, juratis, inquestis inquisitionibus, attinctis et aliis recognitionibus infra dictam ciuitatem, et suburbia eiusdem in posterum cōtra maiore ac vicecomites seu coadunatoribus dicte ciuitatis nostre pro tempore existen. capiendū, aut per aliquem officiarium, seu ministrum suum vel officiarios, siue ministros suos summonend. licet idem juratī inquisitiones, seu recognitiones fuerint super bruel, vel bruibus nostris, vel heredum nostrorum de recto, sed quod dicti magister siue gubernatores ac communitas facultatis antedicte et successores sui et eorum quilibet dictam facultatem exercentes vocatis nos, heredes, et successores nostros, ac vestris maiorem et vicecomites ciuitatis nostre predicte (pro tempore existente) et quocunque officiarios et ministros suos sint inde quieti et penitus exonerati imperpetuum per presentes. Proviso quod littere vestre seu alique in eis content non tendent in prejudicium ciuitatis nostre London, seu libert eiusdem. Et hoc absque fine seu feodo pro premissis seu sigillatione presentium nobis faciendo, soluendo vel aliqualiter reddendo, aliquo statuto or dinatione, vel actu in contrarium ante hec tempora facto, edito, ordinato, seu proulso in aliquorum robustie. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Westmonasterium. xviii. die Septembr. Anno regni nostri decimo, per ipsum regem et data placita auctoritate parliamenti. Imprimatur

Impryson

Enquest

London

And for so much that the makinge of the said corporation is meritorious & very good for the comon wealth of this youre Realme, it is therefore expedient and necessary to prouide that no persons of the sayd polytike body and communaltie aforesayd, bee suffered to exercise phisicke but onely those persones that be prouyded, sad, & discrete godlinely learned, & depely studied in phisicke. In consideration wherof, & for the further auctorisinge of ye same letters patents & also enlarging of further articles for the said cōmon wealth to bee hadd and made, pleaseth it your highnes &c. to enact &c. that the said corporation of the sayed communalty and felowship of the facully of phisik aforesaid, and all and euerie graunt, article and other thing conteined and specifyed in the sayd letters patentes bee approued, graunted ratified and confyrmed in this present parliament, & clerly auctorised and admitted by the same good, lawfull, and auailable to your sayed body corporat, and their successors for euer, in as ample & large manner as maie be taken thought and construed by the same. And that it shall please your highnes &c. furtherlie to enact &c. that the sixe persons aforesaid, in your sayd most gracious letterz patents named as principalles and firste named of the said communaltie and felowship, chosing to them two or moe of the said communaltie from henceforward be called and cleped elects. And that the same electz yerely chose one of them to be president of the saied cōmaltie, & as oft as any of the rowmes and place of the same electes shall fortune

Corporation

Approued

6. Persons

Elects

President

Supuliors

time to be hadd by death or otherwise, then the superviseurs of the same electes (wythin thirty or fourty days nert after the death of them or ante of them) shall choose, name and admit one oranone as nede shall require of the most cunning and expert men of and in the said facultie in London, to supply the said rowme and number of eight personnes.

London

2. Persons

So that he or they that shalbe so chosen, be first by the sayed superviseurs straightly examyned after a fourme devised by the sayed electes, and also by the same superviseurs approved. And where that in ỹ dioceese of Englād out of Londō it is not light to find alwaie men able sufficyently to examine (after the statut) such as shall bee admitted to exercise phisicke in them, that it may bee enacted in this present parliament that no personne frombencefoorth bee suffered to exercyse or practyse in phisicke through England untyll such tyme, that hee bee examyned at London by the sayd president and three of the sayd electes, and to have from the said president or electes letters testimonials of their approving and examination, except he be a Graduat of Orforde or Cambridge, which hath accomplished all thing, for his fourme wythout any grace. Ann. 14. H. 8. ca. 5.

Examin

Graduat Orforde Cambridge

4 ¶ In most humble wise sheweth vnto your maiestie, your true & faithfull subiects & liege men, the President of the corporatiō of the comminalty and felowship of the science and faculty of phisike in your city of Londō, & the cōmons and felows of the same, ỹ wher as diuers of them many times having in cure as well some of ỹ lords of your most honorable counsaile, & diuers tymes many of the nobilitie of thys realme as many other of your faithfull and liege people cannot geue their due attendance to them and other their pacients wyth such diligence, as their dutie were and is to do, by reason they be many times compelled as well wythin the said city of London and suburbes of the same, as in other townes & villages, to keepe watch & ward & be chosen to thoffice of Constable and other offices within the said city & suburbes of the same, as in other places within this your realme, to their great fatigation and vnquieting, & to the perill of their pacients, by reason they cannot be conueniently attended: It may therefore please your most excellēt maiestie wyth thassent &c. to enact &c. ỹ the President of the said comminalty & fellowship for the time being, & ỹ commons & fellowes of the same, & euery fellow therof that now be or at any time hereafter shal by their successors & the successors of euery of them, at all time & times after the making of this present act, shallbee discharged to keepe ante watch or ward in your said city of London, or the suburbes of the same or any part therof. And that they or any of them shalbe chosen Constable or any other officer in ỹ said city or suburbes. And that if at any time hereafter ỹ said president for the time being, or any of the said commons or fellowes for the time beeing, by any waies or meanes bee appointed or elected to any watch or ward, office or Constable or any other office within the said City or suburbes, the same appointment or election to be vtterly void & of none effect, any order, custome, or lawe to the contrary beefore thys tyme vsed in ỹ said city notwithstanding. And that it may please your most royal maiestie &c. for the common wealth & liberty of your louing subiects of this your realme, in & for thadministratiō of medicines to such of your said subiects as shall haue nede of the same, ỹ frombencefoorth the said President & for the time being, commōs & fellowes & their successors, may yerely at such tyme as they shal thinke most meete & conuenient for the same elect & chose iiii. persons of the said cōmons and fellowes of the best learned

Watch Ward Constable

President Felowship

Watch London

Constable Officer

Lords

4. Persons

wiselt

wisest, and most discrete, such as they shal thinke conuenient, & haue experience in the said facultie of phisike. And ỳ the said fower persons so elected and chosen, after a corporal oth to the ministred by the said president or his deputie, shal & may by vertue of this present act, haue full auctority & power, as often as they shal thinke meete and conuenient to enter into the house or houses of al and euery potticary now or any time hereafter vsing the misterie or craft of a potticary with in the said Citie only to serch, view & see such potticary wares druggs & stuffe as the said potticaries or any of them haue or at any time hereafter shall haue in their house or houses. And all such wares, druggs and stuffes as the same fower persons shal then find defective, corrupted, & not meete nor conuenient to be ministred in any medicins for the health of mans body, the same fower persons calling to them ỳ wardes of ỳ said misterie of potticaries with ỳ said city for the time being, or one of them shal cause to be brent or otherwise distroy ỳ same as they shal thinke meete by their discretion. And if the said potticaries or any of the at any time hereafter do obstinatly or willingly refuse or deny ỳ said fower persons yerely elected and chosen as is before sayd, to enter into their said house or houses for the causes intent & purpose before rehearsed: That then they and euery of them so offending contrary to this act for euery time ỳ he or they do so offend, to forfait C.s. ỳ one halfe to ỳ use of our master & ỳ other half to him ỳ will sue for the same by accio of debt, bil, playnt, or informatio in any of the kings courts wherein no wager of law essoine, or protection shalbe allowed. And if the said fower persons or any of them so elected & chose as before is said, do refuse to be fower, or after his said othe to him or them administred, do obstinatly refuse to make the said search & view once in the yeare, at such time as they shal thinke most conuenient by their discretions, hauing no lawfull impediment by sickenesse or other wise to the contrary: That the for euery such wylfull & obstinat default, euery of the said fower persons making default, to forfait forty shillings. And forasmuch as the science of phisike doth comprehend inclube and contayne the knowledge of surgery as a special member and part of the same, therefore bee it enacted ỳ auncie of the said copanie or felowshyp of phisitions being able chosen and admitted by the said president and fellowshippe of phisitions may from time to time at well within the citie of London as elsewhere within this realme practise and exercise the said science of phisicke in al and euery his members and partes, anie act, statute, or prouision made to the contrary not withstanding. An. 32. H. 8. cap. 40.

5 ¶ The king our soueraigne Lord by thauise &c. duly pondering among other thinges necessary for the commodeite of this Realme, ỳ it is very expedient & necessary to prouide for men expert in the science of phisike & surgery, for the health of mans body whē infirmitie and sickenes shal happen, for the due exercise & maintenance whereof good and necessarie actes be already made and prouided: Nor neuertheless, for asmuch as within the citie of London where men of great experience as well in speculation as in practise of the science and facultie of Surgery, be adopting and inhabiting, & haue more commonly the daylie exercise and experience of the same science of Surgery then is had or vsed within other parts of this Realme, and by occasion therof many expert persons bee brought vp vnder them, as their seruants, apprentices, and others who by the exercise & diligent information of their said maisters, as well now as hereafter shall exercise the said science within diuers other parties of this Realme, to ỳ great relefe, comfort, and succour of much

people

people, & to the sure sauegard of their bodely health their liuinges and liues. And for almuch as within the said Cite of London, there be nowe two seuerall and distinct companies of surgeons occupying and exercisinge the said science and faculties of surgerie, the one cõpany being cõmonly called the barbors of London, & the other company called the surgeons of London. Wherby company of barbours bee incorporated to sue and to be sued by the name of maisters or gouernors of the misterie and communalties of the barbours of London by vertue and authoritie of the letters patents vnder the great seale of the late king of famous memory kinge Edward the fourth dated at Westm. the 24. day of Iune in the first yeare of his raigne, whych afterward allwell by our now most dread soueraigne lord as by the right noble and vertuous prince king H. 7. father vnto the kinges most excellent highnesse nowe being, were and be confirmed, as by sundry letters patentes thereof made among other thinges in the same contained more at large may appeare. And the other company called the surgeons, bee not incorporat nor haue any manner of corporation, whych two seuerall and distinct cõpanies of surgeons were necessary to be vnited and made one body incorporat to thentent that by their vnion and often assemble togethers the good & due order, exercise & knowledge of the said science or faculties of surgerie should be alwel in speculatiõ as in practise, both to their selues, & al other their said seruants & apprentices now & hereafter to be brought vp vnder them, & by their learninges and diligent and ripe informations more perfect speedy & effectual remedy should be then it hath ben or should be, if the said two companies of barbors and surgeons should continue seuered a sunder, & not ioined together as they before this time haue ben & vsed them selues not medling to

5. Companies

Barbours Surgeons

gether, wherefore in consideration of the premisses be it &c. that the said two seuerall and distinct companies of surgeons, that is to say both the barbors and the surgeons and euery persons of them being a free man of either of the said companies after the custome of the said Cities of London and their successours from henceforth immediatly bee vnited and made one entyer and whole body corporat, and one cõmunaltie perpetuall, which at al times hereafter shalbe called by the name of maisters or gouernours of the misterie & communalties of barbours & surgeons of London for euermore and by none other name. And by the same name to implead and be impleaded, before all maner of Iustices, in al courtes, in all maner of actions and suites. And also to purchase, enioy and take to them & to their successours all maner of lands tenements, rentes, and other possessions whatsoeuer they bee, & also shall haue a common seale to serue for the busines of the said company & corporation for euer. And by the same name peaceably quietly & indifferently, haue possession and enioy to them & to their successours for euer all such landes and tenementes, & other hereditamentes, whatsoeuer, which the said company or communaltie of barbours haue and enioy to the vse of the said misterie & communaltie of barbours of London. And also shal peaceably & quietly haue and enioy all and singuler benefittes, graunted, liberties, priuiledges, franchises, and free customes, and also all maner of other thinges at any time geuen and graunted vnto the said cõpanies of barbours or surgeons, by whatsoeuer name, or names they or any of them were called, and whych they or any of them now haue, or any of their predecessours haue had by acts of parliament, letters patentes of the kings highnesse or other his most noble progenitours or otherwise by any lawful meanes haue had at any time

Purchase

Common seale

after

afore this preſent act in as large & ample manner and fourme as they or any of them have had, might or ſhould enioy the ſame this vnion or conjunction of ỹ ſame cõpanies together not withſtanding. And as largely to have & enioy the premiſſes, as if the ſame were and had been perfectly and particularly expreſſed and declared with the beſt & moſt clearest wordes and termes in the lawe, to all intentes and purpoſes. And ỹ all perſons of the ſaid companie now vnited vnyted by this preſent act, & their ſucceſſors that ſhal be lawfully admitted & appointed to occupy ſurgery, after the fourme of the ſtatut in ỹ caſe ordeined and prouided, ſhalbee exempt for bearing of armour or to bee put in any watches or impoſtes. And ỹ they and their ſucceſſours ſhall have ỹ ſeruice after right punishment & correction, as well of free men as of foreins, for ſuch offences as they or any of them ſhall commit or do againſt the good order of barbery or ſurgery, as afore this time among the ſaid maſters & company of barbours of London, hath bene vſed & accuſtomed, according to the good and politike rules & ordinaces by the maiſter & appointed by ỹ lord Chaūcellor, Treaſorer, & good chefe Iuſtices of either bench, or any three of the elder ỹ ſeeme of ỹ ſtatut in that caſe aſſigned & prouided. And further be it ꝛc. that the ſaid maiſters or gouernours of the ſaid miſterie & cõmunalty of barbors & ſurgeons of Lõdõ, & their ſucceſſours yerely for euer after their ſaid elections at their free liberty and pleaſure ſhall and may have & take without contradiction ſodeine perſons condemned adiudged & put to death for felony by ỹ due order of the Kinges lawes of this realme, for anotomies, without any further ſute or labour to be made to the Kynges highnes his heirs or ſucceſſours for the ſame. And to make inclifo of ỹ ſame dead bodies or other wiſe to order ỹ ſame after their ſaides diſcretions at their pleaſures for their further & better knowledge in

Bearing of armour watches Punish

Chaunceloz Treaſorer Chiefe iuſt.

4. Perſons yerely for anotomies

ſtruction, inſight, learning & experience in the ſaid ſcience or faculty of ſurgery. Saving vnto all perſons their heires, & ſucceſſours, al ſuch right title intereſt & demaūde, which they or any of them might lawfully claime or haue, in, or to any of ỹ lands & tenementes with the appurtenances, belonging vnto ỹ ſaid cõpanie of barbors & ſurgeons or any of them, at any time afore the making of this act, in as ample maner & forme as they or any of the had or ought to haue had heretofore: Any thing in this preſent act cõpriſed to ỹ cõtrary hereof in any wiſe notwithſtanding. And for as much as ſuch perſons vſing the miſtery or faculty of ſurgery oftentymes meddle & take into their cures & houſes ſuch ſick & diſeaſed perſons as beene infected with the peſtilence great pockes, and ſuch other contagious infirmities boo bis or ſtrete barbery, as waſhinge or ſhaving & other feates thereunto belonging, which is very perilous for infecting the kings liege people reſorting to their ſhoppes & houſes, there being waſhed or ſhaue. Wherefore it is now enacted ꝛc. ỹ no maner of perſon or perſons ỹ ſitty of London, ſuburbes of the ſame, and one mile cõpaſſe of ỹ ſaid city of Lõdõ after the feaſt of ỹ natiuitie of our lord god next cõming vſing any barbery or ſhauing or ỹ hereafter ſhal vſe any barbarie or ſhauing within the ſaied Citie of London, ſuburbes or one mile circuit of the ſame city of London, he nor they nor none other for the to vſe or their vſe ſhall occupy any ſurgery letting of blood, or any other thing belonging to ſurgery, drawing of teeth only except. And further more al like maiſter whatſoeuer ỹ vſeth ỹ miſtery or craft of ſurgery within the circuit aforeſaid as long as he ſhal ſoiorne to vſe the ſaid miſtery or craft of ſurgery ſhall in no wiſe occupy nor exercise ỹ feat or craft of barbery or ſhauing, neither by ſhaue ſelfe nor by none other for him to vſe or their vſe. And more ouer ỹ al maner of perſons vſing ſurgery for ỹ time be

Right

Peſtilence Pockes

London

Barbery

Suburbes One mile

Surgery Letting of blood Drawing of teeth except

No ſurgeon ſhalbe a barbour

ting, as wel free men as foreines, alies & straungers wiin the said City of London, ỳ suburbes thereof, & one mile cõpasse of ỳ same City of Lõdõ, before ỳ feast of S. M. tharchaungel next comming, shall haue an open sygne on the streetesides, where they shall fortune to dwell, that al the kyngs liege people there passing by, may know at al tymes whether to resort for their remedies in time of necessity. And further be it &c. that no maner of person after the said feast of sainct M. tharchangel next comming presume to keepe any shope of barbery or shaving within the city of Londõ, except he be a freeman of the same corporatiõ & cõpanie. And furthermore at such times heretofore accustomed there shalbe chosē by ỳ same company fower masters or gouernours of the same corporatiõ or cõpany, of ỳ which fower, two of the shal be expert in surgery, & thother two in barbary, which fower masters & euery of them, shall haue ful power & auctho rity frõ time to time, during their sayd office, to haue ỳ ouersight, serch, punishment & correccion of all such defaults & inconueniences as shalbe found amõg ỳ said cõpany vsing barbery, or surgery as wel of free men as foreins aliens & straungers within the city of London & the circuit aforesaid, after their sayd discretions. And if any person or persons vsyng any barbery or surgery at any time hereafter, offend in any of these articles aforesaid, thẽ for euery moneth ỳ said persons so offending shall lose, forfait & pay x.li. ỳ one moity thereof to ỳ king our soueraign lord, & ỳ other moity to any person ỳ will or shal sue therfore by accion of debt, bill, plaint or information in any ỳ kings courts wher in no iugger of law essoine or protecciõ shalbe admitted or allowed in the same. Prouided ỳ ỳ said barbours & surgeõs & euery of them, shall beare & pay lot & scot & such other charges as they & their predecessours haue bene accustomed to pay wiin this city of Londõ. This act

Signe

Freeman

4 Gouernors

Serch

Aliens Straungers

Forfait

Moitie

Lott & Scot

yat

or any thing therein cõtained to ỳ contrary hereof in any wise notwistãding. Prouided alway & be it &c. ỳ it shalbee lawfull to any of ỳ kinges subiects not beyng barbor nor surgeon, to retaine haue & keepe in his house, as seruãt any person being a barbour or surgeõ, which shal & may vse & exercise those artes & faculties of barbery & surgery or either of them in his masters house, or elsewhere by his masters licence or commaũdemẽt, any thing in this act aboue written to the contrary being not withstanding. An. 32. H. 8. ca. 2.

Seruant

Licence

6 ¶ At al times frõ hẽceforth it shalbe lawful to euery person being ỳ kings subiect, hauing knowledge & experience of ỳ nature of herbs, roots & waters, or of ỳ operation of ỳ same, by speculatiõ or practice wiin any part of the realme of Englãd, or wiin any other ỳ kings dominions, to practice, vse & minister in & to any outward sore vncome woũd, apostematiõs, outward swelling or disease, any herbe or herbs, ointmẽt, baths, pultes, & emplaisters, according to their cunning, experience & knowledge in any of ỳ diseases, sores, maladies before said & al other like to ỳ same, or drinkes for ỳ stone strangury or agues, wiout suit, veratiõ, trouble, penaltie, or losse of their goods, ỳ foresaid statut in ỳ foresaid thirtyere of ỳ kings most gratious reign, or any other act, ordinãce or statut to ỳ cõtrary hereof heretofore made in any wise notwistãding. An. 34. H. 8. ca. 8.

Practikers

7 ¶ The said statut or act of parliamẽt (s. 14. H. 5. ca. 5. before. 3.) wt euery article & clause therin cõtained shal from hencefoorth stãd & continue still, in full strength force & effect: Any act statute law custome or any other thing, made had or vsed to ỳ contrary in any wise notwistãding. Be it &c. ỳ whensoeuer ỳ president of ỳ colledge, or cõmonalty of ỳ faculty of phisicke of Londõ, for the time being, or such as ỳ said president & colledge shal yerely according to ỳ tenour & meaning of ỳ said act, auctorize to serch, examine, correct, & punishe all

President

Serch

offenders

offenders & transgressours in ỳ said facultỳ, wỏin ỳ same city & precinct, in ỳ said act expressed, shal sẽd or cõmit any such offẽder or offẽders, for his or their offences or disobedience cõtrary to any article, or clause, cõtained in ỳ said grãt or act, to any ward, gaole, or prison wỏin the sãe city & precinct (ỳ Tower of London except) ỳ then from time to time ỳ wardein, gaylour or keper, wardeins, gaylours or keepers of the warders gayles and prison wỏin the City or pretinct aforesaid, except before excepted, shal receiue into hys or their prysõs all & euery such person & persons so offending as shalbe so sent, or cõmitted to him or them, as is aforesaid, & there shal safely kepe ỳ person or persons so committed in any of their prisõs, at ỳ proper costes & charges of the said person or persons so committed wỏut bail or mainprise, vntil such time as such offender or offenders, or disobedients be discharged of the said imprisonment by the said president & such persons as by the said colledge shalbe therunto authorised, vpon paine ỳ al & euery such wardein, gaulour, or keper doing the cõtrary shall lose & forfait the double of such fines & amerciamentz as such offender & offẽders, or disobedients, shalbe assessed to pay, by such as the said president & college, shal auctorise, as aforesaid, so that the same fine & amerciament, bee not at any one time aboue the summe of xx.li. The moity therof to be employed to ỳ vse of our soueraign Lady the Quene her heirs, & successours, thother moity vnto ỳ said president & colledge. All which forfaitures to bee recouered by accion &c. agaynst any such wardeyn gaylor or keeper so offendyng. In which suit no &c. And be it &c. for ỳ better execution of the serch, & view of the poticary wares drugges & compositions, according to the tenour of a statut made in the xxvii. yere of the raigne of the late king H. 8. ỳ it shalbe lawful for ỳ wardens of ỳ Grocers, or one of them, to go wỏ ỳ said phisitions in their view & serch, ỳ if ỳ said wardein or wardeins do refuse, or delay his or their cõming therunto forthwỏ & immediatly wỏe ỳ said presidẽt or iiii. of his colledg elect as is aforesaid do cal vpõ him or thẽ ỳ then ỳ said phisitions, may, & shal execute ỳ search & view, & the due punishment of ỳ poticaries for any their euill & faulty stuffe, according to ỳ statut last before mencioned wỏut thassistance of any of the said wardens: Any clause in the afore named statut, to the contrary hereof not wỏstanding. And euery such person or persons as wil, or shall resist such search, shall forfait for euery such resistance x.li. The same penaltie to be recouered in forme aforesaid, without any of the delaies aforesaid to be had in suit therof, & further be it &c. ỳ al Iustices, maiors, shiriffes, bailifs, cõstables, & other ministers & officers within the citie & precincts aboue written, vpõ request to thẽ made, shal helpe, ayd, & assist the Presidẽt of ỳ said colledge, & al persons by thẽ, from time to time, auctorised for ỳ due execution of the sayd acts or statuts, vpon paine for not geuing of such ayd, helpe, & assistance, to runne in contempt of ỳ Quẽns maiesty her heires & successours. Ann. 1. M. 1. Parliamento cap. 9.

Impꝛison

Gaylour

Wainpꝛise

Gaylour Forf.

Moitie

Poticary

Wardens Grocers

Refuse

Resist Forf.

Iustices Maiors Shiriffes Bailifs Constables Aide

Contempt

¶ *Pillory.*

A Pillory of conuenient strength which may be vsed without dooꝛly perill either of man or woman, shalbe had in euery liberty. An. 51. H. 3.

¶ *Pynnes.*

An. 54. Henrici octaui capitula serto an act was made for pynnes but it is repealed by 37. H. 8. cap. 13.

Repealed

¶ *Plaies and games.*

An. 12. R. 2. ca. 6. Anno. 11. H. 4. ca. 4. An. 17. Ed. 4. capit 3. An. 11. H. 7. ca. 2. & An. 19. H. 7. capit 22. be acts made against vnlawfull games, but al those be repealed by 33. Henrici octaui capitulo nono by a generall repeale of al statuts made against vnlawfull games vt patet postea.

Repealed

¶ Euery man being the kinges

subiect, not lame, decrepit nor maimed nor hauing any other lawfull or reasonable cause or impediment, beeing within ỳ age of lx. yeres, except spirituall men, Iustices of the one bench & of the other, Iustices of the assise, & barons of the Eschequer, shall from the feast of Pentecost next comming vse & exercise shooting in long bowes, & also haue bowe & arrowes ready continually in his house to vse himselfe, & do vse himselfe in shoting. And also ỳ father, governors, & rulers of such as bee of tender age, do teach & bring vp them in knowledge of ỳ same shooting. And that euery man hauing a man child or men childrẽ in his house, shal prouide ordaine and haue in his house for euery man child being of the age of vii. yeres & aboue, til he shall come to the age of xvii. yeres a bow & two shafts to ẽduce & learne thẽ & bring thẽ vp in shooting, & shall deliuer al the same bowes & arrowes to ỳ same yong mẽ to vse & occupie. And if the same yong men be seruants, ỳ then their master shal abate ỳ money that they shal pay for the same bow & arrowes of their wages. And after al such yong mẽ shal come to the age of xvii. yeres, euery of thẽ shal prouide & haue a bowe & fower arrowes continually for himselfe at hys proper costes & charges, or els of ỳ gift or prouision of his frinds, & vse & occupy the same in shoting as is afore rehersed. And if the master suffer any of his seruants taking wages, beeing in his houshold, & vnder ỳ age of xvii. yeres, or ỳ father suffer any of his sõnes, being in his household & vnder ỳ age of xvii. yere to lacke a bowe & two arrowes, cõtrary to the forme of this statut by ỳ space of one moneth together, then the master or father in whom such negligence shalbee, shal for euery such default forfait vi. s. viii. d. And ỳ euery seruaunt passing the age of seuenteene yeares, & vnder the age of three score yeres, & taking wages, which cann or is able to shote & shal lacke a bow and fower arrowes by ỳ space of one month together shal for euery such default forfait & lose vi. s. viii. d. Be it &c. ỳ no mã vnder the age of sower & twenty yerez shal shote at any standing pricke, except it be for a rouer, where at he shal chãg at euery shote his marke, vpon paine for euery shote doing the contrary iiii. d. And ỳ no other person aboue ỳ said age of sower & twenty yeres shall shote at any mark of a lesen score yardes or vnder vpon any prick shaft or flight vnder the pein to forfait for euery shote vi. s. viii. d. And ỳ no person vnder ỳ age of vii. yers, except he or his father or mother haue lands or tenements, to the yerely value of x. li. or bee worth in mouables the summe of xl. markes sterling, shal shote in any bow of ewe which shalbee bought for him after ỳ feast of ỳ Purificatiõ of our Lady next cõming vnder ỳ pain to lose & forfait vi. s. viii. d. And also ỳ butts be made on thi3 side ỳ feast of S. M. ỳ archãgel next cõming in euery City Towne & places by the inhabitants of euery such City Towne and place, according to ỳ law of auncient time vsed. And ỳ the inhabitants & dwellers in euery of thẽ be cõpelled to make and continue such butts, vpon paine to forfait for euery three moneths so lacking xx. s. And ỳ the said inhabitants shal exercise toẽ selfe wt lõg bowes in shoting at ỳ sãe & els where in holy daies & other times cõuenient. And to ỳ entent ỳ euery person may haue bows of meane price. Be it &c. ỳ euery bowier dwelling out of the City and suburbes of London, shal after the said feast of the Purification of our Lady next comming, for euery bow that hee maketh of ewe make for sower other bowes mete to shoot in, of Elme, witchasel, Ashe, or other wood apte for ỳ same vnder the pein to lose & forfait for euery such bow so lacking iii. s. iiii. d. And euery bowier dwelling wtin ỳ said city or suburbs of London, shal after ỳ said feast of the Purificatiõ of our lady next cõming for euery bow of ewe ỳ he shal make, shal also

Spiritual men
Iust. of both B.
Iust. of all.
Barons of thelchequer
Shooting
Long bowes
Bow & arrowes
Fathers
Masters
Men childzen
A bow & .ij. arrowes
Seruants wages
A bow and 4. arrowes
Master
Father
Lacke
One moneth
Forf.
Seruant
Forf.
Pzickes
Rouers
Forf.
Pzick shaft
Flight
Forf.
Lands
Goods
Ewe bow
Forf.
Butts
Forf.
3. moneths
Bowes
Bowyer
Elme bowes
Wichhasell.
Ashe
Forf.
London

also make two other bowes apt for shooting of Ashe, Elme, whitchasel, or other woode meete for the same vnder like paine & forfaiture. And be it &c. that no bowier shall sel any bowe of ewe, for any person being betwene the age of seuen yeres, and .xiiii. yeres, aboue the price of .xii. d. And ỳ the same bowiers shal haue bowes of ewe of al prices frō fiue pence the piece to xii. d. ỳ piece for youth betweene the laied ages of seuen yeres & fowertene yerez. And like wise haue bowes of ewe for youth betwene the age of xiiii. yeres & xxi. yeres & shall sell the same at reasonable prices. And moreouer ỳ no bowier shall sell or put to sale to any the kinges subiectes, any bowe of ewe of ỳ sare called elke aboue the price of three shillinges fower pece vnder the pain to forfait xx.s. for euery bowe sold to the contrary aboue ỳ sāe price of three shillings fower pence, as appeareth by a statut made in the xxii. yere of the raigne of king Ed. the 4. ca. 4. And that bowstaues of ewe hereafter to be brought into this realme, shal be sold open & not in bundels nor close, to the intent that buyers of them may haue perfite knowledge of the goodnes of them, & greue the better price for thē if they be so worth, & further more bee it &c. ỳ fletcherz of London, & ỳ suburbz of the same, may at their libertie sel seasonable timber to euery Fletcher of ỳ countrey, without falling into any penalty or daunger to any of the wardēs for so doing and that al ordinancez and other lawes made or to be made, by their wardeins or otherwise to the contrary, shalbee from henceforth clerely frustrate and voide. And also bee it &c. that the bowiers, fletchers, stryngers and arrowhedmakers repairing & resorting vnto the said citie or ỳ suburbes of the same, and there making there dwelling, or abyding, not free men of ỳ saied City, bearing nother scotte nor lotte within the saied City, shall at all tymes, by the appoyntment of your graces most honorable counsaile, the lord Chaūcellour of Englād for ỳ time being, lord Treasorer, or ỳ Lord pryuy seale, or one of thē go & inhabit in such cities boroughs & townes as be destitut of such artificers, & there to exercise occupy & practyse their saied craftes and faculties, for the maintenaunce of artillery and archery. And if any such person to whom warning shalbe so geeue by ỳ kings most honorable counsel, the lord chauncellor ỳ Lord Treasorer, or the lord pryue seale, as is aforesaid, to depart vnto other townes or places of the said Realme of England from ỳ said city of London, the suburbes, stretes, lanes, and places nere the same, refuse to accomplish the same, that thē he or they so refusing shall forfayt for euery day that he shal make hys abode contrary to this act .xl.s. Be it also &c. that no straunger borne out of ỳ kings obeisāce, not beig denizē, shal cōuey or do to be cōueied geue sel or erchāg into any ptyes out of ỳ kings obeysāce any lōg bowes, arrows or shaftes wout ỳ kinges speciall licence, vppon paine of forfaiture of the same whersoeuer they shall be taken, or the value therof, with in the kinges power, and vpon pain of imprisonment without baile or mainprise, vnto such time hee or they so beeing in warde, haue made a reasonable fine to the king for his or their offencez afore the Justices of peace or two of them in their sessions in the same cōtie where he or they shalbe committed to ward, or find sufficient suertie for ỳ payment of the same fine. And that noe manner of person not beeing borne within the kinges obeysance not made denizen, vse within the kinges obeysance shooting with long bowes, with out the kinges licence, vppon paine of forfaiture of such bowes arrowes, and shaftes as they shallbe foūden so shooting with, and euery of the kynges subiects may haue authority to take and seise ỳ sāe forfaitures to his owne vse. And ỳ iustyces of assise of gaole deliuery, iusticez of peace, & stewardz of fraūchises

Fork. Prices 16.s.viij.d. Fork Bowstaues Fletchers of London Ordinaces wardens Lloyd Stringers Arrowhedmakers Artillary. Refuse Fork. Stranger Denizen Long bowes Arrowes Licence Fork. Imprison Ayampsile. Fine Iust. of p. Suertie. Stranger Shoote Licence Fork. Seise Iust. of aff. Iust. of q. Iust. of p. Stewards

chiles leetes & lawdaies, haue power to enquire of al the premisses in their sessions leetes, & lawdaies, & heare and determine the same, & also by their discretion, examine all persons lacking & not hauing bowes, shaftes & arrowes according to the fourme aforesaid. Be it &c. that no maner of person or persõs of what degre qualitie or condition soeuer he or they be, from ẏ feast of ẏ Natiuity of saint Jhon Baptist now nert comming by him selfe, factour deputy seruant or other person, shal for his or their gaine lucre or lyuing, keepe, haue hold, occupy, exercise, or maintain any commõ house alley or place of bouling coyting, clothe, caules, halfe boule, tennys, dyling, tables or carding or any other maner of game prohibited by any statut heretofore made, or any vnlawful new game now inuented or made, or any other new vnlawful game here after to be inuented found had or made vppon paine to forfayt & pay for euery day keping, hauing, or maintaining, or suffring any such game to be had kept executed, plaied or maintained, within any such house, gardeine, alley or other place contrary to the fourm & effect of this statut. xl. s. And also euery person vsing and hauing any of the said houses & places, & their playing, to forfait for euery time so doing, vi. s. viii. d. And if any persõ hereafter sue for any placard to haue common gaming in hys house contrary to this statut, ẏ then it shalbe contained in the same placard what game shall be vsed in the same house, & what persons shall play therat, & euery placard graunted to the contrary, to be void, And also that ẏ party obtaining any such placard before he put the same in execution, shalbe bounde with sufficient suerties with him by recognisãce in the chauncery in a certaine summe, to be appointed by the discretion of the lord chauncellour of England, that he shal not vse ẏ said placard contrary to ẏ fourme therof. Be it &c. ẏ it shalbe lawful to al & euery ẏ Justices of peace, in euery shere, maires sheriffs bailliffes, & other hed officers, win euery city, towne & borough win this realme frõ time to time as well wtin liberties as wout as nede & cause shal require, to come, enter and resort into al, & euery house, places & alleis, where such games shal be suspected to be holden, exercised, vsed or occupied contrary to the fourme of thys estatute, and aswell the keepers of the same, as also ẏ persons there haunting resorting, and playing, to take arrest & imprison and them so taken and arrested to kepe in prison vnto such tyme as the kepers and maintainers of the said playes and games haue found suerties to the kinges vse, to be bound by recognisance or otherwise no longer to vse, keepe, or occupy any such house, playe, game alley or place, & also that the persons there so found be in like case bounden by them selues or eis with suerties by the discretion of the Justices, Maires, sheriffes, bailiffes or other head officers no more to play, haunt, exercise from thencefoth, in at or to any of the said places or at any of the said games. Also be it &c. that the maiors sheriffes baylifes constables and other head officers win euery city borough & towne within this Realme where any such officers shal fortune to be aswell within the fraunchises as without, shall make due search weekely or at the furthest at al times hereafter once euery moneth in al places where any such houses alleis plaies or places shalbe suspected to be had kept and maintained. And if the said maiors sheriffes, bailifes constables or other head officers within their cities boroughes and townes, as well within fraunchises as without, do not make due serch at the furthest once euery moneth, if the case so require, according to the tenour of this act, & do not execute ẏ same in al thinges, according to the purport and force of the same, ẏ then euery such Maior, sheriffes, baylifes, constable or other head officer, to pay & forfait for euery moneth, not making

Enquire

Hier & ter. Examine

Bouling alley

Vnlawful games

Fork.

Fork

Placard

Lloyd

Suerties Recog.

Chancellor

Just. of p. Maior Shirife Bailifs

Arrest Imprison

Suerties Recog.

Maiors Shirifes Bailifs Constables

Serch

Fork.

king such serch nor executing the same forty shillings. Be it also &c. ẏ no maner of artificer or crafts man, of any handy craft or occupation, husbandmã apprentice, labourer, seruant at husbandry, iurney man or seruant of artificer mariners, fishermen watermẽ or any seruing man, shal from the said feast of the Natiuity of Saint John Baptist play at the tables, tennis, dice, cardes, bowles, clash, coyting, logating or any other vnlawfull game out of Christmas, vnder the paine of xx.s. to be forfait for euery time, & in Christmas to play at any of the said games in theyr masters houses, or in theyr masters presẽce. And also that no maner of person shall at any time play at any boule or bowles, in opẽ places out of his gardein or orchard, vnder the paine for euery time so offending to forfait vi.s. viii.d. And that all Iustices of peace, maiors, bailiffes, sherifes and all other head officers, and euery of them, finding or knowing any manner person or persons vsing or exercysing any vnlawfull games contrary to this present estatut, shall haue ful power & auctority to commit euery such offendour to ward, there to remaine without baile or mainprise, vntil such tyme that they so offending, be bounden by obligation to the kinges vse, in such sũmes of money as by the discretion of the said Iustices, maiors bailiffs, or other head officers shalbe thought reasonable, ẏ they or any of thẽ shal not from thẽceforth vse such vnlawful games. Be it &c. that al other statutes made for ẏ restreint of vnlawfull games, or for the maintenãce of artillery as touching the penalties, or forfeitures of ẏ same shalbe from henceforth vtterly void. And ẏ al informations, plaints, accions or suites that shalbe takẽ or sued vpon any part of this estatut shalbe cõmenced within the yere after ẏ offẽce cõmitted & dõe or otherwise no aduantage or suit therof to be taken. And where any such forfeitures shall happen to be foũd wtin ẏ precinct of any fraũchise, lete, or lawday, then ẏ lord of ẏ sãe frãchise, lete or lawday, to haue ẏ one moity thereof & ẏ other moity therof to any of ẏ kings subiects ẏ wil sue for ẏ sãe &c. in which acciõ or suit ẏ defẽdaũt shal not bee admitted to wage his law &c. And wher such forfaiture shalbe foũdẽ out of ẏ precinct of any frãchise lete, or lawday, ẏ ẏ moity of al such forfaitures shalbe to ẏ king our soueraign lord, & ẏ other moitie thereof to any the kinges subiectes that will sue &c. in which suit &c. And to the entent that euery persone maye haue knowledge of this act, and auoid the daungers & penaltyes of the same, Be it &c. that al maiors, bailifes, shirifes, and al other head officers, shal foure times in the yeare, that is to say, euery quarter once, make open proclamation of this present act, in euery market to be holden within theyr seuerall iurisdictions & auctorities. And also ẏ the iustices of gaole deliuerie, assises, & iustices of peace, do cause ẏ same to be proclaimed in their seuerall circuits and sessiõs before thẽ holden, & ẏ this estatute shal begin to take his effect, concerning ẏ penalties of the same, frõ ẏ said feast of saint John Baptist now next comming and to continue & endure for euer. Prouided alway & be it &c. ẏ if any person or persõs, haue taken by lease whether it be by word, writig or other wise, any house, alley or place wherein any such vnlawfull game now is, and at the tyme of such lease made was vsed: that then euery such lease shall at the libertie of him or them, to whõ such lease is made, their executors administrators or assignes, from ẏ said feast of ẏ Natiuitie of S. John Baptest, bee vtterly void, except it bee for breach of couenants or agreements or payment of rent due, or to bee due at ẏ said feast, or any time before, so that then at the same feast or within one moneth next after the same, ẏ said lessee geue knowledge to such lessor or lessors, their heires or assignes that hee will no longer occupy the same, and that then it shall bee lawfull to the

Crafts mẽ Artificers Husbãdmẽ Seruants

Tables Tennis Dice Boules Cardes For. Christmas

Bowles Garden

For. Iust. of p. Maiors Bailifes Shirifes

Imprison Mainprise Obligation

Lord

Lord of fraunchise Moitie

Moitie

Maiors Bailifes Shirifes

Proclamation Market

Iust. of g. Iust. of all. Iust. of p. Sessions

Lease

Lord

Reenter

in heritoure, lesloure or owner thereof or to his heires or assignes, in the same house, alley or place to reenter. Provided also & be it &c. that it shalbe lawfull for euery maister to licence his or their seruãts to play at cardes dyce, or tables with their said maister, or with any other gẽtleman repairing to their sayd maister openly in his or their house or in hys or theyr presences accordynge to his or their discretion. And that it shal bee lawful to euery such seruãt, for euery time so being cõmãded or licenced by his said maister, as is aforesaid, to play at cardes, dice or tables, with his said maister or other gentleman, so to hym repairing, any thing in this act to the contrary notwithstanding. Provided also & be it &c. that it shalbee lawful to euery noble man & other, hauing manors, landes, tenementss, or other yerely profit, for terme of life in his owne right, or in his wiues right, to ỳ yerely value of a hundred pound or aboue, to commaund, appoint, or licence by his or their discretion, his or theyr seruãts or familie of his or their house or houses, for to play within the precinct of his or theyr houses, gardeins or orcharders, at cardes, dyce, tables, bowles, or tennis, as well amongest themselues, as other repairing to the same house or houses. And that they so playing by commaundement, appointment, or licence as is aforesaid, shall not incurre any daunger or penalty cõtained in this act for the same, this act or any thing therein contained to the contrary thereof in any wise notwithstanding. Prouided alway & bee it &c. ỳ all informations accions & suits, now depẽding in any of ỳ kings courts, for or cõcerning any penaltie or forfeiture contained in any of the said statuts, by this act repealed, and noe iudgement therin yet geeuen, the same information, accions, & suits shall be, remaine, & stand as good & effectuall in the law, to al intẽts, constructions & purposes, as if this act had neuer ben had ne made, any thing in this act contained to the contrary therof in any wise notwithstãding. An. 33. H. 8. ca. 9.

Maister
Licence
Seruants
Cardes
Dice
Tables
Gentleman

Noble man

100. li. lãd
Licence

Cardes
Dice
Tables
Bowles
Tennis

3 ¶ That from & after the feast of the birth of our Lord God next comming euery licence, placard or graunt, made to any persõ or persons, for the hauing maintenaunce or keeping of any bowling alleys, dicing houses, or any other vnlawfull games, prohibited by the lawes and estatutes of thys Realme shal be from the said feast vtterly void and of none effect. An. 2. & 3. Philip & Mary ca. 9.

Licence
Placard

Bowling alleys
Dicing houses

Lord

## ¶ *Pleading and Pleders.*

ALL plees, which be to bee pleaded in any of hys courtes before any of his iustices, or in his other places, or before any of hys other ministers, or in the courtes & places of any other lords within the Realme, shalbe pleaded, shewed, and defended, answered, debated and iudged, in the english tongue, & that they be entred & enrolled in latin. And ỳ ỳ lawes & customes of ỳ sãe realme termes & processes be holdẽ & kept, as they be & haue ben before this time, and that by the auncient termes & formes of the declarations, no man be preiudiced, so ỳ the matter of ỳ action bee fully shewed in the demonstration and in the writt. And it is accorded by the assent aforesaid that this ordinance & statutes of pleding, begynne and holde place at the rb. day of Saint Hillary next comming. An. 36. E. 3. ca. 15.

Pleding in English Latine

## ¶ *Plees of the Crowne.*

NO sheriffe, Constable, Eschetour, Coroner, nor any other bayliffes shal hold plees of our Crowne. Magna carta cap. 17.

Shirife
Constable
Eschetor
Coroners
Bailifes

## ¶ *Plumsted marsh.*

ANno 22. H. 8. ca. 3. an act is made for the Inning & saueing of Plumstede marsh, & for ỳ paiment & leuyng ỳ tares & Scottes for ỳ sãe. And 14. El. ỳ like, but not in print.

Tax

Anns

windmill Conduit

An. 34. H. 8. cap. 25. an act is made that thinhabitantes of the towne of Poole in Dorsett shire may erect a Wyndmill and a Conduit in a waste ground of the kinges.

¶ *Poore people.*

Action

Chaūcelor

Writts

without peyment

Clerkes

Counsel Attourneis

Justices

Counsell

Attourneis

Officers

without rewards

Common place Eschequer

EVerie pore persoune or persounes whych haue and hereafter shall haue cause of action or accions against anie persoune or persons within thys Realme, shall haue by the discretyon of the Chauncellour of thys Realme for the time being wrytt or writtes originall, and writtes of the Sub pena accordyng vnto the nature of their causes, therefore nothinge payeng to your highnesse for the seales of the same, nor to any persoune for the writing of the same writte or writtes to be hereafter sued, and that the saied Chauncellour for the same time being, shal assygne such of the clerkes which shall doo and vse the making and wrytynge of the same writtes, to writ the same ready to be sealed. And also learned counsell, and attourneis for the same wythout any reward takinge thereof. And after the sayed wrytte or writtes be returned if it bee afore the kinge in hys bench, the Justices there shall assygne to the same poore persoune or persons councell learned by their discretyons, which shall geeue their counsels, nothing taking for the same, and in like wise the Justyces shall appoint attorney and attourneis for the same poore persoune and persounes and al other officers requisite and necessary to bee hadde for the speede of the sayed suites to bee hadde and made, which shal do their duties wythout any rewardes, for their counseles helpe and businesse in the same, and the same law and order shallbee obserued and kept in all such suites to bee made afore ỳ kinges Justices of his common place and barons of his Eschequer, and all other Justices in courtes of Record where any such suites shalbe. Anno. 11. H. 7. capit. 12.

¶ *Prerogatiua regis.*

FOrasmuch as the kyng hath ordained these thynges that is to saie (statut of Westminster 1.) vnto ỳ honour of god and holy church, and for the common wealth, and for the remedy of such as bee greeued, he would not that any other time it should turne in prejudice of him selfe, or of his crone, but ỳ such rightes as appertaine to hym should bee saued in all pointes Westm. 1. cap. 48.

¶ *Presentment to benefices.*

Aduowsons Parliamēt repealed

AN. 21. R. 2. ca. 8. it was enacted ỳ the kinge should haue the presentments of the aduowsons which were of certaine attainted, but this parliament was repealed by 1. H. 4. ca. 3.

¶ *President of the councel.*

Chaūcelor Treasorer Keeper of the priuie seale Shirifes wines

SEe of auctho*r*itie geeuen to the president of the Counsell. Anno. 3. H. 7. capit. 1.

2 ¶ The president of the kings sayd most honorable counsell for the tyme being, if he be then present, may be at all tymes hereafter associat with the Chauncelour, Treasorer of England and keeper of the kinges priuie Seale, for the time beeing, aswell at the naming of Shirifes and setting of prices of wines, as at all other acts limitted and appointed by anie statut to bee done by the sayed Chauncellour and Treasorer, or keeper of the kings priuie seale, for the time being: Anie act statut, or vse heretofore made or vsed to the contrary notwithstanding. Anno. 21. H. 8. ca. 20.

¶ *Primer seison.*

ALso the kinge shall haue prymer seyson after ỳ death of such as held of

Chiefe

of him in chiefe of al landes and tenementes whereof they were seysed in their demeane as of fee of what age ỳ their heires be, taking the issues if the same lands & tenements, vntill inquisition be made (as the maner is) & vntil he hath taken homage of such heirs. Prerogatiua regis cap. 3. An. 17. E. 2.

Homage

¶ *Prison, prisoners, imprisonment, Gaole & gaylours.*

TO eschew the damage and distruction that often doth happen by shiriffes, taylours, and keepers of prisons within frãchises and without, which hath pained their prisoners, & by such euil meanes compel and procure them to become appealors, & to appeal harmles & guiltles people, to thintẽt to haue raunsome of such appealed persons, for feare of imprisonment of other cause: The iustices of either bench, and Justices of assise and gaole delyuery, shall by force of this statut enquire of such compulsions, punishmentes and tormentes, and heare the complayntes of al them ỳ wil complaine by byll. And to heare & determine such playntes as wel at ỳ suit of the party as at ỳ kings suit. An. 1. E. 3. ca. 7.

Shiriffes Gaylours

Appealours

Just. of either B. Just. of ass. Enquirie

Oier & ter.

2 ¶ Where as persons endicted of felonies, robberies, and theftes, in times past haue remoued the same endictmẽt before the king, and there yelded them selfe. And by the marshales of ỳ kings bench haue beene incontinently lett to baile. And afterward haue done many euil deedes, and lyen in a wayt to slea and euil entreat their endictours. And also persons appealed of felony, after ỳ erigend awarded, haue yeelded them selfe before the king, and haue ben let to baile by the saied marshalles: It is accorded and establisshed that such endictes and appeles shalbe safely and surely kept in prison, as belongeth after the charge, as the sayd marshalles shall haue of the Justices. And if any marshal do other wise, at ỳ complaint of euery man that wil complaine: the Justice shall doe him right duringe the terme. And that in the end of the terme, the said marshals shal chose before the said Justices, beefore they depart the places, in what Towne they will kepe such prisoners at their peril. And in the same towne they shall alowe to them houses to kepe such prysoners at their owne costes and charges, as there they shall kepe them in prison, and shall not suffer them to go wandering abrod, nor by bayle nor vñ put bayle. And if any such prysoner be found wandering out of prison, by baile or without bayle, and that be found at the kings suit, or at the suit of ỳ party. The marshalles which shalbee found therof guiltie, shal haue halfe a yeares imprisonment, And beesides ỳ to bee raunsomed at the kinges wil. And the iustices shal therof make inquiry whẽ they see time. And as to the marshals it shalbee done within the vierge that that reason will. And in case that the marshalles suffer by their assent such prisoners to escape, they shallbe at the law as before this time they haue ben. And the kinge entendeth not by this statut to lose ỳ escape where he ought to haue the same An. 5. E. 3. ca. 8.

Marshal

Indictmẽt

Baile

Prisons

Imprison Raunsomed

Vierge

Escape

3 ¶ Item in the right of the gayles, which were wont to be in ward of the shiriffes, and annexed to their Bayliwickes: It is assented and accorded, ỳ they shallbee reioyned, to the shiriffes, and the shiriffes shall haue the custodie of the same gaoles, as beefore thys tyme they were wont to haue: And they shal put in such keepers for whom they wyl answere. And if it happen that the keeper of the prison or vnderkeper, by to great dures of imprisonment, and by payne make any prysoner, that he hath in his ward, to become an appealour against his will & thereof be attainted, he shal haue iudgment of life & of member. And that ỳ kinges Justices beefore whõ such case shal happẽ, shal enquire vpon ỳ trouth: And if they find by enquest theruppon taken,

Shiriffes

Keeper

Appealor

Judgemẽt

Enquest

taken ỳ any keper or vnderkeper hath done ỳ sãe, hee shalbe therof arraigned and if he bee foũd guiltie, he shal haue iugment of life & member, as afore is said. An. 14. E. 3. ca. 10.

Arraigned

Castels

4 ¶That ỳ kings castels and tayles, which were wont to be ioyned to the bodies of the counties, & be now seuered, shalbe reioyned to the same counties. An. 13. R. 2. ca. 15.

Just. of p.

5 ¶That none be imprisonned by any Iustice of peace, but only in ỳ cõmõ saile, sauing to lords & other which haue sailes their franchises in this case An. 5. H. 4. ca. 10.

Just. of K. bench

6 ¶The iustices of the kinges bench (for the time beeing) haue ful power & auctoritie by their discretions to remaund and send downe as well ỳ bodies of al felons & murderers, brought or removed, or that shalbe removed or brought before the king in his bẽch, as their endictments into the Counties, where as the sãe murders or felonies haue ben committed & done. And to cõmaund al iustices of gaoledeliuerie, iustices of peace, & all other Justices & cõmissioners, & every of thẽ, to proceede & determine vpon al the foresaid bodies & indictmentes so removed after ỳ course of the cõmon law, in such maner as ỳ sãe Justices of gaole delinery, iustices of peace & other cõmissioners or any of them mought or should haue done, if ỳ said prisoners or indictments had neuer ben brought into the said kings bench. An. 6. H. 8. ca. 6.

Cõmaund Just. of g. Just. of p. Commissioners

Shirife

7 ¶That euery shirife within euerie county wỳin this Realme of England haue the custody, rule keping & charge from the quindecem of Pasc. next cõming, of euery of the kinges common gaoles, prisons & prisoners in the same in euery of ỳ said counties, where hee is shirife during the time of his office. Except al gaoles whereof any persone or persones spirituall or temporall or body corporat haue ỳ keping of estate of inheritaunce or by succession. Ann. 19. H. 7. ca. 10.

Prison

And by that statut al patentes before made for life or yeres of the keping of any gaoles or castels wherein is such common gaoles, be made void and repealed, & euery such shirife to bee charged with the said gaoles and prisoners therin. And in the said statut bee certaine seueral fines sette for escapes, to endure to the next parlyament. And that letters patents beefore made for life, of keping of castelles, fortresses, & places and of other offices there recyted be made void and repealed.

Patents

Lloyd

Escapes

Castels

Fortresses

Lloyd

Prouided that the shirif of Surrey or any other shirife shal not haue ỳ gailes of the kinges bench and marshallie, & diuers persons that had letters patẽts to be kepers &c. bee excepted. And in ỳ said statut be certaine seueral fines set for escapes, but they were made to endure but to thend of ỳ next parliamẽt.

Shirife of Surrey

K. bench

gaole

Marshalsey

8 ¶The Justices of peace of euery of ỳ shires of Eller, Suffolk, Dorset. Sussex, Surrey, Nottingham, Glouceſter Bedford, Bucke, Huntingdon, Middlesex. Kent, Warwike, Stafford, Oron. Barkih. Leiceſter, Rutland, Lincolne Hereford, Northampton, Salope, Norffolke, Cornewall, or the most part of the sayd Justices of peace, in euery of the said shires wythin the limittes of their commission, shal haue full power and auctoritie to limit and appoint at any time within the terme of one yere from thend of this present parliament the Townes and places wherein they shall thinke most necessary to haue a common Gaile newely edified and made.

Just. of p.

Gaole

And that also the said iustices of peace in euery of the said shires, or the most part of the said iustices of peace wythin the limits of their commission, shal haue ful power and auctoritie to cal before them at times & places by them to be appointed, al the high constables tythingman, or borough holders of euery hundreth, lath or wapentake in the shire, whereof they bee Justices, &

High constables Tithingmen

in

in their presence and by their assentes and agreementes, or in the presence and by the assent of the most part of them shall conclude and agree vppon such conuenient and certaine sūmes of money, as shallbee thought good by their discretions, and by examination of wooркemenne to suffice for ẏ making and perfect finishing of a newe Jayle in the shire, whereof they be iustices of peace, & thereuppon shall forth with by their assentes, agreements, & discretion, tare & sette euery such persō and persons, as then shallbee resiaunt in the same Shire, aswel within liberties as wythout, hauinge landes tenementes, rentes, or annuities, of estate of inheritaunce, or for terme of life, to the clere yerely value of xl.s. or aboue, or beinge wooрth in moueable substāce the clere value of twenty li. or aboue, to such reasonable ayde and summes of money as shallbe thought conuenient by their discretions, to and for the full buildyng, making and finishing of the sayed common gayle of the shire, where such assessement shalbee made. And after such taxatyon to name and appoint such number of collectors for the leuying thereof, as shall seeme best by their discretions. And that the said collectours and euery of thē shall haue power and auctoritie to distraine euery such persone as shallbee sett or tared by the sayed Justyces of peace as is aforesaid in their landes or goods aswell wythin liberties as wythout, and to sel the distresses by them take by thappraisemēt of iiii. honest persons for the paiment of the said summes to be tared if the persone or personnes tared refuse to pay the same wythin v. dayes next after such distresse taken, takyng vppon euery such sale but onely the money tared, with reasonable costes for takinge of the distresse: and the ouerplus of such sales to bee deliuered to the owner of ẏ sayd distresse. And that also the sayed Justyces of peace in euery of the sated Shires, or the most part of them within the limittes of their commission, shall haue power and auctoritie to name & appoint two honest personnes inhabited in the said Shire wherein they be iustices, which two personnes shall surney, see and prouide, that the sayed gaoles shallbee surely and substancyally made and finished: to whose hāds the sayed collectours shal pay and deliuer the money by them collected of the kynges subiectes by the appointment and assignement of the sayed Justyces of peace, or vi. of them at the least. And that aswell euery of the sayed collectours, as euery of the said ti. personnes to be named, their heires executours and administratours shall declare a true and a iust accompt to ẏ sayd Justyces of peace in euery of the sayd Shires, or to vi. of them at the least from time to time whē they shal bee required. And in case any of them refuse to make accompt, or refuse to pay and employ such summes of money as shal come to their handes, in such wyse as shalbee limitted and appointed by the sayd Justices of peace, or vi. of them (as is aforesayed) ẏ then the same Justyces of peace or vi. of them in euery shire, where such gaoles shalbe newe made, shall haue full power and auctoritie if the sayed offenders bee present, to commit them to ward, and if they bee absent to make attachementes vnder their seales by their discretions, agaynst euery such collectour and person to whose hands any of the said summes of money tared shall happen to come, their heires, executours, and administratours, & euery of them, into euery shire and part of this Realme, as well wythin liberties as without, to be retournable afore the said Justices of peace, at such day and places as by them shalbee appointed, and to bee directed to the shyrife or shirifes of the shire, wherein the party or parties, agayne whom such attachment shalbe directed, shall

Taxe

Landes

Goodes

Collectors

Distreine

Typpicement

Refuse

Ouerplus

Just. of p.

Surney

Accompt

Refuse

Imprysion

Attach

Shirifs

be

bee resident and abiding, if it be with-
in the baliwicke of the Shirife, and
if it be without, then to be directed to
the bayly of the libertie, where such
partie shall abide. And that every Shi-
rife & bailife of liberties to whom any
such attachementes shall come, with-
out fauour or corruption shall attach ye
said offenders, and personally bringe
them before the said Justices accord-
ing to the tenour of attachement to
them directed, & likewise shall make
returne of the said attachement some
reasonable cause why he cannot so do,
vppon paine for euery default by them
or any of them committed, contrarie
to this act to lose and forfeit C.s. to ye
kinge our soueraigne lord. And vpon
the returne of euery such peremp-
tor attachen the said Justices or ij. of
them shall haue full power & authori-
tie to commit the same to prison, there to re-
maine without baile or mainprise till
they haue truely accomptes and made
al such summes of money as come to
their handes by vertue or reason of the
said Justices by authoritie of this act.
And in case there happen to remayne
any ouerplus of money after ye gaoles
fully and wholy finished, then it is or-
dered that the same ouerplus shalbee
imployed and bestowed in clothes for ye
prisoners, to bee committed to ye said
gaole by the discretions of ye said Justi-
ces of peace or the more part of them
as long as it will last. Prouided alway
that this act extend not to charge any
persons inhabited within any Cities,
townes or boroughes corporat, which
haue common gaoles for felons taken
in the same and haue Justices of peace
for deliuerance of such felons, for any
fees or loss to the maior of the said
common gaoles of euery the Justices a-
boue named, but that euery such in-
bitaunt in any such city, towne or bo-
rough corporat, shalbee vtterly dis-
charged therof. And be it further ena-
cted that seuerall commissions vnder ye
seuerall great seales, with this present
act therto annexed, shalbe directed to the
Justices of peace of the Shires aboue
named, authorizing them to accomp-
lishe and execute this present act accor-
dinge to the tenour thereof in eue-
ry behalfe.

And that the said Justices of peace in
euery of the Shires aboue named, haue
power and authoritie to limit to eue-
ry of the said collectours and persones
by them to bee named, that shall take
paines for leuying of the money lym-
ited for the buildinge of the maisons of
the said gaoles, such reasonable sommes
for their paines and labours for ye col-
lection of the said money and surueye-
ing the making of the said gaoles, And
that further euery of the said Justices
as that all murderers & felons shalbee
imprisoned in the said comon gaoles,
and not else where.

And that the Shirifes shall haue the ke-
pinge and charge of the same newe
gaoles. And that euery sheriffe shall
answere and accompt in the Exche-
quer for all and euery such summes of
money as he shall hereafter happen to
expend in and about the necessary re-
parations & amendement of the said
gaoles, after they be once made, from
time to time as often as neede shall re-
quire. And y^t the Barons of the Exche-
quer haue power to allow in euery
Shirife in euery such case by their dis-
crecions without any bill or warrant
to be shewed from the kinges highnesse
or that behalfe. Prouided always that
this act be not in any wise hurtfull or
preiudicial to any person or personnes
having any common gayles by inhe-
ritaunce or for terme of life or for yeres,
but that they shal haue and enioy their
said gayles, and the profitts, fees, and
commodities of the same, as they had
or might lawfully haue had before the
making of this, anye thing in this act had
neuer beene had ne made. Prouided al-
so that this prouision in euery behalfe bee
had for a newe gaole to bee made in
the County of Derby, in lyke sorte



Bailife

Attach

Default

Fol.

Imprison
Mainprise

Overplus

Fines

Cities
Boroughs

Obmissions

Justices of p.

Collectors

Allowances

Murderers
Felons
Imprison

Shirifs

Exchequer

Reparations

Barons of
the Exchequer

Warrant

Inheritaces

Derby

as is prouided for other shires afore-said. Anno. 23. H. 8. cap. 2. And after An. 28. H. 8. ca. 9. this act was continued to the last day of the next parliament. And after An. 31. H. 8. cap. 7. this act was continued to the last day of the next parliament. And after An. 33. H. 8. capit. 17. this act was continued vnto the last day of the next parliament. And after Ann. 37. H. 8. capitulo 23. this act was continued to the last day of the next parliament.

And after Anno 1. Sparke primo parliamento ca. 14. it was continued vntil the end of tenne yeares next following that parliament. It was by twice continued for tenne yeares by 5. of Elizabeth capitulo 24. And after continued for tenne yeres more by 14. El. cap. 27.

9 ¶ Where in the last parliamẽt holden at Westm. (2. An. 1. & 2. P. & M. ca. 13. Be this statut in Mainprise. 7.) amongest other things it was enacted þ̄ such iustices of the peace as have auctoritie to baile any prisoner brought before them for any manslaughter or felony before any bailment or mainprise, should take the examinatyon of the said prisoner, and informatyon of them that bring him of the fact & circumstances therof, and the same or as much therof as shalbe material to the felony, shal put in writting before they make the same bailement, which said examination together with the sayed bailement, the sayed Justices should certifie at the next generall gayle delyuery, to bee holden within the limitts of their commission, as by þ̄ same act more plainely is contained & may appere. And for asmuch as the sayed act dooth not extend to such prisoners, as shalbe brought before any Justice of peace for manslaughter or felony, and by such Justice shalbee committed to ward for the suspition of such manslaughter or felony, and not bayled, in which case the examination of such prisoners and of such as shall bring them



is as necessary or rather more then where such prysoner shallbee lett to baile or mainprise: Be it therefore enacted by thauctoritie of this present parliament, that frombencefoorth such Justices or Justice before whom any person shalbe brought for manslaughter or felony, or for suspition therof before he or they shal commit or send such prisoner to ward, shall take the examination of such prisoner & informacion of those þ̄ bring him of the fact & circumstance therof, & the sayor as much therof as shalbe material to prie the felony, shall put in writting within .ii. dayes after the said examination, & the same shall certifie in such manner and forme & at such time as they should & ought to do if such prisoner to committed or sent to ward, had bene bailed or let to mainprise, upon such paine as in the said former act is limitted & appointed for not taking or not certifying such examinations as in the said former act is expressed. And bee it further enacted that the said Justices shall have auctoritie by this act to bynd al such by recognisaunce or obligatyon, as do declare any thing materyall to proue the said manslaughter or felony against such prisoner as shalbe so committed to ward to appere at the next generall gaole delyuery to bee holden within the county, citie or towne corporate, where the trial of the said manslaughter or felony shalbe, then & there to geue euidence against the party, & that the sayd Justice shall certifie the said bonds taken before them in lyke manner, as they should & ought to certifie the bondes mentioned in the said former act upon þ̄ paine as in the said former act is mentioned for not certifying such bonds as by þ̄ said former act is limitted and appointed to be certified. An. 2. & 3. P. & M. ca. 10.

10 ¶ For asmuch as the sayd act for the making of Gaoles, made in þ̄ said viii. yeare of the raigne of the sayed late king Henry the eight (before 8.)



Iust. of p. Manslaughter Felony Examine

Examination Certifie

Certifie

Paine

Recog. Obligation

Euidence

is very good & profitable for the comō wealth of this realme. Be it therefore enacted and estabilished by thauctority of this present parliament, that the said act for making of Gaoles, & al clauses, articles, and provisions in the same contained, shall continue and endure in full force and effect, & be observed and kept in all things, unto the end and terme of tenne yeres next ensuing the last day of this present Parliament. And bee it further enacted by thauctorite aforesaid, that the Justices of peace in every of the shires named and expressed in the said act, or the most part of the said Justices of peace in every of the said shires, within the limittes of their commission, shal have full power and auctorite by vertue of this act, at all time and times within the said terme of tenne yeares, to doo, make and execute, and cause to be done made and executed, all and every such act and actes, thinge and thinges requisite for the makynge and building of the saied Gaoles, as they or any of them ought or ought at any time have done by vertue of the said act made in the said viii. yere of the said late king Henry the eight.

Provided al wayes, and be it enacted by thauctorite aforesaid, that the Justices of peace of the Counties of Pembroke, Glamorgan, Cardigan, Radnor, and Mountgomery in Wales, or the most part of them resiaunt within every of the said Counties, and al such Surveyours, Collectours, and other persounes to whom the execution of the said first recited Estatute doth or may appertaine, shal have such and like power and auctorite to doo and execute al and every such thinge and thinges for and concerninge the building and newe makyng of Gaoles as the Justices of peace & other persones before mencioned of any of the counties contayned in the said first recyted Estatut have in that behalfe. And that also the most part of the Justices of peace, resiaunt within any the counties specified in the sayed first recyted Estatut, shall and may doo and execut all and every thinge and thinges mencioned in the said first recited estatut, touching or concerning the said gaoles. Any doubt or ambiguitie here tofore had or moved, or hereafter to be had or moved not withstanding. Provided also that thinhabitauntes of any of the counties specified in ỳ sayd first recyted act, or in any of the counties of Wales, shall not bee charged by force hereof, or of the sayed first recyted act, to beare and sustaine any costes or charges for the buildyng, repayring or newe makynge of any gayle or gayles, where any other persone or persounes, bodie polytyke or corporat ought of by law, prescription, or by any other good or lawefull waies or meanes, to build make or repaire the same. Anno. 5. Elizabeth cap. 24.

Also be it enacted that the sayed acts (s. viii. H. 8. before. 8. and 5. E. cap. 24 before 10) shall extend to the sayd Countie of Cambridge, and to and for the making and repayryng of Gaoles in the same Countie, in all & every thynge and article, as fully and in as ample maner and fourme as the same actes and either of them do extend to the Counties and gaoles in them, and either of them specially mencyoned, and as though ỳ said Countie of Cambridge, and the gaole in the same County had bene in ỳ same actes, and either of them specially mencyoned: and that the sayed actes and every clause sentence and provision in them and either of them contayned, shal contynue and endure and bee observed in all thinges aswell within the said countie of Cambridge as in other the counties or shires in ỳ same acts, and in either of them specified for tenne whole yeres next ensuing the end and determination of the tenne yeres mencioned in the said act made

Gaoles

5. yeres

Just of p.

Just of p.

wales

Surveiors Collectors

Just of p.

Cambridge

5. yeres

made in the xxxiij. yeare of the raigne of our Soueraigne Lorde the Quenes maiestie that nowe is. Anno. 13. El. cap. 5.

Wherein the ministers & bishops & other ordinaries of holy churche take of the people grieuous & outrageous fynes for the probate of testamēts and for the acquaintance therof to the hinderance & hyndryng of many

Archbishop Bishops

Bishops, which may soonest make mencion hereof, do not fynde nor conceyue, that the kyng shuld be inquired by his Iustices of such oppressions and extorcions, to haue the same determined, whych as the lawes stande as of the rate of the paryse, & as the time hath bene vsed. Anno. 21. E. 3. cap. 7. Anno. 3. H. 7. ca. 8. it was enacted to endure to the next parliamēt, that ordinaries shuld take for probate of testamēts

Iustices Extorcions Oyer & ter.

in the yere of our Lord. 29. M. ye. that nothing shalbe demaunded, receyued, nor taken by any Bishop, Archdeacon, Chauncelor, Commissarie, Official, nor any other maner of person or persons whatsoeuer they be, which nowe haue or hereafter at any time hereafter shal haue auctoritie or power to take or receyue probation, inhibitions, probation of testament or testamentes, by himselfe or their sufficient deputies, registers, scribes, proctors, summoners, apparitors, or any other of their ministers, for y probation, inhibition, & approbation of any testament or testamentes, or for writing, seallyng, graūting, registring, making of inuentories, and geuing or acquaintances, or for any other maner of cause concerning the same, where the goodes of the testator or the said testament or person dying, doe not amount clerely neere and aboue the

Bishop Ordinary Archdeacō Chauncelor Cōmissarie Official

Fees

Registers Scribes Apparitors

value of C.s. sterling, except alwaye to the Quene, to whose ryght of the probate of testaments of him deceased, whose goodes shall not be aboue the same cleare value of C.s. aforesaid, any prohibition or inhibicion or examination of y goods of any man concerning intestate not being aboue the value of C.s. cleare as aforesaid, shall neuertheles the Bishop, ordinarie or other person or personnes hauing power & auctoritie to take or receyue the probation or approbation of testamentes, refuse nor to approue any such testament beyng lawfully tendred or offered to them to be proued or approued, whether the goodes of the testator or person so dying amounte not aboue the value of C.s. sterling, for that a false testament may be produced to them in writing, and make the testate seme ready to be sealed, & that the same testament be lawfully proued before the same ordinary, (before the sealyng) to be the true, whole & last testament of the same testatour, in such forme as hath bene commonly accustomed in that case, where the goodes of the testatour doe amount aboue and neere the value of C.s. and do not exceede the summe of xl.li. sterling, that the sayd Bishop, ordinarie nor other maner of person or personnes whatsoeuer they be, nowe hauing or which hereafter shall haue auctoritie to take probate or approbation of any testament or testamentes, as is aforesaid, by them selfe or any of their said registers, scribes, proctors, summoners, apparitors, nor to any other person or persons for the probation, inhibition and approbation of any testament or testamentes, or for y registring, sealing, writing, graūting, making of inuentories, geuing of acquaintances, or for any other cause concerning the same, shall take or take vpon them to be maker of any testament or testamentes, where the goodes of the testator or person dying, doe not amount clerely neere and aboue the value of C.s. sterling, except alwaye to the said Bishop or Ordinary, or to other person or persons, power

C.s.

vi.li.

xl.li.

iij.s. vi.d.

power & auctoritie to take the probation or approbation of any testament or testamentes for him or his ministers vi.s. viii.d. and not aboue, and xii.d. residue of the said iii.s. viii.d. to be to ỳ scribe for ỳ registring of the same. And wher the goodes of the testator or personne or personnes so dying, do amount euer & aboue the clere value of xl.li. sterling, that then the bishop nor ordinary, nor other person or persons, now hauing, or which hereafter shall haue auctority or power to take probate of testament as is aforesayed, by him or themselfe nor any of his or their said registers, scribes, praisers, summoners, apparators, or any other their ministers, for the probation, insinuation, and approbation of any testament or testamẽts or for the registring, sealing, writing, praysing, making of inuentories, fines geuing of acquittances or any thing concerning the said probate of testamẽt shall from the first day of Aprill, take, or cause to be taken of any person or persons aboue ỳ sum of v.shillinges, and not aboue, but of to bee to the said Bishop, Ordinary, or other person, hauing power to take ỳ probation of such testament or testaments for him & his ministers vi.s. viii.d. and not aboue, and ii.s. viii.d. residue of the said v.s. to be to the scribe for registring of the same, or els the same scribe to be at his liberty to refuse those ii.s. viii.d. and to demaũd and haue for writting of euery x. lines of the same testament, wherof euery line to conteyn in length x. ynches. i. q. And ỳ euery such bishopp or ordinary, & other person or persons so hauing, or which hereafter shall haue auctority or power to take or receiue ỳ probatiõ or approbatiõ of any testamẽt or testamẽts, as is aboue said, their registers, scribes, & ministers shal approue insinuat seale, & register from time to time ỳ said testaments & deliuer the same, sealed with the seale of their office, to the executour or executours named in any such testaments, for the said summe or summes aboue said, and in maner & forme as is aboue rehersed, to deliuer it with conuenient sped, without any fruitratory delay. And in case any person dye intestat or that ỳ executors named in any such testaments refuse to proue ỳ said testament: Then the said ordinary or other person or persons, hauing auctority to take probate of testaments as is aboue said, shal graũt the administrations of the goods of ỳ testatour or persons deceased to the widow of the same person deceased, or to ỳ next of his kin, or to both, as by the discretion of the same ordinary shalbe thought good, taking surety of him or them, to whom shalbe made such cõmissiõ for true administration of the goods, cattals & debts, which he or they shalbe so auctorized to minister. And in case where diuers persons claime ỳ administration as next of kin which be egall in degree of kinred to ỳ testatour or persõ deceased, and where any person onely desireth the administration as next of kinne, where in deede diuers persons be in equality of kinred as is aforesaid: Then in euery such case the ordinary to be at his election & liberty to accept any one or mo, making request where diuers doo require ỳ administratiõ. Or wher but one or more of them, & not al being in equalitie of degree do make request, then the ordinary to admit the widow & him or them onely making request or any one of thẽ at his pleasure, taking nothing for ỳ sãe vnlesse the goods of the person so deceased, amount aboue the value or summe of C.s. And in case ỳ goods of the person so deceased amount aboue the value of C.s. and not aboue the value or sume of xl.li. then the said bishop, ordinary or other person or persons so hauing auctority to take probate of testaments, as is aforesaid, their ministers & officers, shal take only ii.s. vi.d. sterlinge & not aboue, & that ỳ executour & executors named by ỳ testator or persõ so deceased, or such other persõ or persõs to whõ such administrat shalbe cõmitted

vi.s. viii.d.

xl.li.

Intestate

Refuse

Administration

Widow

Next of kinne

Sureties

Diuers of equalitie in kindred

Ordinaries

Widow

C.s.

xl.li.

ii.s vi.d.

Executor

Administratour

Bishop

Scribe

x. Lines xii.d.

Executor

where any person dieth intestate or by way of intestate, calling or takinge to
ꝯ creditors him or thē of such person or persons if. at the least, to whō the said persō so dying was indebted, or made any legacy & vppon their refusel or ablence, two other honest persōs being next of kin to the person so dying, and in their default or absence two other honest persones and in their presence, and by their discretions shal make or cause to be made
Inuentorie a true and perfitte inuentory of all the goodes, cattels, wares, marchandizes, as wel mouable & not mouable, what soeuer, that were of the sayd person so deceased, and the same shall cause to
Indent bee indented, whereof the one part shal be by the sayd executour or executours administratour or administratoures,
Othe vpon his or their othe or othes to be taken before the saied bishopes, ordinaries, their officials, or commissaries or other persons, hauinge power to take probate of testaments, vppon the holy Euangelist, to bee good and true, and the same one part endented shall present and deliuer into ẏ keping of ẏ saied bishop, ordinary or ordinaries or other person hauing power to take probate of testaments, & ẏ other part therof to remeine with ẏ saied executour or executoures, administratour or administratoures, & that no bishop, ordinary, or other whatsoeuer person hauing auctho ritie to take probate of testament or testaments, as is aboue saied, vpon ẏ paine in this statut hereafter conteyned, re-
Refuse fuse to take any such inuentorie or inuentories to him or them presented or tendred to be deliuered as is afore saied.

Prouided alwaies that if the person so deceased, will by his testament or last
Lands sold Money wil any landes, tenements, or hereditaments, to bes sold, that the money thereof cōming, nor ẏ profits of ẏ saied lands, for any time to be takē, shal not be accompted as any of the goodz or cattels of the said persō so deceased, & ẏ the same bishop, ordinary, or other persō or persons hauing auctority to take probate of testament or testaments, as is afore saied, vpon ẏ deliuery of the seale & signe of the testatour do cause the same seale to be defaced, & thereupon incontinent redeliuer the same seale vnto the
Deface the seale said executour or executours wythout claime or challēg thereunto to be made And in case any person or persons at any time hereafter require a copy or co-
Copies pies of the said testaments so proued, or
Inuentory of the said inuentory so made, that then the said ordinary or ordinaries, and the other persōs hauing auctority to take probate of testaments, or their ministers, shal from time to time with conue nient speed wout any frustratory delay deliuer or cause to be deliuered a true co py or copies of ẏ same, to the said persō or persons so demaunding thē or any of thē, taking for ẏ search, & for ẏ making
Serch of ẏ copy or either of ẏ said testamēt or inuentory, but only such fee as is before
Fee rehersed for the registring of the saied testament, or else the scribe or register to be at his electiō & libertie to demaūd haue, & take for euery tenne lynes ther-
x. Lines of, being of the proportion before reher sed. i. d.

t.d. Prouided alwaies that where any person or personnes hauing power or auctority to take probate of testamētz haue vsed to take lesse summes of money then is aboue saied for the probate of testamēts or commissions or administrations or other cause concerning the same, shall take and receiue such sūme or summez of money for the probate of testaments & commissions of ẏ administrations, & other causes cōcerning ẏ same, as they before ẏ making of thys act haue vsed to take & not aboue. And it is enacted, that euery Bishop, Or-
Archdeacon Chaūcellor Cōmissary Officiall dinarie, Archedeacon, Chauncellour, Commissary, Officiall, and other persōne and personnes, hauing or they which hereafter shall haue auctorities to take probate of testamentes, their Registers, Scribes, prailers, summoners, apparatours, & al other their ministers whatsoeuer they bee, that shall

do

do or attempt, or cause to be done & attempted against this act or ordinaunce in any thing, shall forfeit & lose for every time so offending to the party greeued in ẏ behalfe so much money as any such person aboue said, shal take contrary to this present act. And euer ẏ shall lose & forfait tenne poũd sterling, wher of the one moity shalbe to the king, & the other moity to the party greued in that behalfe, that will sue &c. in any of ẏ kynges courtes for the recouery of the same, in which accion no essoine shalbe admitted or allowed. And ẏ euery of ẏ same bishops and other persons, which shall hereafter incurre or fall into the dãger of such penaltie or forfeiture shal be charged onely for him selfe, And nõe of them to be chargeable to that penaltie for others offẽce. Prouided alway that this act be not preiudiciall to any ordinarye or other persone which now haue, or hereafter shall haue auctoritie for probate of testaments, but that euery of them shall and maye conuent before them all and euery persone or persones made and named executor or executoures of any testament, to the entent to proue or refuse the testement or testamentes of their testatour or testatoures, and to bringe in inuentories, and to do euery other thing concerning the same, as they might do before the making of this act, so that alwayes any such ordinary or other persone or persõs hauing such auctoritie by thẽ selfe, their commissaries, scribes registers, or other ministers aforesaid, shall not in any wise take for the same aboue the fees limitted by this act, ne in any wise attempt any thing cõtrary to any part of the same act. Anno 21. H. 8. cap. 5.

Fayl. Fayl. Moytie Bishops Ordinaris Conuent

## ¶ *Proces.*

Summons & Attachats

AN summons & attachments in plea of land, the writtes from henceforth shal conteine xv. dayes full at the least after the cõmon law, if it be not in attachment of assises taken in the kings presence, or of pleas before Justices in eyre, during the eyre, Articuli super cartas cap. 15. An. 28. E. 1.

Pleas Iust. in eire

2 ¶ Such proces shalbee made of trespas done in ẏ time of king E. father to ẏ king that now is, as in trespas done in the time of the king that now is, An. 2. E. 3. cap. 14.

Trespas

3 ¶ Where in times past some persons appealed or endicted of diuers felonies in one countie, or out lawed in ẏ same countie, haue ben dwelling, or receiued in any other countie, whereby such felonous persons endicted and out lawed, haue beene encouraged in their mischiefe because they may not be attached in an other coũty: It is enacted that the Justices assigned to heare & determine such felonies, shal direct theyr writt to all the Counties of England where nede shall bee, to take such persons endicted. Anno 4. Edwardi. 3. cap. 11.

Felons Counties Justices

4 ¶ Such proces shalbe made in a writ of debt and detinue of cattels & taking of beastes by writ of Capias, & by proces of exygent by the sheriffe as is now vsed in a writt of accompt. Anno. 25. E. 3. cap. 17.

Debt Detinue Exigent Distrike

5 ¶ In writts to be purchased agaynst those that forge or make vntrue charters or minuments and thẽ proclaime or cause to be read, like proces shall bee made by capias & exigend as in writtes of trespas. An. 7. H. 5. cap. 1.

Forgerie

6 ¶ Anno. 6. H. 6. cap. 1. an act was made to endure at the kynges pleasure for proces vppon Indictments before the Exigend.

Indictmẽts

7 ¶ Vppon euery endictment or appeale by the which any of the said lieges, dwelling in other counties then there, where such endictmẽt or appeale is or shalbee taken of treason felony, and trespas, to bee taken hereafter before Justices of the peace, or before any other hauing power to take such indictmẽts or appeals, or other cõmissioners or iustices in any coũty frãchise or

Indictmẽt Appeale Countie Treason Felony Trespas

libertie of England, before any exigend awarded vppon any indictment or appeale in the fourme aforesayd, to be taken, that forthwith after the first writ of Capias, vppon euery such endictmēt or appeal awarded & returned, an other writ of Capias shall be awarded, directed to the sherife of the coūty whereof hee which is so indicted, is or was suppoſed to be conuersaunt in the same endictement, retournable beefore the same Justices or commissioners, before whō he is endicted or appealed at a certain day, conteinyng the spaces of thres monethes from the date of ỳ said last writ, where the counties be holden from moneth to moneth, and where the counties be holden from vi. weekes, to vi. weekes he shall haue the space of foure monethes vntil the day of the returne of the same writ, by which writ of second Capias, be it contained & commaunded to ỳ same sherife, to take him which is so indicted or appealed by hys body, if he may be found within his bailiwike: and if he may not be found within his bailiwike, that ỳ said sherife shall make proclamation in two counties beefore the returne of the same writt, that he which is so endicted or appealed, shal appeare beefore the said Justices or commissioners in the county, liberty, and fraunchise where he is ēdicted or appealed at the day contained in the saied last writ of Capias, to answer to our soueraigne lord the king, or to the party of ỳ felony, treason or trespas, whereof hee is so ēdicted or appealed, after which se cōd writ of Capias so serued & returned if he which is so endicted or appeled cōe not at the day of the same writ of Capias returned, the exigend shalbe awarded againſt such persons endicted or appealed & euery of them. And if any exigend hereafter bee awarded in any such indictement or appeal, againſt ỳ fourme aforesaid, or any outlagary be vpō that pronounced, aswel the exigend so awarded, as the outlagary vpon ỳ pronoūced and euery of them, shalbee holden for none and voide, and that the party, vpon whom such exigend agaynſt the fourme aforesaid is awarded, or outlagary pronoūced, be not endamaged nor put to losse of his goods or cattels, lands or tenements, nor of his lyfe. Prouided alwayes that the statut made in ỳ last parliament of processes to bee made in such case beefore ỳ king in his bench stād in his force. And moreouer the same our soueraigne lorde the kynge, hath graunted by auctheʒity aforesaid, that euery person endicted or appealed in ỳ fourme aforesaid, from henceforth after that he be duely acquite by verdict, that hee shall haue a writte and accion vppon his case againſt euery procurour of such indictements or appeales. And like proces shalbe vpō and in the same writte, as in a writ of trespas done vō force and armes. And if such procurour be attainted in this behalfe, ỳ the plaintife shall recouer hys treble damages. Prouided alwayes that this ordinance shal not extend to endictements or appeales taken or to be taken within the county of Chester. Prouided also, that if any of the said lieges, or any of theyr heyres, be or shalbe appealed or endicted of felony or treasō, and at the time of the same felony or treason suppoſed, hee is and was conuersant within the county, whereof the indictement or appeale maketh mencion, the like proces be made againſt such indicted person or appealed, as hath bene vsed alwaies beefore this time. An. 8. H. 6. cap. 10.

8 ¶ The saied statute that is to say (8. H. 6. cap. 10 beefore 7.) be holden & kept & put in due execution in al pointes. Joined to the same, that if any such endictments, taken or to be taken beefore any iustices of peace, or beefore anye other hauinge power to take such endictments or appeals, or other Justices or commissioners in any countie fraunchise or libertie of england, shalbe remoued beefore ỳ kyng in his bench or els where by Cerciorare or otherwise, ỳ thē after such remouing beefore any

exigend

Capias Shirife Countie

iij. moneths

Counties

4. moneths

Proclamation

Appeare Justices

ij. Capias

Exigend

Outlagary

Lloyd

Acquited

Procurour

3. damages

Chester

Indictmēts Just. of p.

Remone Cerciorare

erigend awarded vpon any such indite-
met or appeale in the fourme aforesaid
taken or to be taken, that forthwith af-
ter the first writ of Capias vpon every
such enditmẽt or appeale awarded and
returned, that another writ of Capias
be awarded directed to the shrieffe of ẏ
countye wherof he that is so endited or
appealed is or was supposed to be con-
uersant by the same endictment or ap-
peale returnable before the king in hys
bench at a certaine day, conteynynge
3. monethes the space of iii, monethes or iiii. of
ẏ date of the sayd last writ of Capias
accordyng to the maner and fourme
Just. of p. that the Justices of peace and other in
the sayd fyrst statute conteined ought
to haue dõ, before such remouing after
the making of the said first statut. And
Erigend if any such erigẽd be hereafter awarded
vpon any such enditement or appeale
Outlagarie after such remouing against ẏ fourme
aforesaid or any outlagary therupõ pro-
nouced as wel the same erigẽd so a war-
ded as the outlagary therupon to be pro
nounced and euery of thẽ shalbe holden
Lloyd for none and voide, according as in the
said first statute is more fully conte-
ned, An. 10. H. 6. ca. 6.

9 ¶ Like proces to be had hereafter in
Accion on the case accions vpon the case as well sued as to
be vsed in any of the said courts (.s. the
kynges bench and common place) as
in accions of trespas or debts. An. 19.
H. 7. cap. 9.

10 ¶ Like proceſſe be had hereafter in
euery actiõ frõhẽcefoorth to be brought
Statut vpon ẏ said statute (s. Anno. 5. R. 2
Forcible entrie cap. 7. which is in Forcible entre. 1.) as
in a cõmon actiõ of trespasse of ẏ cõmõ
Annuitie law, & ẏ like proceſſe to be had in euery
Couenant writ of annuitie & couenãt hereafter to
be sued as in an action of debt. Anno.
23. H. 8. cap. 14.

11 ¶ Be it &c. that when and as often
as any person or persons after the first
day of January next commynge, shall
sue forth, or by any means cause or pro
cure to be sued forth of the said court,
K. bench commonly called the kinges Benche,
any of the writs or proceſſe before mẽ-
cioned (Latitat, Alias and Pluries
Capias) against any person or persons
which vpon the same writt or wrytte
shall happen to bee arrested, or which
shal appeare vppon the returne of any
the saied writtes or proceſſe, and shall
putte in his or their baile or bailes, to
answer such suit as shalbe obiected a-
gainst him, accordinge to the common
order of the Court: that then in euery
such case, if ẏ party or parties, at whose
suit, meanes or procurement, the same
writ or writes, or proceſſe, was obtai-
tained or sued forth do not within three
dayes next after such baile had and ta-
ken, put into the same court his or their
declaration against the same party or
parties, against whom such writes or
proceſſe hath beene or shalbee sued, or if
after declaration had and put into the
same Court, the plaintife in such case
shal not prosecute the same with effect
but shall willingly and apparantly to
the same Court, suffer his or theyr said
suit to be delayed, or shall after declara-
tion so had, suffer the same suit to be dis
continued or otherwise shalbe nonsuit
in the same: That then in euery such
case, the Judges of the saied Court for
the time beeing, shall by their discreti-
ons from time to time as they shal see
or perceiue any such default to be in the
partie or parties at whose suit, meanes
or procurment, such writs or proceſſe
was sued forth, award & iudge to euery
such person & persons, so arrested, ber-
ed, molested, or troubled, by such writs
or suit, his and their costes, damages, &
charges, by any meanes susteined by
occasion of any such writs, proceſſe, ar-
restes or suits takẽ, sued or had against
him, to be paied by such persõ or persõs
ẏ so doth, or shal cause or procure any
such writtes or proceſſe to be sued forth
as is aforesaid.

¶ And bee it further enacted by au-
thoritie aforesaied, that if any person
or personnes, shall after the fyrst day
of January, cause or procure any other
Latitat
Alias
Pluries
Baile
3. Dayes
Declaration
Prosecute
Delay
Discõtinued
Nonsuit
Judges
Del.
Cost
Damages
Charges
Procure

Arrest

Marshalsy
London
Cities
Boroughs

3. Dayes

At courts

Def.

Day

Bill
Declaration

Prosecute

Discontinued
Nonsuit

Delay
Judges

persone or personnes, to be attached, or arrested to answer to any bille, plaint accion or suit, in the said court of Marshalsey, or in any court within the said City of London or in any Cities, Boroughs, Towns corporate, or other place or places, where any libertie or privuledge is used to holde plee, in any accion or accions personall and doo not in all courtes hauing theyr continuance De die in diem wythin three dayes next after such time as the party defendant or defendauntes shalbee bayled, or otherwise appeare in court, by force of any arrest or attachement had and returned, and in all other courtes at the next Session or court to be holden, after such arrestes or attachementes and apparaunce of the party defendaunt or defendauntes, where as the said party defendaunt or defendauntes shalbee compelled, or ought to appere, vnlesse a further day shall bee especially geuen by the discretion of the court frō whēce any precept, procesle, or attachement shalbee awarded, putt and exhibite his bill, or declaration against such person or persons as so by hys suit and meanes shalbee attached or arrested into such Court, where the party by such attachmentes or arrest, is compelled or ought to appeare, or if any such person or personnes, at whose suit or meanes any such attachement or arrest of any person or personnes, shall be so hadd or made, after hys declaration, bille, or plaint exhibited, doe not from thencefoorth prosecute the same hys suit wyth effect, or shall suffer the same to be discontinued, or shall after bee nonsuyt in the same, or willingly and apparantly to the same Court, shall for veration of the defendaunt in such suit delay the same suit: That then in euery such case ỳ Judge or Judges of euery such court before whom any person or personnes shall so bee sued, molested, or troubled, by occasion or meane of any such attachement or arrest, or by such suyt or suites, shall forth with, by hys or theyr discretion, from time to tyme, as hee or they shall see or perceyue any such default or delay, in the partie that caused or procured any such attachement or arrest to bee had, award and iudge to euery such personne or personnes, which after ỳ said first day of January shall so bee attached, arrested, molested vexed, or troubled, his costes, dāmages & charges by any meanes sustained by occasion of any such attachemēt, arrest and suit so had and taken agaynst him, to bee payed by such personne or persons, that so doth, or shall cause or procure any such attachement or arrest to be so had or made.

Cost
Damages
Charges

And if any person or persons, at any time after ỳ first day of January, shall by any way or meane, maliciously, or for veration and trouble, cause or procure any other person or personnes, to be arrested or attached, to aunswer in any the courtes or places aforesaid, at the suit or in the name of any persone or persones, where in deede there is no such person or persons knowen, or with out the assēt, consent, or agreement, of such person or personnes, at whose suit or in whose name such arrest or attachement is or shalbee so had, and procured: that then euery such persone or persones, that shall so cause or procure any such arrest or attachement of any other person or persones, to be hadd or made, for veration or trouble, as is aforesaid, and shall therof be conuicted or lawfully accused, by inditement presentment, or by the testimony of two sufficient witnesses, or mo, or other due proofe, shall for euery such offence by hym or them committed, done, or procured, haue and suffer imprisonment of his or their body or bodies, by the space of fire monethes, wythout bayle or mainprise: And before he or they shalbe deliuered out of prison, shal pay vnto the party or parties so arrested or attached by hys or theyr meanes or procurement, treble ỳ costes, charges, damages, and expences, that hee or they shalbee

Vexation
Arrest
Unknowen names
Conuict
Indictmēt
Presentmēt
2. Witnesses
Imprison
Mainprise
3. damages

shalbee put vnto, by reason or occasion of such attachement so had, and shal also forfait and pay vnto such person or personnes in whose name, or at whose suit he or they shal so procure such arest or attachement to bee hadd or made, if then there shalbe any such person knowen, the summe of tenne pounds for euery such offence.

Forf.

x.li.

And be it further enacted by the auctoryte aforesaid, that euery person and personnes to whom any costes, charges damages, forfaiture, or paiment of any summe or summes of money, by auctority of this act shalbe awarded, iudged, or forfaited, shall, and may at al times hereafter, haue his or their remedy for the recouery therof, by accion of debt, bill, or plaint, in any court of record against such personne or persons, their heires executours, or administratoures, as should or ought to pay the same by vertue or force of this act. In which accion, bill, or plaint, no essoine, protection or wager of law shalbe admitted or allowed to any ỹ defendãt or defendaũtes in ỹ same. An. 8. El. ca. 2.

Accion of debt
Bill
Plaint
Heires
Executors
Administrators

¶ *Procheine amy.*

IF a wardeine or a chiefe Lord enseffe any man of land that is the inheritance of a child within age, and in his ward, to the disheritaunce of the heyre. It is prouided, that the heyre shall forthwith haue hys recouery by assise of nouel dissesin against his warden, & against ỹ tenãt, & ỹ seisin shalbe deliuered by ỹ Iusticers (if it be recouered) to the nert friend of the heyre (to whom the inheritance can not discend) for to improue to the vse of the heire. and to answere for the issues vnto the heire, when he shal come vnto ful age. and the warden during his life, shall leese the custody of the thing recouered and all the inheritance that hee holdeth by reason of the heyre. And if an other wardeyne then the chiefe Lord doe it, hee shall leese the wardship of altogether, and bee greuously punished by the king. And if the infant bee caried away, or distourbed by the warden, or by the seffer, or by other, by reason whereof he can not sue hys assise, then may one of hys nert fryendes (that wyll) sue for hym, which shall bee thereto admitted. Wi. 1. cap 48. An. 3. Ed. 1.

Ward
Heire
Recouery
Nouel diss.
Gardian
Punish.
Infant

2 ¶ In euery case where such as bee within age may sue, it is ordeined, that if such bee eloigned, so that they cannot sue personally, theyr nert frendes shall bee admitted to sue for them, Wi. 2. cap. 15. An. 13. Ed. 1.

¶ *Proclamations.*

AND for as much as there is more encrease of malefactoures in the Realme then is expedient for ỹ cõmonwelth, and that robberies murders and manslaughters are committed out of measure, and the peace little obserued, by reason that the statut which ỹ king not lõg past made at wincheſter, is not obserued: The kyng will that the same statut be sent againe into euery county to be read & published foure tymes in the yere, & kept in euery poynt as strait ly as the two great chartours, vpõ the paines therin limitted. And for the obseruing and maintenaunce of the statut the knyghtes that bee assygned in the sheres for to redresse thynges done against the said great chartours, shalbee charged, and shall haue theyr warrant therefore. Articuli super cartas ca. 17. An. 28. E. 1.

Statut of Wincheſter
Knights.

2 ¶ For the greuous mischiefes and complaintes that doo daily happen of robberies, thefles manslaughters, brenning of houses, and rydinges in routes and greate companyes in euery part of the Realme: It is ordeyned and stablished, that the statut of Wynchester (the tenour whereof is sent by our soueraigne Lord the kynge thys peare last past into euery county of England to be proclaimed) bee holden and kept in al pointes and put in good and hasty execution at the complaynt and

Statut of Wincheſter

purſuit of euery man that feeleth hym greeued againſt the tenour of the ſame And to the intent that no man ſhall excuſe himſelfe by ignorance of the ſaid Shirifs ſtatut, it is alſo alſo ordeyned by euery ſheriffe of England, ſhall be bound from hēce forth in proper perſon to make proclamation of the ſame ſtatut iiii. times in a yeare in euery hundred of hys bayliwyke, & by his bayliffes in euery market as wel within liberties as without An. 7. R. 2. ca. 6. Bailifes

Juſt. of p. 3 ¶Euery Juſtice of peace within euery ſhere within this his ſaid Realme within the ſhere where he is Juſtice of peace do cauſe openly and ſolemply to bee proclaimed yerely four times in a yere, in ſower principall ſeſſions the tenour of this proclamation to thys byll annexed, & that euery Juſtice of peace being preſent at any of the ſaid ſeſſions if they cauſe not the ſaied proclamation to bee made in fourme aboueſaid, ſhall forfait to our ſaied ſouereigne Lord at euery time. xx. s. Seſſions Forf.

*¶The proclamation.*

HEnricus dei gratia &c. The kynge our Soueraigne Lord conſidereth how daily within thys Realme, hys coyne is traiterouſly counterfayted: murders, robberies, felonies, been greuouſly committed & done, alſo vnlawfull retainers, idleneſſe, vnlawfull plaies, extorcions, miſdemeninges of Shirifes, eſchetours and many other enormities and vnlawfull demeanings daily groweth more and more within this his Realme, to the great diſpleaſure of God, hurt & impouerithing of hys ſubiects, and to the ſubuercion of the policy and good gouernaunce of this his Realme: and by theſe ſaied enormities and miſchieles his peace is broken, his ſubiectes troubled, inquieted, and impouerished, the huſbandry of this land decaied, whereby the Church of Englād is vpholden, the ſeruice of God continued, euery man thereby hath ſuſtenaunce, euery inheritour hys rent for his land: For repreſſing & auoyding of Coyne Murderers Felonies Retaynors Vnlawfull games Shirifes Eſchetors

the ſaid miſchieles, ſufficient lawes & ordinances bee made by auctority of many and dyuers Parlements holden within this Realme, to the great coſts of the kyng, his Lordes and commons of the ſame, and lacketh nothing, but þ the ſaid lawes be not put in due executiō, which lawes ought to be put in due executiō by þ Juſtice of peace in euery ſhere of this Realm, to whō his grace hath put and giuen full auctority ſo to doe ſith the beeginnyng of his raigne. Juſt. of p.

And now it is cōmen to his knowledg þ his ſubiects be litle eaſed of þ ſaid miſchiefs by þ ſaid Juſtices, but by many of thē rather hurt thē helped. And if his ſubiects cōplain to theſe iuſtices of peax of any wronges done to thē, they haue thereby no remedy, and the ſaied miſchieles do encreaſe and not ſubdued.

The kynges grace conſidereth that a great part of the welth and proſperity of this Land ſtandeth in that, that hys ſubiectes may lyue in ſuerty vnder his peace in theyr bodies and goodes and that the huſbandry of this Land may encreaſe and be vpholden, which muſt be hadde by due execution of the layed lawes and ordinaunces: chargeth and commaundeth the Juſtices of peace of this his ſhere to endeuor thē to do & execute the tenour of theyr commiſſion, the ſaid lawes and ordinaunces ordeyned for ſubdewinge of the premiſſes as they will ſtand in loue and fauour of his grace, and in auoyding of the paynes that be ordeined if they do the contrary. And ouer that, he chargeth, and commaundeth, that euery man, what degree or condicion that he bee of, that lett them, in worde or deede, to execute their ſaid auctority in any maner or fourme aboueſaied, þ they ſhewe it to his grace. And if they do it not, & it cōe to his knowledge by other then by thē they ſhal not ſtand in his fauour, but be taken as men out of credence, & be put out of commiſſion for euer. And ouer this, hee chargeth & commaundeth all manner of men, as well the poore as & riche Juſt. of p. Put out of cōmiſſion

rich, which be to him al one in due mi-
nistration of Justice, that is hurt or
greued in any thing, that the said Jus-
Oier & ter. tice of peace may heare, determine, or
execute in any wise, that he so greued
Cõplaint Just. of p. make his complaint to the Justice of
the peace, that next dwelleth vnto him
or to any of his fellowes, and desire a
remedy, And if he then haue no reme-
dy, if it be nigh such time as his Justi-
Just. of ass. ces of assises come into that shire, that
then he so greued, shew his complaint
to the same Justyces. And if he then
haue no remedy, or if the complaynt
be made long before the commynge
of the Justices of assise, then he so gre-
ued come to the kinges highnesse, or
King Chancelor to his chauncellour for the time being,
and shewe hys griefe, and his sayed
highnesse then shall send for the saied
Justices to know ỳ cause why his said
subiectes be not eased, & his lawes exe-
cuted, wherupon if he find any of them
in default of executing of his lawes, in
the premisses, according to his hyghe
nesse commaundement, he shal do him
Put out of commission so offending to be put out of the com-
Punish mission, & furthermore to be punished
according to his demerites. And ouer
that his said highnesse shal not lett for
any fauour, affection, cost, charge, nor
Execution of law any other cause, but that he shal see his
lawes to haue plaine and true execu-
tion, and his subiectes to liue in suertie
of their landes, bodies, and goodes, ac-
cording to his said lawes, and the sayd
mischiefes to be auoyded, that his sub-
iects may encrease in wealth and pros-
perity to the pleasure of God. Ann. 4.
H. 7. cap. 12.

4 ¶ An. 13. H. 6. ca. 2. an act was made to endure for vii. yeres ỳ writts with proclamation should be made a-
Writts Priuie seales Forf. gainst them, that disobey the kinges writts or priuy seales, & certayne for-
faiture & punishment against them.

5 ¶ Anno. 31. H. 8. cap. 8. an act was made, that proclamations made by ỳ king with the aduise of certaine of hys councell named in that act should bee obeyed and kept as though they were made by act of parliament. And after An. 34. H. 8. cap. 23. an other act was made concerning the offenders of the said former act, but both these actes were repealed by 1. E. 6. ca. 12.

Act of parliament

Repealed

## ¶ *Procurements.*

FOr almuch as lords of courtes, and other that kepe courts, & stewardes, intendinge to greeue their tenauntes, (where they haue no lawful meane so to do) procure other to moue matters against them, and to put in suertie and other pledges, or to purchase writtes, & at the suit of such playntifes compell them to followe the countie, hundred, wapentake, and other like, vntyll they haue made fine with thẽ at their will: It is ordayned, that it shall not bee so vsed hereafter. And if any be attached vpon such false complaintes, hee shall repleuy his distresse so taken, and shal cause the matter to be brought afore ỳ Justicers, before whom if the shirife, baylif, or other lord (after ỳ ỳ party distreigned, hath formed his plaint) wyl aduowe the distresse lawfully take by reason of such complaintes made vnto thẽ, & it bee replied, that such plaintes were moued maliciously agaynst the party by the solicitation or procuremẽt of the shirife, bailife, or lord, the same replication shallbe admitted, & if they be conuict hereuppon, they shall make fine to the king, and nevertheless re-
3. damages store treble damages to the partie gre-
ued. Westm. 2. ca. 36.

Lords Courts Stewards

Suertie

Repleuy

Shirife

Malice

Warlike Lord

## ¶ *Prohibition & consultation.*

IN tithes oblatiõs, obuẽcions mor-
tuaries (sithence they are purposed vnder these names) the kinges prohi-
bytion shall hold no place, although for the long withholding of the same the money may bee esteemed at a summe certaine. But if a clerke or a religyous manne doo sell hys tythes beeyng in the barne, or other where to any man for money, if the money be demaunded before

Tithes Oblations Mortuaries

Spiritual Judge Sale Temporal Tythes

before a spiritual iudge, the kings prohibitions shall lie, for by the sale the spiritual goods are made temporall, & the tithes turne into cattels.

Also if the debate do arise vppon the right of tithes hauing his originall of the right of the patronage, & the quantitie of the same tithes doo passe the iii. part of the goodes of the Church, the kinges prohibition shal hold place, if the cause come before a iudge spirtual.

Penance Pecuniar

Also if a prelate enioyne a penaunce pecuniary to any man for hys offence and it bee demaunded, the kings prohibition shal hold place. Notwithstanding if prelates enioyne a penaunce corporall and the partie wyll remedy such penaunces by money if money bee demaunded before a iudge spiritual, the kynges prohibition shal hold no place.

Corporal

Moreouer if any lay violent handes on a clerke, the amendes for the violence done shalbee made in the kings court.

Clerke

Excõmunication

And for excõmunicatiõ before a prelat where penaunce corporall is enioined, if the defendour will redeeme hys penaunce by geuing money to ỳ prelat, or to the partie greeued, it shalbe required beefore the prelat, and the kynges prohibition shall not lie, Articuli cleri ca. 1. 2. & 3.

Penance Money

2 ¶ Also if any do arere in his ground a mille of newe. And after the person of the same prelate demaundeth tythe for the same, the kynges prohibityon doth issue in this fourme.

Mill

Tythe

The aunswere, Quia de tali molendino hactenus decime non fuerunt solute, prohibemus &c. Et sententiã excommunicationis, si quam hac occasione promulgaueritis, reuocetis omnino. In such case the kings writ of prohibition was neuer yet graunted by ỳ kings assẽt, nor neuer shal, which hath decreed ỳ it shal not hereafter lie in such cases. Articuli cleri ca. 5. An. 9. E. 2.

3 ¶ The king to his iudges sendeth greetinge. Wee pray you circumspectly in all matters concerning the Bishop of Norwich & his clergy, not punishinge them if they hold plea in Court Christian of such thinges as bee merely spirituall, that is to witte of penaunce enioined for deadly sinne as for excommunicatiõ aduoutrie, and such like, for the which many times corporall penance or pecuniarie is enioyned, specially if a free man be conuict of such thinges. Also if prelats do punish for leauing Churchyards vnclosed or for that the Church is vncouered or not conueniently decked, in which cases none other penãce can be enioyned but pecuniary.

Norwich Court christian

Penance Excommunicatiõ Aduowtry

Churchyard Church

Pecuniare

Item if a person demaund of hys parishens, oblations and tythes due and accustomed, or if any persone plead against another for tithes more or lesse so that the iiii. part of the value of the benefite be not demaunded.

Oblations Tythes

Item if a person demaũd mortuaries in places where a mortuary hath vsed to be geuen.

Mortuary

Item if a prelate of a Church or of a patrone demaund a pencion due to them selues, all such demaunds are to bee made in a spirituall court. And for laying violent handes on a preest, and in cause of diffamation, it hath beene graunted already that it shalbe tried in a spiritual court when money is not demaũded, but a thing done for punishment of sinne, and likewise for breking an othe. In al cases afore rehersed the spiritual iudge shal haue power to take knowledge notwithstanding the kings prohibition. An. 13. E. 1.

Pencion

Diffamatiõ

Othe Spiritual Judge

4 ¶ Whereas ecclesiastical Iudges haue often times surceased to procede in cases moued before them by force of ỳ kings writ of prohibition, in cases where as remedie could not be geuen to ỳ complainãts in ỳ kings court by any writ out of the chauncery, because ỳ such complayntes were differred of their right & remedy in both courts as well temporall as spirituall to their great dammage, like as the king hath beene aduertised by the grieuous complaint of hys subiects, Our soueraygne lord

Spiritual Judge

Bishop of

lord the kinge commaundeth ỳ where ecclesiasticall iudges do surceasse in the forsaid cases by the kings proclamation directed vnto them, that the Chauncelour, or the chiefe Justicer of ỳ kyng for ỳ time being, vpõ sight of ỳ libel of ỳ sãe matter at the instaunce of the pl. if they cause that the case can not bee redressed by any writte out of ỳ chaũcery, but that the spyritual court ought to determine the matters, shal writ to the iudges before whom the case was first moued, that they procede therein notwythstandynge the kynges proclamation to them directed beefore, stat. de consultatione edito Anno. 24. Elizabeth. I.

Chaūcelor Chiefe iust. Libell

Spiritual court

5 ¶ Edward &c. To the Prelates officers of Archdeacõs, and other ministers spirituall thorough the Dioces of Norw. greeting, whereas cognisãces of plees vpon feodals, and liberties of feodals, distresses, offices of ministers, executiõs done against our peace denials of felons, customes secular, attachments, vilaica, ydoers, robbers arraigned, arrestes, manours, aduowsons of Churches, conuencions sufficient, assises sworne, recognisaunces, touching lay fee, and other matters & causes of money, and of other cattells and debtes, which not of testament or matrimony, partaine to our Crowne and dignitie, approued, and hitherunto obserued in the same Realme by custome of the same Realme. And the high or noble men or other of the same Realme in the time of our auncestors, or our, kings of England, by any authoritie haue not vsed against such custome vppon such matters in cause to be drawen or compelled to appeare before any spirytuall iudge. And we and our predecessours the custome aforesaid for vs and others of the same realme haue alwaies vsed such liberties as pertaine to our regal dignitie. And you, & your ministers of the communaltie of our counties of Norff. and Suff. which for such things at sundry tymes, at your pleasures draiwe beefore you in the spiritual court, as by relation of our well beloued we haue for certentie heard say, wee prohibite you that you hold no such plee in the spiritual court, chefely seeinge such plees appertaine vnto vs, and not to any other in the same Realme. And we vpon these and other, whose cognisãce pertaineth vnto vs, ar ready by vs and our mynisters in our court to geue ful and speedy Justice to any whatsoeuer, But we commaund our welbeloued & faithful R. four shiriles of our forsaid Counties, and taking vnto you others in those parties ỳ they straitly forbid on our behalfe ỳ premisses & other such like, in preiudice of our regall honour. And that if any of you hold such plees or if any prosecute the same beefore you in the spirituall court agayust our prohibition aforesayed, our sayed therike bringe you & others holdyng and following such plees, by suerties and safe pledges, that you or they be before our Justices at Westminster at a certaine day to aunswere beefore thẽ vpon the premysses, and to doo further which hitherunto in such cases and the like hath beene accustomed to be done. And that they suffer not, that any lay men in their Baylywycke come together in any places to make any recognysaunces by theyr othes except in causes of matrimony and testamentary, And that they presume not to enterpryse vpon such fees, debts and Cattailes beefore you, and other spirituall Judges belongynge to our Crowne and honour, in preiudice of our princely iurysdyccion, And that whych you shall doo of those matters in this beehalfe, you doo fully geeue as to vnderstand, In witnesse where of &c. witnesse &c. A prohybytyon made vppon the Articles of the clergie.

Norwich Plees

Money

6 ¶ They that purchase a prohibition and

and attachment against the ordinaries of a thing that belongeth not to the lay Court, shal yeld damages to the Ordinaries by the award of the Justices &c. In nouis ordinationibus. An. 5. E. 2.

Repealed

But it is repealed An. 15. E. 2. I finde not this but in the abridgement.

7 ¶The commons doth grieuously complaine, that when diuers persõs as wel clerkes as lay people, hath bene endicted before the Shiriles in their tournes, and afterwards bee deliuered by enquestes procured before the Justices: after their deliuerance they doe sue in the spiritual Court against such endictors, surmising against them that they haue defamed them to the great damage of the endictours, wherefore many of the people in the shires bee in feare to endict such offendours. The king will that in such case every man that feeleth him selfe greeued thereby, shall haue a prohibition fourmed in the Chauncery vpon his case. An. 1. E. 3. cap. 11.

Clerkes Indict Shiriles Enquest

8 ¶That no prohibition go out of ỹ Chaūcery, but in case where we haue the conisaunce & of right ought to haue An. 18. E. 3. cap. 5.

9 ¶Item at the complaint of the said great men and commons, shewing by their petition, that where as they sell their great wood of the age of. xx. yeres or of greater age, to marchãts to their owne profit, or in ayde of the kyng in his warres, persones & vicars of holie church do implede & draw the sayed marchaunts in the spirituall court for the tithes of the said wood in the name of this word called Silua Sedua, where by they cannot sell their woodes to the derie valour, to the great dammage of them & of the Realme: It is ordayned & stablished, that a prohibition in thys case shalbe graunted, and vpon ỹ same an attachement as it hath beene vsed before this time. Anno. 45. Edwardi tertii. capitulo. 3.

Great wood Marchants warres

Tythes Silua sedua

Attachmẽt

10 ¶Where as a Cõsultation is once duely graunted vpon a prohibitiõ made to the Iudge of holie church, ỹ the same Iudge may procede in the cause by vertue of ỹ same consultation, notwithstanding any other prohibition thereupõ to him deliuered. Prouided alwaies that the matter in the libel of the sayd cause be not augmented, enlarged, nor otherwise chaunged. An. 50. E. 3. cap. 4.

Spiritual Judge

¶*Prophesies.*

Anno. 3. Ed. 6. cap. 15. was an act made against prophesies to endure to the end of the next parliament, & after An. 7. E. 6. ca. 11. it was cõtinued to endure to the last day of ỹ next parliament, & then it expired.

2 ¶Be it ordained &c. that if any person or persones after the first day of May next comminge, doo aduysedly and directly abuaunce, publish, and set forth by writing, printing, singinge, or any other open speach or deede, to any person or persons any fond fandtastical, or false prophesie, vppon or by the occasiõ of any armes, fields, bests, badges, or such like things accustomed in armes, cognisances, or signets, or vpõ or by reason of any time yeare, or day name, bloudshed, or warre to thintent therby to make any rebellion, insurrecciõ, dissension, losse of life, or other disturbãce within this realme and other the kings dominions, that then every such person being therof lawfully conuicted, according to the due course of ỹ laws of this realme, for euery such offence shall suffer imprisonment of hys body by the space of one yere without bayle or mainprise, and shal forfait for euery such offence the summe of tenne poundes. And if any such offendour do after such conuicciõ offsones offend in any of the premisses, & be therof lawfully conuicted as is aforesaid, that thẽ euery such offendour shal for his secõd offence and conuiction as is aforesayd suffer imprisonment of hys body without bayle or mainprise during his lyfe, and shal forfait al his goodes and catels reals and personals. The moities of

Writting Printing Sing

Armes Badges

Rebellion Insurrection

Conuict

Imprison

Mainprise For.

Offence

Imprison Mainprise For.

Moitie

of euery which forfaitures ſhalbe to ỹ Quęenes highneſſe, her heires and ſucceſſours, and the other moitie thereof, to him that ſhal or will ſue for ỹ ſame in any of the Quęenes courtes of record, by accion, bill, plaint, or information, in which caſe no eſſoine, wager of lawe, or proteccyon ſhalbe allowed or admitted.

And be it further enacted by the authoritie aforeſayed, that al and euerie Juſtice of Aſſiſe, Juſtices of Oyer & determiner, Juſtyces of Peace, ſhall haue ful power and authoritie by ver tue hereof, to enquire heare and determine, al and euery offence or offences aboueſaid committed or done within the limittes of their commiſſion, contrary to ỹ tenor and meaninge of thys act. Prouided alwaies, and bee it enacted by the authoritie aforeſaid, that no perſonne or perſonnes, ſhall at any time hereafter bee impeched for anie offence hereafter to bee committed or done, contrary to this act, vnleſſe hee bee therfore impeched or accuſed with in fyre monethes next enſuynge any ſuch offence by him or them committed or done. An. 5. El. ca. 15.

Juſt. of aſſ. Juſt. of oier Juſt. of p. Oier & ter.

6. monethes

¶ *Protecion.*

EDward by the grace of God &c. To al his true and faithful ſubiects greeting. For as much as many doo purchaſe the protection of our Souereaigne lord the king, affirminge ỹ they were out of the Realme in the kings ſeruice: It is prouided, that if their aduerſary will challenge the proteccion, and immediatly when it is ſhewed in the court, will auerr that they were within the kower Seas, and out of ỹ kynges ſeruice in a place certayne, ſo that they might haue conueniently appeared, their challenge ſhalbee entred and the matter ſhal remaine without day according to the nature of ỹ proteccions. And when it ſhalbee reſomoned, and the party commeth into the court, hee ſhal demaund iudgment and hearing of the proceſſe, and offer to auerr his challenge. if his aduerſary will attend. And if the countre do paſſe againſt him that caſt it, the proteccion ſhall tourne as a default to him ỹ caſt it, if he bee tenaunt. And if hee bee demaundaunt, he ſhal loſe hys writ, and ſhalbe amerced vnto the kinge. Geuen at weſtminſter the eightenth day of November, the thirty three yere of king Edward, ſone of king Henry. An. 33. E. 1.

Ouer ſea

Challenge

Auerre

Default Tenant Demaſided

2 ¶ The king to all &c. Recitinge the ſtatut of Anno 3. E. 1. &c. We graunt and commaund for vs and our heires, that no Sheriffes, or other our miniſters or of our heires, or other whatſoeuer, preſume to threſh any corn, and the ſame, or any other victualles, or goodes, or elſe Horſes, Oren waines, Cartes, ſhippes or Battels of Prelattes, Religious men, Perſons of Churches, or others of ỹ clergy, vnder colour of buyinge or other meanes in market Townes, or elſe where againſt the willes of the owners thereof, or the Cuſtody of them, do take, carry or lead away, or by ſuch meanes do extorcion to any man, vnder all and ſinguler the paines aboueſaid. And that al and ſinguler perſones comming againſt the premiſſes, without excuſe whatſoeuer ſhall ſuffer the paines aforeſaid, And that al and ſinguler our miniſters and our heires, vz. euery of them, as much as to him by reaſon ſhal appertaine, comming contrary to this act, ſhal ſuffer the paines aforeſaid, And that they whych ſhall happen to be committed to prylon by ſuch meanes, ſhall not bee deliuered out of the ſame, without the eſpeyall commaundement of vs & our heires. In witneſſe whereof &c. witneſſe my ſelfe at Yorke the 24. day of nouember in the 10. yeare of our raigne. A letter patent vpon the taking of goods of the clergy. See puruciours. 6.

Sheriffe

Clergy Church

Take Extorcion

Impriſon

3 ¶ For as much as our ſouereigne Lord the king hath made before this time

time diuers protectiõs of diuers people which were boũde to him in any maner of debt, ỹ they should not bee impleded of the debtes which they owed to other, till they hadde made gree to our Soueraigne lord the king of that that to him was due by them, by reason of his prerogatiue, and so during such protectiõns, no manne durst implede such debtours: It is accorded and assented, that notwithstandinge such protectyons, the parties which haue actions to their debtours, shalbee aunswered in ỹ kinges court by their debtours. And if iudgement be thereupon geuen for the plaintife or demaundant, the execution of the same iudgement shall bee put in suspence till gree bee made to the kyng of his debt. And further they shal haue execution agaynst the debtours of the debt due to them, and also shal recouer againſt them as much as they shal pay to the kyng for them. Anno. 25. Edwardi. 3. cap. 19.

Junswere

Iudgemẽt Execution

Suspence

4 ¶ From henceforth no protectyon with the clause of Volumus bee allowed before any iudge for vitailes taken or brought vpon the voiage or seruice whereof ỹ protection maketh mẽtion, nor also in plees of trespas, or of other cõtract made or perpetrate after the date of the sãe protection. Anno. 1. R. 2. capitulo. 8.

Vitailes

5 ¶ No protection with clause De profecturis bee allowed in anie plea whereof the suit is commenced before the date of the protection if it be not in the voyage that the king him selfe goeth, or other voyages royall, or in the kynges messages, for busynesse of the Realme, but they that bee impleaded shall make their attourneys for to aunswere for them in such pleas, or else they shall tarie them selues if they will: howbeit it is not the intent of the makyng of this statute, but that the protection with clause Quia moratur, bee allowed in all cases, as they haue been before this time. And if anie tarie in the countrey, without goyng to their seruice for the whych hee is retayned, ouer a conuenyent tyme after that hee hath anie protection, or repaire from the same seruice, if the Chaunceliour bee thereof duely informed, he shal repeale such protection, as it hath beene vsed before this time. Anno. 13. R. 2. capitulo. 16.

Attourneys

Chaunceliour

6 ¶ Because that when people beinge debtours be condempned to their creditours by due proces of the lawe, and committed to prison, that is to say to the Jayles of the marshalsie, kings bench, fleete, and other prysons in dyuers Cities, Boroughes, and townes within the Realme: The wardeins of the Jayles and prisons aforesayed, of their owne authoritie doo let the said debtours to go at large at their will, and where as by a statut Anno. 1. R. 2. capitulo 12. which is in debt. 4. It was ordayned that if any iayler doo let such prisoner to go at large by main prise or in bayle, that then the persons to whom the prisoner is condempned, shal haue hys accyon and recouerie against the sayd iayler. The same wardeines doo purchase to them selfe the kynges protections whereby the said creditours by the same protections be delayed and deferred from their duty and right full recouery aswel agaynst the said Wardeines of the said iayles, as agaynst the saied prysoners, to the great dammage and prudice of the common people, and derogation of ỹ common lawe: It is ordayned & stablished, that no protectyon bee auaylable nor allowed in such case. An. 7. H. 4. ca. 4.

Wardens Gaylours

7 ¶ Anno. 9. Henrici. 5. capitulo. 3. & Anno. 4. Henrici 6. capitulo 2. & Anno. 8. Henrici 6. capitulo. 13. and Anno. 14. Edwardi 4. capit. 1. fower actes were made to endure for certaine yeres concerning protections of them that should go ouer the sea with the king.

8 ¶ No protection hereafter allowable nor allowed in the court before the

Maire,

Staple

Maire, Constables and felowshippe of marchauntes of the Staple of Calleys, ne in the Court before the lieutenant, Constable and felowshippe of marchaunts of the same Staple, ne in ỳ court before the Maire & his brethrē of the same towne of Calleis, nor in any court or courtes within the same Towne or marches there in any acciō sued or hereafter to bee sued by any of the said marchaunts, their factors, seruants or attorneis, against any of the said marchants, their factors, seruants or attorneis. An. 1. H. 7. ca. 3.

Maior Calleis

9 ¶ Ann. 4. Henrici 7. capitulo 4. protections of protecture and mozatur were graunted to al them that were or should bee in the kynges wages in Britaine.

10 ¶ An. 7. H. 7. cap. 12. protections of protecture and mozatur were graūted to al them that should serue ỳ king in his warres (beyond the Sea or on the sea) which the kyng then entēded to make.

warres

11 ¶ An. 3. H. 8. ca. 4. protections of protecture and mozatur was graunted to all them that should serue the king in his warres (beyond the Sea or on this side) which the king thē intended to make.

warres

Bishops Monasteries

12 ¶ See pumetours. 12. that al goods and things of Bishops and monasteries were taken into the kings protection, that they should not be taken for ỳ king &c.

13 ¶ Where protection is put out in any accion, see in euery such title, as any such accion is spoken of.

¶ *Prouision & premunire.*

Rome

Because that some do purchase in ỳ court of Rome prouisions, to haue abbeis, & priories in England, in destruction of the Realme, and holy religion: It is accorded, that euery man ỳ purchaseth such prouisions of abbeies or priories, that he and his executours and procuratours, which doe sue and make executiō of such prouisions, shal bee out of the kinges protection. And what a man may do with them, as of enemies of our soueraigne lord ỳ king and hys Realme. And hee that offendeth against such prouisours in bodie or in goods, or in other possessiōs, shal bee exiled agaynst al people, and shall neuer bee impeched nor greeued for ỳ same at any mans suit. Ann. 25. E. 3. cap. 22.

Abbeis Priories Executors

Protection

Exiled

2 ¶ Where as late in the parlyamēt of good memory of Edward king of England, graundfather of our Soueraigne lord the king that now is, the 17th. yeare of his raigne, holden at karlile, the petition heard, put before the sayed graundfather and his counsaile by the comminaltie of his said realme cōtayned, that whereas ỳ holy church of England was founded in the estate of prelacie within the realme of England by the saied graundfather and his progenitours, & the Earles, Barrons, and other nobles of his saied realme & their auncestors, for them to enforme the people of the lawe of God & for to make hospitalities almes and other works of charitie in the places where the churches were founded, for ỳ soules of the founders, their heires and of all christen, & certain possessions as much in fees landes, rentes, as in aduowsōs which doo extend to a great valure, were assigned by the said founders to the Prelates and other people of the holy Church of the sayed Realme, to sustayne the same charge, and especially of the possessyons which were assigned to Archebishopps, Bishopps Abbots, priours, relygious and all other people of holy church, by ỳ kings of the sayed Realme, Earles, Barrons and other great men of his Realme, the same kinges, Earles, Barons, and other nobles, as lords, aduowers, haue had and ought to haue ỳ Custodie of such voydaunces and the presentmentes and the collations of ỳ benefices

benefices being of such prelacies. And ỹ said kinges in times past were wont to haue the greatest part of their counsaile, for the safegard of the Realme, when they had neede of such prelates & clerkes so aduaunced: The Bishop of Rome vsurping the seigniories of such possessions and benefices, doe geue and graunt the same benefices to alyens which did neuer dwel in England, and to Cardinals which might not dwell here, and to other as wel aliens as denizens, as if he had ben patrone, or aduowée of the said dignities and benefices as he was not of right after ỹ lawe of England, whereby if they should be suffred, there should vneth be any benefice within a short time in the sayd Realme, but that it should be in ỹ hãds of aliens & denizens by vertue of such prouisions, against the good will and disposition of the founders of the same benefices. And so the electiõs of Archbishops, Bishops, and other religious should faile, & the almes, hospitals, and other workes of charitie, which should be done in the said places, should be withdrawen, the said graundfather, & other lay patrõs, in the time of such voidãces should lose their presentments, the said counsel should perish, and goods without number should bee caried out of ỹ realme, in annullation of the estate of the holy Church of England, and vnpherisõn of the said graundfather, and ỹ Earles, barons, and other nobles of ỹ said realme, and in offence and distruction of the lawes and rightes of hys realme, and agaynst the good dyspositiõn and wil of the first foũders: By the assent of the Earles, Barons and other nobles, & of all the sayd commynaltie, at their instances and requests the dammage and greuaunces afore sayd considered in the said full parlyament, it was ordained, that ỹ said oppressions, greuances, and dammage in the same realme frõhenceforth should not bee suffered in any manner. And

Pope

Benefices Aliens

Cardinals

now it is shewed to our Soueraigne lord the king in this preſẽt parliamẽt holden at Westminster, at the vtas of the Purification of our Lady the xvi. yeare of hys raygne of England, and of France the xii. by the grieuous complaintes of all the commons of thys realme, that the greuaunces and mischieues aforesaid doo dayly abound, to more greater damage and distruccion of al his Realme, more then euer were beefore. s. that now late Bishop of Rome, by procurement of Clerkes and otherwise, hath reserued and doth daily reserue to his collation generally and specially, as wel archebyshoprikes Abbeis, and priories, as all other dignities and other benefices of England which bee of the aduowry of people of holy church, and geue the same as wel to aliens as to denizens, and taketh of all such benefices the first fruytes, and many other profittes, & a great part of the treasure of the realme is caried away and dispended out of the realme by ỹ purchasours of such graces, & also by such priuy reservatiõs many clerks auanced in this Realme, by their true patrons which haue peacibly holden their auãcements by long time, be sodenly put out: wherupõ ỹ said cõmons haue prayed our said Soueraigne lord the kinge, that sith the right of the crowne of England, and the lawe of the said realme is such, that vppon the mischieues & damage, which happeneth to his Realme, hee ought and is bounden of the accord of his said people in his parliament thereof to make remedy, and law of voyding the mischiues and dammage, which thereof commeth, that it may please him therupon to ordayne remedy: Our Soueraigne lord the king seing the mischieues and dammage beefore named and hauing regard to the sayed statut, made in the time of his saied graundfather, and to the causes contained in the same, which sta. holdeth alwaies

Pope

Archbishops

Aliens

First fruits

hys

his force, & was neuer defeated nor annulled in any point, and by so much hee is bounden by his othe to doo the same to be kept as the lawe of hys Realme, though that by sufferaunce & negligence it hath ben sithence attempted to ỹ contrary, also hauig regard to the grieuous cõplaintes made to him by his people in diuers his parliaments holden heretofore, willinge to ordeine remedy for the great damages & mischieues, which haue happened and daily doe happen to the church of England by the said cause By the assent of al the great men and the communalty of the said Realme, to the honour of God and profit of the said church of England, and of al hys Realme, hath ordeined & stablished, that the free elections of archebishops, bishops & al other dignities and benefices electiue in England, shal hold fraunchence forth in the maner as they were graunted by the kynges progenytours, and fouded by the auncestors of other lords And that al prelats and other people of holy church, which haue aduousons of any benefices of the kynges gift, or of any of his progenitours, or of other lordes and donours, to doo diuine seruices and other charges thereof ordeined, shal haue their collations and presentmentes freely in the maner as they were enfeoffed by their donours. And in case that reseruation, collation, or prouision be made by ỹ court of Rome of any archebishoprich, bishoprich, dignity or other benefice, in disturbaunce of the election, collations, or presentations afore named, that at the time of the voydaunce that such reseruations, collations, & prouisions ought to take effect, our soueraigne lord the king and his heyres, shall haue and enioy for ỹ same tyme the collations to the archebishoprickes and other dignities, electiue, which bee of his auowry, such as hys progenitours had before that free election was graunted, sithence that the elections were first graũted by the kynges progenitours vppon a certaine fourme and condition, as to demaund licence of the kynge to choose, and after the election to haue hys royall assent, and not in other maner. Which condicions not kept, the king ought by reasõ to resort to his first nature. And if any such reseruatiõ, prouision, or collation be made of any house of religion of the kinges auowry in disturbance of the free election, our soueraigne lord ỹ kyng and his heires shall haue for that tyme the collation to geue this dignity to a conuenient person, and in case that collation reseruation, or prouision bee made to the Court of Rome of any church, prebende, or other benefices, which be of ỹ auowry of people of holy church, whereof the kyng is auowes paramoũt immediat, ỹ at ỹ same time of ỹ voydaunce, at which time the collation, reseruation, or prouision ought to take effect as afore is saied, ỹ kynge and hys heires thereof shall haue the presentment or collation for that tyme And so fro tyme to tyme when so euer such people of holy church shalbee disturbed of their presentmentes, or collations by such reseruations, collatiõs, or prouisions, as afore is sayed. Hauig to them the right of theyr aduowsons and their presentmentes, when no collation or prouisiõ of the court of Rome is thereof made, where that the sayed people of holy church shal or will to the same benefices present or make collation. And that theyr presentees may enioy the effect of their collations or presentmentes: And in the same manner euery other Lorde, of what condicion that hee be, shall haue the collatyons or presentmentes to the houses of religion which be of his aduowry and other benefices of holy Church, which bee perteynynge to the same houses. And if such aduowees do not present to such benefices wythin the halfe yere after such voydaunces, nor the Bishop of the place doe not geeue the same by lapse of tyme wythin a moneth after halfe a yeare: that then the kyng shall

Othe
Election Archbishops Bishops
Aduowson Right
Presentmẽt
Condition
Licence
Royal assẽt
Presentmẽt
Disturbe
Lord
Religious houses.
6. monthes
Lapse

haue therof ỳ p̄sentments & collatiõs as he hath of other of his own anowry And in case that the p̄sentees of the king. or the p̄sentes of other patrons of holy church, or of their aduowes or they to whõ ỳ king or such patrons or aduowes aforesaid haue geue benefices, pertaining to their p̄sentmẽts or collatiõs be disturbed by such p̄uisors: so ỳ they may not haue possessiõ of such benefices by vertue of the p̄sentments or collation so to them made, or that they which bee in possession of such benefices, be impeched vpon their said possessions by such p̄uisours, then the sayed p̄uisoures, their procuratours, executoures, & notaries shalbee attached by theyr bodie, and brought in to answer And if they bee conuict they shall abide in p̄son wout being let to mainp̄rise or bayle, or otherwise deliuered, till that they haue made fine and raunsome to the kynge at his wyll, and gree to the partie that shall sele him selfe gre ued. And nevertheles beefore that they be deliuered, they shall make full renun ciation and find sufficient suerty, that they shall not attempt such thinges in times to come, nor sue no p̄oces by them nor by other agaynst any man in the court of Rome, nor in no part else where, For any such imp̄isonmentes or renunciations, nor any other thyng depending of thẽ. And in case ỳ such p̄o uisours, procuratours, executours, and notaries be not found, that the exigend shall renne against them by due p̄oces and that writes shal goe forth to take theyr bodies in what partes that they be found, as well at the kynges suit as at the suyt of the partie. And that in the meane tyme the kynge haue the profites of such benefyces so occupyed by such p̄uisours, except abbeyes, p̄io ries, and other houses, which haue colleges or conents. And in such houses the colleges and conentes, shall haue the profittes. Sauyng alwaies to our soueraigne Lord the kynge, and to all other Lordes, theyr olde ryght. And thys statute shall haue place, as well of reseruatyons, collatyons, & p̄mysti ons made and graunted in tymes past agaynst all them, which haue not yet obteyned corporall possessyons of the benefyces graunted to them by the sãe reseruatyons, collations, and p̄myssions, as agaynst al other in tyme to come. And thys statute oweth to hold place and to begyn at the sayed dtas. Anno. 25. Edwardi. 3. Statute de p̄uisoribus.

3 ¶ Because that it is shewed to our Soueraigne Lorde the kynge by the greuous and clamorous complayntes of the great men and commons afore sayed, how that dyuers of the people bee and haue ben drawen out of the realme to answer of thynges, whereof the conysance pertayneth to the kinges court: And also that the iudgementes geeuen in the same court bee impeched in an other court, in p̄iudice and dis herison of our Soueraigne Lorde the kynge, and of hys crowne, and of all the people of hys sayed Realme and in the vndoyng and destruction of the common lawe of the same Realme at all tymes vsed. Wherupon good de lyberation hadde wyth the great men and other of his sayd councell, it ys as sented and accorded by our Soueraign Lorde the kynge, and the great men and commons aforesayed, that all the people of the kynges ligeance, of what condycyon that they bee, whych draweth any out of the Realme in plea, whereof the conysance pertayneth to the kynges Court, or of things where of iudgementes be geuen in the kynges Court, or which doe sue in any other Court to defeate or impech the iudgementes geeuen in the kynges Court, shall haue day, contayning the space of two monethes, by warninge to bee made to them in the place where the possessyons bee, which be in debate, or els where, where they haue landes or other possessions, by the Sheriffes or other the kynges mynisters, to bee bee-

King

Disturbe

Attached Answeers

Imp̄ison Mainp̄rise

Suertie

Exigend

Writs

Court

Sue

2. monethes

Shirifs

before the kynge and his councell, or in hys chauncery, or before the kynges Juſtices in hys places of the one bench or the other, or before other the kings Juſtices, which to the ſame ſhalbee deputed to aunſwer in theyr proper perſons to the kynge of the contempt dons in this behalfe. And if they come not at the ſayed daie in theyr proper perſon to be at the lawe, they, their procuratours, attourneies, executoures, notaries, and maintenours, ſhal from thys day forth bee put out of the kings protection, and theyr landes, goodes, and cattals forfayt to the kynge. And their bodies, whereſoeuer they may be found ſhalbe taken and impriſoned, and raunſomed at the kynges will, and vppon the ſame a writt ſhall bee made to take them by their bodies, & to ſeaſe theyr landes, goods and poſſeſſions in to the kynges handes. And if it be returned, that they bee not found, they ſhal be putt in eregend and outlawed.

Aunſwere
Atturneis Executors
Protection
Forf.
Impriſon
Exigend

¶Prouided alwayes, that at what tyme they come before that they bee outlawed and will yelde them to the kynges priſon, to bee iuſtified by the lawe, and to receiue that that the court ſhall award in this behalfe, that they ſhalbe thereto receiued. The forfaiture of the landes, goods and cattels abiding in theyr force, if they do not yelde them within the ſaid two moneths as afore is ſaid. An. 27. E. 3. ca. 1.

4 ¶To norith, loue, peace, and concord betweene holy Church and the Realme, and to appeaſe and ceſſe the great hurt and perils, and importable loſſes and greeuances that haue beene done and happened in tymes paſt, and that ſhall happen hereafter, if the thing from hereforth be ſuffred to paſſe, becauſe of perſonall citations and other that be paſt before this time, and commonly doth paſſe from day to day out of the Court of Rome, by feined and falſe ſuggeſtions, and propoſitions againſt al maner of perſonnes of the Realme, vppon cauſes, whoſe cognizance and finall diſcuſſinge pertayneth to our Soueraigne Lord the kyng and his Royall Court, and alſo of impetrations and prouiſions of benefyces and offices of holy Churche, pertayninge to the gyft, preſentatyon, donation, and diſpoſition of our ſayed Soueraigne Lorde the kynge and ye other lay patrones of his realm as of Churches, Chapels, and other Benefices appropryed to Cathedrall Churches, Abbeys, Priories, Chauteries, Hoſpitals and other poore houſes, and of other dignities Offyces and benefyces occuppyed in the tymes paſt, and preſented by dyuers and notable perſonnes of the ſayed Realme, for which cauſes and diſpenſynge thereof the good auncyent lawes, vſages, cuſtomes and fraunchiſes of the ſayed Realme haue beene and bee greately appeyred, blemyſhed, & confounded the crowne of our Soueraygne Lorde the kynge mynyſhed, and hys perſon falſely defamed, the treaſoure and ryches of hys Realme caryed away, the inhabytauntes and Subiectes of the Realme impouriſhed and troubled, the benefyces of holy Church waſted and diſtroyed, dyuine ſeruice, hoſpytalities, almes deed, and workes of charity withdrawen & ſet a part, ye commens & ſubiects of the Realme in body and goodes trauayled.

Rome
Churches Hoſpitals

¶Our Soueraigne Lorde the kinge at hys Parlyament holden at Weſtmynſter in the vtas of Sainct Hyllary, the xxviii. yere of his raygne, hauing regard to ye quietnes of his people which he chiefely deſireth to ſuſtayne in tranquyllitye and peace, to gouerne accordyng to the lawes, vſages, and fraunchiſes of his lande, as he is bound by hys oth made at hys coronation folowynge the wrayes of hys progenitoures, which for their tyme made certeyne good ordynaunces and prouiſyons agaynſt the ſayed greeuaunces and perils: wherin ordynaunces and prouiſions, and all the other made

in his time, and especially in the xx. v. and xxvii. yere of his raygne: Our soueraigne lorde the kyng, by the assent and especiall will and consent of the dukes, erles, barones, and the cõmens of his realme, and of all other whom these thinges toucheth, by good and mete delyberation and auysement, hath approued accepted and confyrmed: saiing the estat of the prelates and other lordes of the realme, touching the liberties of their bodies, so that by force of this statut their bodies be not take. Joyning to the same, hath prouided & ordeyned, that al they, which haue obteyned, purchased, or pursued such personal citations or other in any tymes past, or hereafter shal obtaine, purchase or pursue such like, against him or any of his subiectes, and also all they that haue obteyned, or shall obteine in the said Court, Deanries, Archedeaconries Prouostries, & other dignities, offyces chapels, or benefices of holy Church, perteyning to the collation, gift, presentation, or disposition of our said soueraigne Lord the kinge, or of other lay patron of his said Realme, and also al like persons, obteyners of Churches chappells, offices, or benefices of holy Church, pencions, or rents amortised, and appropried to churches cathedrall, or collegiall, abbeys, priories, chauntries, hospitals, or other poore houses, before that such appropriations, amortisementes be void and annulled by due processe, also all they which haue obtayned in the same court dignities, offyces holyptals, and any benefyces of Churches, which bee occupyed at this present season by reasonable tytle by any persons of the said Realme, if such impetrations bee not fully executed, or shall obteine hereafter like benefice, whereby prejudice, damage, or impechement hath ben or may be done hereafter to him or to his said subiects in persons heritages, possessions rights or any goodes, or to the lawes, vsages, customes, fraunchises, & liberties of his said realme, and of his crowne, also all their maintenours, counceilers, abbettours, and other ayders and fautours wittingly aswel at the suit of the king as of the party, or other what so euer he be of the realme, synoing pledges & surety to pursue agaynst them: in this case al the said persons defamed & vpon lefully suspected of such impetratiõs, pursuites or greuances by suspectiõ, shall be arrested and taken by the sheriffes of the places and iustices in their sessions deputies, baylifes and other the kings ministers, by good and sufficient mainprise, replegine, bayle, or other surety (the shortest that may be), and shalbee presented to the kyng and his councell there to remaine and stand to right, to receiue what the lawe will gyue them. And if they be attaynted or conuict of any of the said thinges, they shall haue the peyne compiled in the statut made in the xvi. yeare of the raigne of our said soueraigne Lord the kynge, which beginneth, where as late in the Parliament &c.

Maintenors

Sheriffe

Mainprise

Citations

Dignities

If any person defamed or suspect of the said impetrations, prosecutions, or greuances, or interprises, be they out of the realme or within, and may not bee attached nor arrested in their proper persons, and do not present them before the king or his councell within two monethes next after that they bee thereupon warned in their places (if they haue any) in any of the kynges Courtes, or in the counties, or before the kynges Iustices in their sessions, or otherwise sufficiently to answer to the king and to the party to stand, & bee at the lawe in this case before the kynge and his councel, shalbe punished by the fourme and manner comprysed in the statute made in the sayed xvi. yeare of this kinges raigne, which beginneth. Our soueraigne lord the kynge of the assent &c. and otherwise as to the kinge & his councell, shall seme to be done, without any grace, pardon, or remission, to bee made by the king, without the will and assent

Defamed

Monethes

Iustices

Answere

Pardon

assent of the party which shall proue him to be greued, and without making to him due satisfaction in this case. An. 38. E. 3. stat. 2. cap. 1. ¶ 2.

5 ¶ It is accorded ỳ none other subiect of the sayd realme, kepping and susteyning these ordinaunces, shal incurre any forfeiture of lyfe and member, of lands, of heritage, nor of goods against the king nor none other person, nor lose estate nor fauour because of ỳ said things ordeined, nor hys heyres may not nor ought not to be reproued, defamed, nor impeched by any of the saied causes at any time hereafter. Anno. 38. Ed. 3. cap. 3.

6 ¶ And if any person of what estate or condicion ỳ he be by any maner attempt, or do a thing against the said ordinaúces, or any thinge comprysed in them, the same person shall be brought to answer in ỳ maner as afore is said, and if he be therupon attaynted or conuict, he shal be put out of the kings protection, and punished after the fourme of the said statute made the sayd. xxvii. yeare. An. 38. E. 3. cap. 3. stat. 2.

Attaint

Protection

7 ¶ If any person maliciously or falsly make any pursuit against any person of the said realme, for cause comprysed in these present ordinaúces, and ther of be duely attainted, such plaintife shal be duely punished at the ordinaunce of the king and his councell, and neuerthelesse hee shall make gree and amendes to the party greued by his pursuit. And to the intent that the saied ordinaunces and euery of the same, for ỳ ease, quietnes, and welth of the cõmons be ỳ better sustayned, executed and kept, and ỳ all those that haue offended or shall offend against these ordinaunces, by prosecutions, accusations, denunciations, citations, or other processe made or to be made out of the said realme or within, or otherwise against any maner person of the said realme, bee the more conuenably and spedely brought to answere, to receiue right according to their desert: The king, the prelats, dukes, erles, barons nobles and other cõmens clerkes & lay people be bound by thys present ordinaunce to ayde, comfort, & to councell the one & the other, and as often as shall nede, and by all the best means that may be made of word and of dede, to impeche such offenders and resist their dedes and enterprises, and without suffrynge them to inhabite, abyde, or passe by their seignories, possessions, lands, iurisdictions, or places, and be bound to kepe and defend ỳ one & the other from al damage, byllany & reproofe, as they should do their owne persons, and for theyr dede and busines and by such maner, and as farforth as such prosecutiõs or processe were made or attempted against them in especiall generall or in comen. An. 38. E. 3. ca. 4. statut. 2.

Attaint

Protection

Attaint Punish

8 ¶ An. 2. R. 2. ca. 7. it was agreed ỳ Vrban was duely elected Pope and ought to be obeied as hed of the church, and that al benefices and possessioners of Cardinals rebels & other the kinges enemies should bee seised. And it was enacted that if any purchased by prouision any benefice or grace by any other named Pope then of Pope Vrban, or be obedient to any other persõ as Pope, he should be out of the kinges protectiõ & his goods seysed.

Pope

Enemie

Protection

9 ¶ None of the kynges lyege people nor other person, of what soeuer estate or condicion that hee be, shall not take nor receiue within the said Realme of England, procuracy, letter of attorney, nor ferme, nor other administration by indenture, nor in none other maner of any person of the world, of any benefice within the said realme but onely of the kinges lyege people of the same realme, without the speciall grace and expresse lycence of our sated soueraigne lord the kyng, by the aduise of his counsayle. And if any before this time haue accepted of any alyens such procuracies fermes, or administration, that they shal vtterly leane them within xl. dayes after publication of thys ordynaunce.

Ferme

Benefice

Licence

Aliens

And that none of the said liege people, nor other that may be found in the said realme, shal enioy by vertue of such procuracy, ferme, or administration, gold, siluer, nor other trealour nor commodity out of the said realme by writt of exchaunge, by marchaundise, nor in other maner to ẏ profit of the said aliens without like licẽce of ẏ king by the aduise of his saied councell. And if any do the contrary in any point contained in this ordinaunce, he shal incurre ẏ paine and punishement contened in the statute of prouisours, made in the tyme of the kynges graundfather, the xxviii. yeare of hys raigne, by the same proces compiled in the said statut, and by warning to be made to them in theyr benefices or other their possessions wi-in the realme. And if they be out of the saied realme, and not beneficed nor hauing possession within the same Realme where they may bee warned, then a writte shall bee made in the Chauncery, grounded vppon thys ordynaunce to the sheryfe of London, or to the sherife of the countie, in which they were or shalbe borne, at the kings suit, returnable in the one bench or the other, by which writt it shall bee commaunded, that proclamation be made openly, that they be before ẏ iustices in the bench, where the writ is returnable at a certaine day compiled in the same writt, containing the space of halfe a yere, to answer vpõ the matters compiled in the said writ, & after this writ returned, the Justices shall procede against thẽ according to ẏ fourme aboue ordained, And it is assented by ẏ kyng in the same parliament, by the assent aforesaid, that no bishop nor other person of holy church, through the realme, shal medle by way of sequestration nor in any other maner of the fruytes of such benefices, geuen or to be geuen to ẏ said aliens to the profite of the same aliens vppon the perill that belongeth Dated &c. An. 3. R. 2. ca. 3.

Gold Siluer

Bill of exchange

Licence

Chauncery Shirife

Proclamation Justices

Bishop

Sequester

Aliens

10 ¶ The same statut (S. of An. 3. R. 2. cap. 3. before 9.) shall kepe his force and effect in al pointes. And moreouer it is also assented, that if any alien haue purchased, or from henceforth shal purchase any benefyces of holy Church, dignitie or other thing and in his proper persone take possession of the same or occuppe it him selfe wiin ẏ Realme whether it be to his own ppre vse or to ẏ of vse any other, wout especial lycẽce of ẏ king, shalbe compiled within the same statut, and moreouer shal incurre all peynes and forfeitures in all points as is before ordeined by an other statut made the xv. yeare of the noble king Edward the thyrde graundfather to our soueraigne Lord the king that now is, concerning them that purchase prouisions of abbeyes or priorys. And to the entent that such lycences shall not be from henceforth made, the kynge will and commaundeth to al his Subiects and other, that they shal abstreine them fromhencefoorth to pray him for any such licence to begeuen: And also the king him selfe wil abstreyne to geue any such licẽce durig ẏ warrs except to the cardinall of Naples, or to some other speciall persõ, to whõ ẏ king is bol dẽ for an especial cause. An. 7. R. 2. c. 12.

Alien

Benefice

Licence

Fort.

11 ¶ No lyege man of ẏ king, of what estate or condicion that he bee, great or little, shall passe ouer the sea nor send out of the Realme of Englande, by lycence nor without lycence, wythout speciall leaue of the kynge him selfe, to prouide or purchase for him benefyce of holy church with cure or wythout cure in the saied realme: and if any do, and by vertue of such prouysion accept by him, or by any other any benefice of ẏ same Realm, that at that time ẏ same prouysour shal be out of the kinges protection: and the same benefyce void, so that it shalbe lawfull to the patron of the same benefice, as well spirituall as tẽporal, to prelẽt to ẏ sãe an able clerk at hys pleasure. Anno. 12. R. 2. ca. 15

Passe ouer sea

Licence

Benefice

Protection Loyd

Presens

12 ¶ Where as the noble kynge Ed. graundfather to our soueraigne Lord ẏ kynge

kinge that now is, at hys Parlyament holden at Weſtminſter at the vtas of the Purifycation of our Lady, the xxb. yeare of his raigne, dyd to be reherſed the ſtatut made at Carleily in the time of kynge Edward, ſonne of kynge H. touching the eſtate of the holy church of England, the ſaied graundfather of ỳ kyng that now is, by the aſſent of the great men of his realme, beeing in the ſame parliament, holden the ſaied xxb. yere to the honour of God and of holy church, and of all hys realme, dyd ordeine and ſtabliſh, that the free elections of Archbyſhoprickes, Byſhoprickes and all other dygnyties and benefyces electyfe in Englande, ſhould hold fromthencefoꝛth in the maner as they were graunted by his progenitours, and by the auncеſtours of other Lords founders. And that all Prelates and other people of holy Church, whych had aduowſons of any benefices of the gift of the king or of his progenitours, or of other Lords and donours, ſhould freely haue their collations and preſentmentes, and thereupon a certaine puniſhment was ordeyned in the ſame Statute foꝛ them whych accept any benefice or dignitie contrary to the ſaid ſtatut, made the ſaied xxb. yere, as afoꝛe is ſaid, which ſtatut our ſoueraign Lord the king hath done to bee recited in this preſent parliament, at the requeſt of hys commõs in the ſame parliament. The tenour whereof is ſuch as hereafter followeth. Where as late in the parliament of good memoꝛy of Edward kinge of England &c. reherſing the whole ſtatut made ỳ ſaid xxb. yere, and then thus: Our ſouereigne lord the king that now is, of the aſſent of the great men of his realme being in this preſent parlyament, hath ordeined & ſtabliſhed, that al archebiſhoprickes, byſhoprickes & other dignities & benefices electife & al other benefices of holy church which ſhal begynne to be void in dede the xvii. day of January the xiii. yere of the raigne of our ſouereign lord the kyng that now is, oꝛ after, oꝛ which ſhall be voide in time to come within ỳ realme of England, ỳ ſaid ſtatut made the ſaid xxb. yeare ſhalbe firmly holden foꝛ euer, and put in due execution from time to time in al maner points. And if any make any acceptation of any benefice of holy church, contrary to thys ſtatut, and that be duly proued, and bee beyond the ſea, he ſhal abide eryled and baniſhed out of the realme foꝛ euer, his landes and tenementes goods and catals foꝛfeyt to the kynge: and if he bee within the realme, he ſhalbe alſo eryled and banyſhed as afoꝛe is ſaid, and ſhal incurre the ſame foꝛfaitur and take his way ſo that he be out of the realme tõ in vi. wekes next after ſuch acceptation And if any receiue any ſuch perſon baniſhed, coming from beyond the ſea, oꝛ being within the realme after ỳ ſaid vi. wekes, knowing thereof, he ſhalbe alſo eryled and banyſhed, and incurre ſuch foꝛfaitur as afoꝛe is ſaid. And that their procuratours, notaries, executours, and ſummoners haue the paine and foꝛfaiture afoꝛeſaid. Prouided neuertheleſſe that all they, to whom the Pope of Rome, oꝛ his predeceſſours, haue prouided any Archbyſhoprick, Biſhoprick, oꝛ other dignitie, oꝛ other benefices of holy church, of ỳ patronag of people of holy Church because of any voidaunce befoꝛe the ſaid xxix. day of January, and thereof were in coꝛpoꝛall poſſeſſion befoꝛe the ſame xxix. day, ſhal haue and inioy ỳ ſaid Archebiſhoprickes Biſhoprickes, dignities, & other benefices peaceably foꝛ their lines, notwithſtanding the ſtatutes & oꝛdinaunces afoꝛeſaid. And if the kinge ſend by letter oꝛ in other maner to the court of Rome at the interceſſion of any perſon, oꝛ if any other ſend oꝛ pray to the ſame court whereby any thing is don contrary to this ſtatut touching any archbiſhoprik biſhoprike, dignity oꝛ other benefice of holy church within the ſaid realme, if hee that maketh ſuch exeptation oꝛ prayer bee a prelate of holy church, he

Election Archbiſhop Biſhop

Archbiſhops Biſhops Benefices

Statut

Exile Baniſhed Foꝛf.

vi. weekes

Harbourne

Baniſhed

Procuratoꝛs

Pope

Prelate

First yere temporalte Temporal Lord

shall pay to the king the valour of hys temporalties of one yeare, and if he be a temporall Lord, he shal pay the hinge the valour of hys landes and possessiõs immoueable of one yeare. And it is the intent of this statute, that of all dignities & benefices of holy church, whych were voide in dede the said xrix. day of January, which be geuen, or to whom it is prouided, by the Pope of Rome before the same xrix. day, that they to whom such giftes or prouisiõs be made may freely of such gifts and prouisions sue execution without offence of thys statut. Prouided alwayes that of no dignitie or benefice, which was ful the said xrix. day of January no man because of any collation, gift, reseruation & prouision, or other grace Papall, not executed before the saied xrix. day, shall not sue thereof execution, vpon the paines and forfeitures contained in thys present statut. An. 13. R. 2. stat. 2. ca. 2.

Pope

Execution

Forf.

13 ¶ It is ordeyned and established that if any man bring or send wythin the Realme, or the kinges power, any summons, sentence, or excommunication against any person of what condition that he bee, for the cause of making motion, assent or execution of the said statut of prouisours, he shalbee taken, arrested, & put in prison, and forfait all hys landes and tenementes, goods, and cattals for euer. And more ouer incurre the payne of lyfe and member. And if any Prelate make execution of such sũmos sentences, or excommunications, that his temporalties bee taken and abyde in the kinges handes, till due redresse and correccion bee thereof made. And if any person of lesse estate then a Prelate, of what condition that he be, make such execution, he shalbe taken, arrested, and put in prison, and haue imprisonment, and make fine and raunsome by the discretion of the kinges Counsaile. An. 13. R. 2. stat. 2. cap. 3.

Excõmunication Sũmons

Imprison Forf.

Life and member Prelate

Temporalties

Imprison Fine

14 ¶ Where as commõs of ỹ realme in thys present parliament haue shewed to our redoubted soueraigne lord ỹ king grieuously complaining ỹ forasmuch as ỹ said king & al his liege people ought of right and of old time were wont to sue in the kinges court, to recouer their presentmentes to churches, prebends, and other benefyces of holy church, to the which they haue right to present, the complaunce of plee, of which presentment belongeth onely to the kynges court of ỹ old right of his own crowne vsed in the tyme of hys progenitours kinges of England. And when iudgement shalbee geuen in the same court vpon such a plee, and presentment, the archebishops, bysshops and other spirituall persons which haue institution of such benefices within their iurisdictions, bee bound and haue made execution of such iudgements by kings commaundementes of all the tyme afore saied, without interruption (for another lay persõ) may not make such execuciõ, & also be bound of right to make execution of many other of the kinges commaundemẽts of which right ỹ crowne of England hath bene peaceably seased as wel in ỹ time of our said soueraigne lord the kynge that now is, as in the time of al his progenitors til this day, But now of late diuers processes bee made by the bishop of Rome & sentures of excõmunication, vpon certein bishoppes of englãd because ỹ they haue made execution of such commaundements to be open disherison of the said crowne, & destruction of our said soueraigne Lord ỹ king, his law & al his realme, if remedy be not prouided. And also it is said, & a commõ claimour made, ỹ the bishop of Rome hath ordeined & purposed to translate some prelats of ỹ same realm & some out of ỹ realme, & be out of one bishoppricke into another rõm the same realme, without ỹ kings assẽt & knowledge, & wõut the assent of the prelates which so shal be translated, which prelates bee much profitable & necessary to our said soueraigne Lord ỹ king & to al his realme: by which trãslatiõs (if they were

Pope

were suffered) the statutes should bee
deserred and destroied, & his said liege
persoones of hys councell without his
assent, and against his will withdrawe
and gotten out of his Realme and the
substaunce and Treasour of the Re-
alme shalbee borne away, and so the
realme destitute as well of Councel as
of substaunce, to the final distruccyon
of the same Realme. And so ẏ crowne
of England, which hath ben so free at
all times, that it hath beene in subiec-
cion to no realme, but immediatly sub
iect to god & to none other in al things
touching ẏ regaly of the same crowne,
should bee submitted to the Bysshoppe
of Rome, and the lawes & statutes of
the Realme by him defeated and dis-
troyed at his will, in perpetual distruc-
cion of the kinge our sayed soueraigne
lord, his crowne and hys regalie, and
of al hys realme, which God defend.
And moreouer the commons afore-
said say, that the said things so attemp-
ted bee clearely against the kynges
crowne and hys regaly, vsed and ap-
proued of the tyme of all hys progeni-
tours. Wherfore they and all ẏ lyege
commons of the same Realme wyll
bee wyth our sayed soueraigne lord the
kynge, and hys sayed Crowne & hys
regaly in the cases aforesaid, and in al
other cases attempted against hym
his crowne and his regaly in al points
to lyue and to die. And moreouer they
pray the king and him require by way
of Iustice, that hee would examine all
the Lordes in the parlyament, as wel
spirituall as temporall seuerally, and
all the states of the parliament, howe
they thinke of ẏ cases aforesaid which
be so openly against the kings crowne
and in derogation of hys regaly, and
howe they will bee in the same cases
with our Soueraigne lord the kyng,
in vpholding the ryghtes of the sayed
Crowne and regaly. Wherevppon ẏ
Lordes temporall so demaunded haue
answered euery one by hym selfe, ẏ
the cases aforesayed bee clerely in de-
rogation of the kynges Crowne and
of hys regaly, as it is well knowen,
and hath bene of a long time knowen,
and that they wyll bee with the same
crowne and regaly in these cases specy
ally and in all other cases which shall
be attempted against the sãe crowne
and regaly in all pointes to all their
power. And moreouer it was demaũ
ded of the Lords spyrituall there bee-
yng, and the procuratours of other be-
yng absent, their aduise and wyll in al
these cases, whych Lordes, that is to
say, the Archebyshoppes, Bishoppes,
and other prelates, being in the par-
liament seuerally examined, makynge
protestations, that it is not their mind
to deny or affirme that the Bysshoppe
of Roome may not excommunycate
Bysshoppes, nor that hee may make
translation of prelates, after the lawe
of holy Church, answered & said that
if any executions of processes made in
the kinges court (as before) be made
by any, and censures of excommuny-
cation to bee made against any bishop
of England, or any other of the kings
lyege people, for that that they haue
made execution of such commaunde-
mentes. And that if any executyons
of such translations bee made of any
prelates of the same Realme, whych
prelates be very profitable and neces-
sary to our sayed soueraigne Lord the
king and to hys sayed Realme, or that
the sage people of his councell wyth-
out his assent and against hys will bee
withdrawen and eloined out of ẏ Re-
alme, so that the substaunce and trea-
sure of the Realme may be distroyed,
that the same is against the kinge and
hys crowne, as it is contained in the
petition before named. And lykewyse
the same procuratours euery one by
him selfe examined vpon the said mat-
ters, haue answered and said in name,
and for the Lordes as the sayed By-
shoppes haue said and answered, and
that the sayed Lordes spirituall wyll
and ought to be with the king in these

Pope

Translations

Crowne

cases

cases lawefully in mayntayninge of hys Crowne, and in all other cases touching hys Croune and his regaly as they bee bound by their liegeaunce. Whereuppon our sayed Soueraygne lord the king, by the assent aforesaid, and at the prayer of his saied commons, hath ordayned and stablished, that if any purchase or pursue, or doo to be purchased or pursued in the Court of Roome, or else where any such translations, processes, and sentences of excommunications, bulles, instrumentes, or any other thinges, whych touch the kinge, against hym, hys Croune, and hys regaly or hys Realme, as is aforesayd, and they which bring within the Realme or them receyue, or make thereof notification or any other execution within the same realme or without, that they, their notaries, procuratours, maintainours, abbettours, fautors and counsellers shalbe put out of the kings protection, and their landes, and tenementes, goodes and cattels forfayt to ỹ kyng, and that they bee attached by their bodies, if they may be found, & brought before the kynge and hys Counsell, there to answere to the cases aforesayd, or that processe bee made against them by Premunire facias in maner as it is ordayned in other statutes of prouisours, and other which do sue in any other court in derogation of the regaly of our soueraigne lord the king An. 16. R. 2. ca. 5.

Hys Court of Rome
Bulles
Procutors
Maintenors
Protection
Forf.
Premunire facias

15 ¶ If any prouision bee made by the bishopp of Rome to any persone of religion, or to any other persone, to be exempt of obedience regular, or of obedience ordinary, or to haue any office perpetual within houses of religiõ, or as much as one regular persone of religion or two or more haue in the same, that if such prouisours frõhenceforth do accept or enioy any such prouision: They shall incurre the paines comprised in the statut of prouisours, made in the xiii. yeare of king Richard the second. An. 2. H. 4. ca. 3.

Pope
Exempt
Office
Paine

16 ¶ An. 2. H. 4. ca. 4. it was enacted, that the religious of the order of Cystercienf. that had purchased bulls to bee discharged to pay tithes, should bee in the state that they were before.

Cistercians
Tithes

17 ¶ As well they of the said order, as well as other religious and seculers, of what estate or conditiõ they be, which doo put the said bulles in execution, or frombenceforth do purchase other such bulles of new, or by colour of ỹ same bulles purchased doth take auauntage in any maner: procesle shalbe made against them, and every of thẽ by garnisement, of two monethes by writ of Premunire facias. And if they make default, or be attaynted, then they shal incurre the paines and forfaitures cõtayned in the statut of prouisors made the xiii. yeare of the said king Richard, An. 2. H. 4. ca. 4.

Bulls
Premunire facias
Forf.

18 ¶ For the greeuous complaintes made to our soueraigne lord the king by his commons of thys present parliament, holden at Couentre, the vi. day of October, the vi. yeare of hys raigne, of the horrible mischieues and damnable custome whych is introduct of new in the court of Roome, that no person abbot nor other should haue prouision of any Archbishoprick or bishoprick, which shalbe void, til that he hath compounded with the popes chãber to pay great and excessiue summes of money, as well for the first fruits of the same archebishoprick or bishoprick as for other lesse services in the same court, and that the same summes or ỹ greater part thereof bee payd beforehand, which summes passeth ỹ treble or the double at the least of that that was accustomed of old time to be paid for the sayed chamber and other wyse, by the occasion of such prouisiõs, wher by a great part of the Treasoure of thys Realme hath beene brought and caryed to the said court, and also shall

Rome
First fruits
Archbishop
Bishop

be in

bee in time to come, to the great impouerishyng of the Archebyshops and Byshoppes within the same Realme and elle where wythin the kings dominions, if conuenyent remedie bee not for the same prouided. Our sayed soueraigne Lord the kyng, to the honour of God, aswell to eschewe the dammage of this Realme, as ẏ perils of their soules, which owen to be aduaunced to any archbishoprickes & byshoprickes within the realme of England, and elle where within the kings dominions out of the same realme, by the aduise and assent of the great men of his Realme, in the parliament hath ordained and stablished that they and euery of them that shal pay to the said chambre or otherwise for such fruites and seruices greater summes of money, then hath bene accustomed to be payed in olde time passed: They & euery of them shall incurre the pain of the forfaiture of as much as they may for fait towardes the same our Soueraigne lord the king. Anno. 6. H. 4. capitulo. 1.

Chamber

Forf.

19 ¶ No personne religious nor seculer, of what estate or condition that hee be, by colour of any bulles containyng such priuiledges, to be discharged of dismes pertaining to parish Churches, prebends, hospitals, or vicarages purchased before the first yere of king Richard the second, or after not executed, shal put in execution any such bulls so purchased, or any such bulles to bee purchased in time to come. And if any such religious or seculer personne from henceforth by colours of such bulles do trouble any personnes of holy church, prebendaries, keepers of hospitalles, or Vycars, so that they cannot take nor enioy ẏ dismes due or pertainynge to them of their said benefices, ẏ then such disturbour shal incurre lyke proces and paine as is ordained by the statut made against them of the order of Cisteaux in the second yeare of the raigne of our saied soueraigne lord the king. An. 7. H. 4. ca. 6. before 16.

Bulls

Religious

Disturbe

Peyne

20 ¶ To eschewe many diuersyons discordes and debates, and diuers other mischiefes likely to rise and growe by the cause of many prouisiõs made and to be made by the pope, and also by the cause of the licence graũted vpon the same by the kinge our Soueraigne lord. It is ordained & stablyshed that no licence or perdon so graunted before this time nor to be graunted in tyme to come shall not bee anayable to any benefice full of any encumbent at the day of the date of such lycence or perdon graunted. Anno. 7. Henrici. 4. capitulo 8.

Pope

Licence Pardon

Benefice

21 ¶ All the statutes and ordinances made against prouisours translation of Archbishoprickes, and Bishoprickes, their executours, procuratours, notaries, fawtours, maintainours and receiuers, aswel in the tymes of king Edward the third, and kinge Richard the second, as in the time of our said soueraigne Lord the kinge that now is, with all the paines and additions to the same, shalbee from henceforth firmely holden and kept in all poynts, the moderation of the saied Statutes made before this time to our said Soueraigne Lord the king not withstandynge.

Statut Translation

And that fromhenceforth all the elections of all Archbishoprickes, Bishoprickes, Abbeis, Priories, Deanries and other dignities, or any other elecciõs be free without being in any wise interrupted by the said Pope, or by cõmaundement of our saied soueraygne Lord the king.

Elections Archbishops Bishops

Prouided alwayes that our said soueraigne Lord the king, haue as freely hys liberties and prerogatiues as any of his noble progenitours hath had before this time, and as hee him selfe had at the time of the makinge of this statut. And also the same our soueraigne lord the king hath pardoned al the

Pardoned

hath

haue purchased prouisions or translations of Archebyshoprickes, or byshoprickes, purchased and executed and not executed before this first day of december, and all their procuratours, notaries, fautours, and executours, all manner of trespasses, contemptes, forfaitures, and molestations done by them or any of them conterninge the sayed purchases, so ỳ they may put their grace in execution aswell by them selfe, as by their procuratours, notaries, and executours aforesaied. Anno. 9. Henrici quarto capit. 8.

22 ¶ Whereas in the tyme of king Henry the fowerth, father to our soueraigne lord the king that nowe is, the vii. yeare of his raigne, to eschewe many discordes and debates, and dyuers other mischieues, which were likely to arise and happen, by cause of many prouisions then made, or to bee made by the Pope, and also of licence thereuppon graunted, by the sayd late king, amongst other things it was ordayned and established that no such licence or pardon so graunted before the same ordinaunce, nor afterward to be graunted, should bee available to any benefice, full of any incumbent at the day of the date of such licence, or pardon graunted: Neuertheless dyuers persones hauinge prouisions of the Pope of dyuers benefices in England and elsewhere, and licences withall, to execute the sayd prouisions, haue by colour of the same prouisions, licences, and acceptatyons of the sayed benefices, subtilly entended dyuers persones of their benefices, in whych they haue beene Incumbentes by a long lesion, of the collation of the very patrons spirituall, to them duely made to their entent, to the final distruction and enuration of the estates of the said Incumbentes: The king wyllinge to bold such mischeues, hath ordayned and stablished that all the Incumbents of euery benefice of holy Church, of the patronage, collation, or presentation of spyrituall patrons, may peacibly and quetly enioy their sayed benefices, without beeinge inquieted, molested, or any wise greeued by any colour of such prouisions, licences, & acceptations. And that all the licences, and pardõs, vppon and by such prouisions, made in any manner, shallbee voyd and of no valour. And if any sele hym selfe greeued, molested, or in quieted, in any wise from hencefurth by any, by colour of such prouisions, licences, pardons, or acceptations, that the same molestours, greeuours, and inquietours, and euery of them, haue and incurre the paine and punishmẽts contayned in the Statutes of Prouisours, before this time made, and that by proces of Premunire facies fourmed vpon the case. And that the partie which shall sue by the same writte, shall recouer his treble damages if the defendantes named in the same writ, or any of them bee conuict in this partie. An. 3. H. 5. cap. 4.

Pope

Licence Pardon

Benefice

Incũbents

Voyd

Molestous

Payne

Premunire facias

3. damages

## ¶ Purpresture.

COncerning purpestures, or any maner of vsurpations made vpon the kinge within Fraunchises, or else where. It was agreed and determyned in the time of king Henry, that where such vsurpours were hyring, the king should retaile of new the land so vsurped out of the handes of the vsurpours, the which thing also shalbee frõ henceforth obserued in the realme: And if any doo complaine vpon such retellers, he shalbe heard like as ryght requireth. An. 4. E. 1. sta. 3.

## ¶ Purueyours.

NO sheriff nor bailife of ours or any other shall take the horses or carts of any man to make cariage except he pay therefo price limitted, that is to

Shirife Bailife Horses Carts

Carriage

Spirituall person Knight

Wood

Licence

Prices Constables

40. Dayes

Victuall

Withhold payment

Lands Goods Damages

Fine

Imprison

Double

Horse carts Cariage

is to say for carryage vō ti. horse r.d. a day, for iii. horse xiiii. a day, No demeane cart of any spirituall persone or knight or any other lord shalbe taken by our Baylifes, nor iyee nor our Baylifes nor any other shall take any mans wood for our castelles or other our necessaries to be done but by the licence of him whose the wood is, Magna carta cap. 22. See the lyke stat. in Castel. 1.

2 ¶ Of prices taken by Constables, or castellaines vppon such folke as be not of the towne where the castell is, it is prouided, that no constable nor castellaine from hēceforth exact any price or like thing of any other, then of such as be of their towne or castell: And that it be paid, or elle agreement to be made within xl. dayes: if it bee not auntyent prys due to the kinge, or to the castell, or to the lord of the castel. Ann. 3. E. 1. Westm. 1. ca. 7.

3 ¶ Of such as take victuayle or other thynges to the kynges vse vppon credence, or to the garrison of a castel, or other wise, and when they haue receyued their payement in the Eschequer wardrobe or other where, they withold it from their creditours to their great damage, and sclaunder of the kyng: It is prouided for such as haue landes or tenementes, that incontynent it shalbe leuyed of their lands, or of their goods, and paied vnto their creditours with their dammages they haue sustained, and shall make fine for the trespas, and if they haue no landes nor tenemēts, they shalbe imprisoned at the kynges will. And if such as take part of the kings debtes, or other rewards of the kinges creditours, for to make payment of the same debts, It is prouided, that they shal pay ỳ double therof, and bee greeuously punished at the kinges pleasure. And of such as take horse or cartes for the kinges carriage more then is neede, and take rewards to let such horse or cartes go: It is prouided ỳ if any of ỳ court so do he shall bee greeuously punished by ỳ marshals and if it be done out of the court, or by one that is not of the court, and be ther of attainted, hee shall pay treble dammages. and shal remaine in the kings prison xl. dayes, Westm. 1. cap. 31. An. 3. E. 1.

Punish Marshall

3. damages

Imprison

4 ¶ None shall make prices for ỳ king through the Realme, but the purueiours for the kings house, & for prayers that they shall make in the countrey of meats and drinke and other necessary thynges for the house, they shal pay or agree with them, of whō the thinges were taken. And that all the kinges takers and purueiours shal haue from hence forth their warrant vnder them of the kinges great or pety seale containing their power & the thinges whereof they shall make prices or purueyaunce the whych warraunt they shal shewe to them of whom they do make their prices before they doo take any thing. And that such takers or purueiour for the king, shal not take ane more then is necessary or needeful for the king his houshold, & his children. And that they take nothinge for such as bee in wages, nor for none other, & that he shall aunswere fully in ỳ ward robe of the house wythout makynge any other where larges or lyuerie of things taken for the kyng. And if ane purueiour for the kynges house by warrant hath made prices other wise then is limitted before vppon complaynt made to the stewarde and to the treasourer of the kinges house, the truth shalbe inquired, and if he bee attainted thereof, agreement shalbee made to ỳ plaintife immediatly, and hee shallbee put out of the kinges seruice for euer, & shall remaine in prison at the kynges pleasure. And if any make prices wout warraunt and dooth carry them away agaynst the wyl of him to whom the goods did belong, he shalbee arrested forthwith by the towne where ỳ price was made, and caried vnto the nert gaole, and if hee bee thereof attainted hee

Prices

Victuall

Pay

Warrant

Complaint Steward Treasorer

Losse of seruice

Imprison without warrant

Arrest

Imprison

Felony

hee shalbe punished as he should be for felony, if the value of the goodes doo so require. Statut of prices tempore Edwardi.2.

5 ¶ Note that in the stat of Articuli super cartas cap.2. is the last statut (before 4.) almost wourd for wourd with more which followeth next here.

Prices Faires Portes Townes Warrant

6 ¶ Concerning prices made in faires good townes, & in portes for ỳ kinges wardrobe, the takers shall have their common warraunt under the great seale. And for the thinges that they shall take, it shalbee testified under the seale of the keeper of the wardrobe, & the number of the thynges taken. the quantitie and the value, whereof there shallbee an indenture made betweene the takers and the keepes of fayres, Maires, or chiefe bailifes of Townes & portes by the vieuwe of marchaunts whose goodes shalbee so taken, & they shal not bee suffered to take any more then is contayned in their dinderde, which dinderde shalbe had in ỳ ward robe under the seale of the Wardeine, Maire, or chiefe bailife aforesaid, and there shall remaine until the accompt of the wardrobe to the kinge. And if it bee found that any hath taken otherwise then he ought to doo, vppon hys accompt, he shallbee punished by ỳ keepers of the kings wardrobe after his desert, and if any make such prices wythout warraunt and bee attaynted thereuppon, hee shall incurre the same paine, as they which take prices without warraunt as beefore is saied.

Indenture

Maior Bailife

Wardrobe

Punish

without warrant Felonz

Neuertheless the king and his councell doo not intend by reason of this estat. to diminishe the kinges right for the auncient prices due and accustomed as of wines and other goodes, but that his right shalbe saued to him whole in al pointes. Articuli super cartas.ca.2. An.28.E.1.

Wines

6 ¶ None of our ministers nor of our heires shall take Corne, hides, or any other goodes of any man, without the will and assent of him whose the goodes bee, The statut of graunting of tallage.ca.2.

7 ¶ No persone great nor smal of what estate or condition so ever he bee, the takers and purueiours for the kynges house, the Queenes and their children onely except, shall take the Corne, litture, or hey, nor beestail, victailes nor none other goods or cattels from any manne, nor make carryage against the will of them to whom such goodes and caryage shalbee.

Corne Hey Vitailes Cariage

And that the said takers and purueiours for the saied houses, shall take them by measure according as is vsed throughout the realme.

And that all the Corne, hey, litture, beestaile, and other vitailes and things, whatsoeuer they bee that shallbee taken for the said houses, shallbee from henceforth praised at the veray value by the constables and other good men of Townes where such taking shalbe. But the praisers shal not be constrained by thretes or dures to sett any price, other then their othes wyl. And that of al things which shallbee taken for the said houses of the kinge, of the Queene, and of their children, the payments bee made before the kyng depart out of the vierge.

Praysed Constables

Othes

Pay Vierge

Item it is enacted that the article contained in a statut made in the time of king Edward graundfather to our soueraigne Lord the kinge that nowe is in the xxviii. yeare of his raygne, touching such takinges, be kept and maintained in all pointes. The fourme of which article enserth in these wordes. First of al because one great greefe is in thys Realme, whereof ryseth infinite harmes, that is to say: The kinges and hys ministers of hys retinue, as wel aliens as denizens do make their prices throughout the realme, and take the goodes both of clerkes and laie people wythout payinge therefore, or else lesse then ỳ true value: It is ordained that from hence-

Aliens Denizens

forth

forth none shal take any price through out the Realme, but onely the kings takers and purueiours for his house, and they shall nothyng take but onely for the same house. And of the prices whych they make in the countrey for meate or drinke, or other necessaryes for the kinges house, they shall paie in hand, or else agree with them from whom such thynges shalbe taken.

And that all the kyngs takers purueiours and buyers, frombenceforth haue their warraunt wyth them vnder the kynges great Seale or small Seale, containyng their power and the thynges whereof they shal make their price and purueyaunce, whych warraunt they shall shewe to them of whom they make their prices, before they take any thynge.

And that those takers purueiours and buiers shal take no more then shalbee needeful for the kyng, and his house, and hys children. And that they take nothing for such as be at wages, nor none other. And they shall answere in the kynges house, and in the wardrobe wholly of all, and in none other place to make their larges or deliuery of thynges taken for the kinge. And if any taker of the kinges house by warraunt, hath made any price or iniurie, otherwise then is aforesayed, the troth shalbee enquyred vppon complaint made to the Steward or Treasourer of the kynges house, and if any bee thereof attainted, amends shalbee incontinent made to the partie playntife, and hee to be banished the kings seruice for euer, and to remaine in prison at the kings pleasure. And if any make any price without warraunt, and cary it away against his will, from whom the goods bee taken: he shalbee arrested incontinently by the towneshippe where the price was made, and brought to the next saole. And if he bee therof attainted, it shalbe done of hym as of a theefe, if the quantity of the goods require. An. 4. E. 3. ca. 3. & 4.

9 ¶ The takers and purueiours for the said houses shal make their purueiaunce by the constables & fower discreete men of the Townes, where shalbee such prices and purueiaunces thereto sworne and without manace, as in the said statutes is contayned. And that also betwixt the purueyours and them whose goodes shalbee taken, in the presence of the constables and preisours, tayles shalbee made and sealed with the purueiour seales. By whych tailes satisfaccyon shalbee made to them, from whom such goods bee taken. And if any taker or purueyour for the said houses, do take in any other maner, hee shalbee incontinently arrested by the townes, where such taking was made, and brought to the next saole. And if he be therof attaynted, it shalbe done of him as of a theefe if the quantitie of the goodes of the same require. And frombenceforth it shalbe contayned in the commissions of such takers and purueiours, be they vnder the smal seale or the great, the fourme and the payne contayned in this stat. An. 5. E. 3. cap. 2.

9 ¶ To repeale the malice of the purueyours of the kynges, Queenes, and their childrens houses, and other duresses by them done to the sayd people, by their outrageous takynges for the same houses, and otherwise then is contayned in the artycle, in a statute made at Westminster in the fifth yere of the kynges raigne that nowe is, in fourme as here followeth, the same statute made at Westminster, at the parliament summoned there after the feast of Saynt Katheryne, in the fowerth yeare of the kynges raigne that nowe is, amongst other thinges there accorded and established, it is conteyned, that vppon greeuances which the purueyours of the kynges, Quenes, and their childrens houses, did to the people, in outrageous measure of corne and also in wastfull tarying of hey, lytter &c. prouided by the same purueyors.

Bee

Kinges house
Victualls
Countrey
Pay
Warrant
Wardrobe
Steward Treasorer Amendes
Banished
Imprison without warrant
Arrest
Imprison
Felony
Constables
Other
Tayles
Arrest
Imprison
Felony
Corne
Hey

Be it eſtabliſhed, that the ſayed purueiours and takers of Cozne for ỹ ſaid houſes of the kinge and Quéne, ſhall take the ſame by the meaſure ſtryked, according as is vſed throughout ỹ realme. And that all the cozne, hay, lyttre, and beſtaile, and all other vitaile and things whatſoeuer they bee, to be take for the ſame houſes, ſhalbe taken at the true valure by the cõſtables and other good people of ỹ townes, where ſuch takings ſhalbe made, wout that ỹ by maiſter oz dures ỹ takers ſhal be driuen to ſet other price thẽ their oth wil. And where as in the ſame ſtatute articls was reherſed, which was made in the time of the good memozy of the king graundfather to our ſoueraygne lozd the king that now is, where certaine paines be obtained againſt thoſe which doo vniuerſly make puruciaunces for ſuch houſes, for which paines ỹ purueiours of the ſaid houſes haue not let to make outrageous and vnder taking againſt the tenours of the ſayd ſtatut: To the honour and profit of our ſayed ſouerayns lozd the king, and for the quietneſſe and tranquilitie of his people, & for to refraine, and alſo to punith the miſdemeanour of them that haue made ſuch outrages, in ſclaunder of ỹ king, the Quéne his compañon, and them children: It is accorded and eſtabliſhed, that the takings and puruciaunces ſhalbe made for the ſayd houſes, by takings made by ỹ Conſtables and iiii. diſcreete men of the Townes, where ſuch takings and puruciaunces ſhalbee made, ſworne, and wout manace, as in ỹ ſaid ſtatutes is contained. And that betwixt the puruciours, and thoſe whoſe goodes ſhalbee taken, in ỹ preſence of the Conſtables, and prayſours, tailes ſhalbe made, ſealed with the ſeales of the takers of the thinges ſo taken, by which tailes contentatyõ ſhalbee made to them, of whom the things ſhalbe ſo taken. And if any puruciour oz taker for the ſaid houſes doo otherwiſe, hee ſhalbee incontinently arreſted by the towne, where the taking ſhalbee made, and brought to the next iaile. And if he be ther of attainted there, be it done of him as of a theefe, if the quantitie of the goodes the ſame require. And frombence forth bee it contained in the commiſſions of ſuch takers and puruiours, be they vnder the great ſeale oz the ſmal, the fourme and the paine contained in this ſtatut. Anno. 10. E. 3. cap. 1. ſtatut of puruciours.

10 ¶ Puruciaunces frombenceforth to bee made for the ſaid houſes, as lõg as they bee ſoiourned in any partyes, ſhalbee made by the ſhiriues of ỹ counties, where the ſaid houſes ought to ſoiourne and not by other. And that the commiſſions made afore thys time to ſuch keepers, ſhalbee frombenceforth of none effect and vtterly repealed. And that the puruciaunces to be made by the ſayed ſhiriues in this caſe, ſhal bee deliuered to the ſaid keepers by indentures.

Item it is accorded, that certaine people ſhalbe aſſigned to heare and determine all the offences done by the ſayd keepers, as well at the ſuit of the king as of the partie. Howbee it this is holden for no ſtatute as it appeareth by the rolle. Anno. 10. E. 3. capitulo 4. and 5.

11 ¶ The puruciaunces, which ſhall be made for the kynges houſe and the Quenes, where they ỹ abide & paſſe thyough the countrey, ſhalbe made by warrant and power geuen to them, which ſhall make ỹ puruciaunces: In which ſhalbe expreſſly contained, that they ſhal take nor buy nothing, vnleſſe it be by preuiſe made betwixt the buier and the ſeller, and by the agreemẽt of ỹ ſellers. And if any will any thyng take by colour of his cõmiſſion againſt this ordinaunce, none ſhall bee bound to obeie him no more then if he had no Commiſſion. And of that ſhalbee ſo bought and preuiſed, payment ſhalbee made to ỹ ſeller beefore that the king paſſe

Arreſt
Impriſon
Felony
Meaſure
Vitaile
Other
Houſes
Shirife
Indeñtures
Oier & ter.
Conſtables 4. Townſmen
Warrant
Taxes
Payment

Clergy

Victuale warres

Merchãts Treasorer

Cõmission

Shirifs

Hostis

Ouercharg

Imprison

Shirifs Dogges

Coyne

palle out of ỳ verge. And of great purueiances to be made as of flesh, fishe, and other vitailes for ỳ kinges warres & for to vitaile ỳ castels and townes in Scotland & Englãd, & other places, certain merchauntes or other good people shalbee deputed by the treasourer, to make the sayd purueiaunces, without commissions, & without the kynges or other power, so that ỳ people nor none of them be put to sell any thing against their will. And that no commission bee made to the kepers of the kynges horses, but be it onely commaunded to the sherife: that he make purueyãce by him and by his, of ỳ issues of his bayliwike. And the number of ỳ horses, for which he shal make such purueiaunces shalbee contayned in the saied commaundement. And that no purueiaunce bee made ouer thys number, saiuing that the chiefe keper haue an haubenay, and that he take good hede, that the countrey be not charged of more then shall kepe the horses, but for euery horse a knaue, without bringing woman, pages, or dogges with thẽ. And if more be found abyding in charge of the countrey, they shall be brought to the prison there to remaine till the kinge hath sẽt his wyll. And in the same maner bee it commaunded to the sherifes, that they make their purueiaunces for the kings dogges of the issues of their bailiwikes where they dwell. And that such purueiaũces be made by none other but by the sherifes. And be it contained in his commaundement the number of the dogges, for which he shall make purueiance ouer which number no purueiaunce shall be made, so that they liue of their certaine, without charging ỳ coũtrey. And if any find him greued against this ordinaunce, he shal haue his recouery agaynst the sherife of such greuaunces done to hym. Anno. 14. Ed. 3. capitulo. 19.

12 ¶That none by vs, nor by other cõmissiõ of ỳ great seal nor of ỳ signal nor without cõmissiõ, shal take nothing of coyne hey, beastes, cariage, nor other goods of archbishops, bishops, abbottes, priours, abbesses, prioresses, persõs vicars, or of other people of holy church nor owt, against the agrement & wil of ỳ owners of the same goodes. And we do defend that frõhencefoorth no such commissions vnder the great seale nor ỳ signal shall in any wise go forth in any pryses to be made. For we do take the said prelates and clergie, with their possessions goodes, & cattels into our especiall protection and defence. Also wee graunt for vs and our heyres, that wee shall not from henceforth charge any of the prelats or clergie nor their houses to receyue geastes, nor soiourners of Scotlande nor of other countreys, nor our horses nor dogges, faucons nor other hawks of ours nor others against their gree and wyll, saiuing alwaies to vs the seruices, which bee due to vs of right of them which owe to vs the sãe seruices, to sustayne and receiue dogges horses or Hawkes. Anno. 14. Ed. 3. cap. 1. stat. for the clergy.

Beastes Cariage Archbishops Bishops Religious

Prelates

Horses Dogges Hawkes

13 ¶The statutes made vpon the purueiances, to be made for the houses of the king, the Queene, and their children where is conteined, that they shall not buy nor take nothing, vnlesse it be by a gremẽt of ỳ sellers, & by promise made betwixt the buyers & the sellers. And that the statutes made of the statute of the steward & marshall of the kynges house, & what pleas they shall hold and determin before them in ỳ marshalsey shalbe holden & kept in al their poynts. An. 18. E. 3. ca. 7.

Statuts

Pleas Marshalsy

14 ¶The statutes touching ỳ purueiances of vs, & of our sonne, made in times past by vs & our progenitours, for people of holy Church to bee holden in al points. And ỳ in the commissions to be made vpon such purueiaunces, ỳ fees of holy church shalbee excepted in euery place, where they be found. An. 18. E. 3. ca. 4. stat. pro clero.

Church

15 ¶The takers of coyne for the said houses, shal take the same by measure

Coyne Measure

Hey Cattayle

Constable

Othe

Tailes

Arrest Imprison

Felony

Commissions

Great seale Priuy seale

Wood Timber

ersed accordinge as is vsed throughout the land. And that such corne, heis litture, beastaile, & other vitailes, & thigs which shalbe taken for the said houses, shall be taken by the very valure, by ỳ constable and other good people of the townes where such taking shalbe made without that that the purueiours by manace or dures shalbe driuen to set any other price then their oth will, & as cõmonly renneth in the next markettes. And that betwixt the purueiours & thé, whose goodes shalbe taken in the presence of the cõstables & prestours, tailes be made incontinently, without that that the people, whose goodes shalbee drawen or trauailed els where, and the same tailes sealed with the seales of the takers of the things so taken, by which tailes gree shalbe made to them whose goodes shalbe so taken, and if any purueiour or taker for the said houses, doe in any other maner, he shalbe immediatly arrested by the townes where the taking shalbe made, & brought to ỳ next gaiole, and if he be thereof attainted, it shalbe done of him as of a thiefe, if the quantitie of the goods the same require according as in a statut made in ỳ time of our soueraigne lord the kyng ỳ nowis is, the v. yeare of his raigne, & in an other made in the time of ỳ kings grand father vpon such takings, is contained at the ful. And that from hencefoorth in the commissions of such takers and purueiours, ỳ intent & paine limmitted in this statute, shall bée contained. And ỳ no commission be made, but onely vnder the kings great seale or priuy seale Nor no man be boūd to obeie any such commissions, in other maner then is a forsaid. And that the same statut take plase in al pointes against euery taker & purueiour of euery maner of vitail in euery part of ỳ realme, of what condicion so euer he be. An. 25. E. 3. ca. 1.

16 ¶ No taker of wood nor of timber to ỳ kigs vse for worke, nor for to make other thing, shall cutte or cast downe ỳ trées of any man growing about or within his house. And if any do to ỳ cõtrary hee shall make gree to the party of hys treble damage, & to haue one peres prison & to be forjudged of his office. An. 25. E. 3. ca. 6. stat.

3. damages Imprison Lose office

17 ¶ No such taker purueiour nor buyer shal take any sheepe before the tyme of ỳ shearing, but as much as may reasonably suffice tyll the time of shearing And after that time they shall take as many sheepe shorne & not other, that may reasonably suffise them for ỳ time to come. And if any taker, purueiour, or buyer of the realme do against ỳ same and be thereof attainted at the suit of ỳ king or of the party, it shall bee done of him as a thiefe or a robber. And ỳ pain shalbe conteined in euery commissiõ of such purueiours. An. 25. E. 3. ca. 15.

Sheepe

Felon

18 ¶ Al purueiances which be or shal be made to his vse or to any others vse within ỳ some of xx. s. payment shalbe thereof made incontinently vpon the purueiance made, without deliuering any taile for any day or place els where to be therof assigned, and ỳ of other purueiances made to ỳ sume of xx. s. & above, payment shal bee made within a quarter of a yeare then next following, after such purueyances made, at certen dayes and places, according as it may be most for the ease and lesse trauaile of the people. An. 28. E. 3. ca. 12.

xx. s. Payment

Quarter of a yere

19 ¶ Takinges shall not be frõ hencefoorth made by other thé ỳ purueiors of the kyng, of the queene, and of ỳ prynce there eldest sonne, & that if any other manes purueiours make such takings, it shalbe done of thé as of people which do without warrant. And theyr deede iudged as thing done against the peace & the law of the land. And such as doo not in ỳ manner aforesaid, shalbe duely punished. An. 34. E. 3. ca. 2.

Smith

20 ¶ Of purueyances made to the vse of ỳ queene & of the prince of pultry & of other small thinges, payment shalbe made in hād vpon the taking. And of other great purueiannces within ỳ moneth or vi. weekes in the coūties where they

Poultry Payment

vi. weekes

they shalbe take, & ỳ ỳ number of such purueiours be abridged in as much as conuentiently may for ỳ ayd & quietnes of ỳ commō people. An. 34. E. 3. ca. 3.

21 ¶ Frō henceforthe no man of the said realme shall haue any taking, but onely him selfe & the queene hys compaygnion, and moreouer of the assent aforesaid it is ordeyned & stablished, ỳ vpon such puruciaunces from henceforth to bee made for the houses of the kynge & the quene, ready payment shal be made in hād, that is to say, the price for such vitayles bee solo commonly in the marketes about. And that the heynous name of purueiour be changed & named buyer, and if the buyer may not well agree with the seller of that ỳ bee shal nede, then the takinges which shal be made for ỳ said houses, shalbe made by the view, testimony, and appreciatiō of the Lordes or their baylifes, constables and foure good men of euery towne, & that by indenture to be made betwixt the buyers and the said lordes or baylifes, constables, & four menne containing the quantity of their takinges, and of the price, and what persons And that the takynges be made in conuenable & easy maner without duresse compulsion, manace, or other villany. And that the takinges and buyings be made in such places, where greatest plētie is, & that in a conuenable time, and that no more be taken then shalbe nede full in the season for the said ii. houses & ỳ the number of ỳ buiers be minished in as much as wel may, & ỳ such be buyers which be sufficiēt to aūswere to ỳ king and his people, and that none of them haue deputie, and that the Commissions be sealed with the great seale and euery halfe yeare retorned in the Chauncery, and other newly made: And that in the said commissiōs bee comprised all the matter and maner of their takings and buyinges. And that the said commissiōs be made vpon the end of the said parliament, and then al the other commissions of puruey ours heretofore made bee wholly repealed. And that no man be bound to obey to the buiers of other Lordes against their wyll, nor to the buyers of the sayed Houses, vnlesse they make redy paymēt in hand, as before is said. And that no man be put in cōtempt by cause of disobedience made in this behalfe. And that the takinges of al maner of corne and malt for the said two houses be measured by measure, according to the standerd striked and not by heape. And for the carriages of the said corne and malt, and for al maner of takinges and buyinges to bee made for the said two houses, redy payment be made in hand in the same maner as for the takinges and buying aforesaid. And that there be no more cariage taken then needeth and shall bee necessary in this behalfe. And if any buyer after the new cōmissions made make any taking, or buying, or taking of cariage in other maner then is comprised in their said commissions, he shal haue punishement of life & of member, as in other statutes is ordeined of puruciours. An. 36. E. 3. ca. 2. stat.

22 ¶ No buyers of vitailes, nor takers of cariages, take nor receiue of any, one or other, any thing for sparyng to bee made, nor shall not charge nor greue any man by occasion of such takinges, buyings, & cariages for hatred, enil wil procuring, & if he do, & be therof attaited at ỳ suit of ỳ party, he shal yeld to ỳ party his treble damage, & shal haue imprisōmēt of ii. yers, & also be raūsomed at ỳ kings wil, & after for swere ỳ court, & if ỳ party wil not sue, he ỳ wil sue for the king shal haue ỳ third peny of ỳ ỳ shalbe recouered for his labour, and neuerthelesse ỳ buyer & taker shall haue ỳ pain as before is said in the same article, and ỳ euery buyer for hys accompt shall declare and deuyde seuerally all the takynges & buyings of euery county, towne village, and person. An. 36. E. 3. ca. 3.

23 ¶ Item to restraine the malyce of buyers of vitailes & takers of cariages com-

Redy payment

Redy payment

Corne Malt Measure

Cariage

Redy payment

Life and member

Reward

Malice

3. damages

Imprisonment

Accompt

Sufficient

Cōmissions Great seale

Chauncery

Redy payment

Vitailes

Lordes Baillies Constables 4. Townsmen.

Indenture

Cõmissions ỹ. Good mẽ

commissions shalbe made to two good men and lawfull of euery County, and the third shalbe of the kings house named in the saied commissions, so that if any of the three come not, that the two shal proceede to enquire of the behauiour and acts of the said buyers and takers. And how much the same buyers haue taken and bought, and how much cariage the saied takers haue taken seuerally of euery Towne or singuler persons. And to heare and determine the contemptes, outrages, and trespasses, done in this behalfe, aswell at the kinges suit, as at the suit of euery man that will complaine of them. And for information to be made to the said Justices of the thinges aforesaid, the Stewardes, Treasorer, & Comptroller of euery of the said two houses shall assemble and call before them al the clerkes and other officers wh atsoeuer they bee, of euery office of the said two houses, and shall see the receiptes of the parcels preuided in the Cõtrey and dispended in the said two houses. And at euery quarter or half yere they shall certifie in the chauncery, the perels taken in euery Towne, and of euery person, and the Chauncelor shall send his certification to the Justices, which shalbe so assigned. And if it bee found in the Countrey by euidence of their indentures or in other maner, ỹ they haue taken more then they haue deliuered into the said two houses, and that they haue not payed for that they haue taken at the suit of the partie, or at the kinges suit, hee shall haue peyne of life & of mẽber, as afore is said. And that this ordinance extend & hold place aswell against the purueyours for the great horses of the said two houses, as against the buyers & takers before named. An. 36. E. 3. ca. 4.

Enquire

Cariage

Oier & ter.

Stewarde Treasorer Cõptroller

Certifie Chauncery

Life and member

Horses

24 ¶ No man of the said two houses, hold more of the said horses in the said liuery, where these houses shalbee, then is ordeyned by a statut of the kings house. And if any doe otherwise, if the horses found ouer the number limitted to him by the statut, it shalbee done as the said statut will. And that no man of such houses, of what estate or condition that he be, haue purueyour or forgoer, to make any purueiãce or taking for any man of the said two houses but that they or their people buy that that them needeth, of them that will sell the same of their good agreement & pay redyly in hand, according as they may agree with the sellers, and if they doe other wise such punishemẽt shalbe made vpon them, as afore is said of ỹ buyers. And that hunters, faiwconers, serieantz at armes, & al other which be at wages or perteyning to the said ii. houses, shall haue the same penance if they come against the same. An. 36. E. 3. ca. 5.

Horses

Hunters Fauconers Serieants at armes

25 ¶ Item that no lorde of England, nor none other of the said realme, of what estate or condition that he be, except the kyng & the queene, shall make any takinge by hym or any of hys seruauntes, in any maner of any vitailes but shal buy the same that them needeth of such as will sel the same of their good gree, and for the same shal make ready paymẽt in hand according as they may agree with the seller. And if the people of lords, or of other, do in other maner, and thereof be attainted, it shalbe done of them such punishment of lyfe & of member, as is ordeined of the buyers. An. 36. E. 3. ca. 6.

Lord

Vitailes

Ready paymẽt

Life and member

26 ¶ The statuts late made in ỹ time of the noble kyng Edward graũdfather to our soueraigne lord the king ỹ nowe is for purueiours and buyers, shall be firmely obserued and kept in al points. And also because that prelates & clerks may not thereof commence their suits against any by way of crime (as ỹ said statuts requireth) al prelats and clerks shal frõhẽceforth haue their accions against al such purueiours and buiers, by actions of trespas, & recouer their treble damage. An. 1. R. 2. ca. 3.

Prelates

Accions

3. damages

27 ¶ The statutes of purueiours made before this time shalbe holden, kept, & put

put in due execution so ỳ no purueyour hereafter buy or make any purueyance for ỳ kings houshold of any things of ỳ value of xl.s. or under, but he shal make redy payment upon paine to lose his offices and the value to the party greeued. An. 2. H. 4. ca. 17.

28 ¶ The statuts of purueyours made before this time be fermly holde & kept & put in good & due execucion, inyniug to ỳ same, that if ỳ seruants of other lordes and ladies which be not compased in ỳ said statut doo from henceforth take in any partie within the realm vitailes or carriages to ỳ vse of their lordes & ladies other wise then they therof may agree with the owners & sellers of the same by payment therof to bee made redy in hand, that the same seruantes shall incurre the paine compased in the said statutes of purueiours, and neuertheles the party endamaged by such seruants (if hee will) haue his suit as ỳ common law. An. 7. H. 2. ca. 8.

29 ¶ The statuts of purueiours, made before this time, bee holden and kept and put in due execution, ioyned to the same that from henceforth no purueiour nor buyer make any purueyance or buying for the kinges house of any thing to the value of xl.s. or within, vnles he make redy payment in hand, upō paine to lose his office, & to pay as much to ỳ party greued. An. 2. H. 4. ca. 14.

30 ¶ All ỳ statuts & ordinances made of purueiours & buyeres, and not repealed, bee kept and executed in al points, & also proclaimed in all counties through the realme by the kinges commaundement. And ỳ euery sheriff of ỳ realme of England, after that he hath receiued the said statutes, thereof to make proclamation by such commaundement, he shall proclaime them euery yere within his shiriffe through his bailywike vpon paine to pay to the kinge at euery time that he therof faileth C.s. And that vpon the same paine euery of the said sheriffes shal deliuer the said commaundement to his successour immediatly by indenture to be made betwixt them, wherby he may make like proclamation for the time that he is in ỳ said office for the ease & surety of ỳ people. And ỳ euery such successour, after such commaundement by him receiued shal make such proclamations foure times in the yeare, & shall make such deliuerance of the said commaundement to his successour, as aboue is said, vpon the paine aforesayd. Anno. 1. H. 6. capitulo 2.

31 ¶ The statuts before this tyme made of purueiors & buyers, shalbe holden & kept, & put in due execution. And in case that any purueiour, buyer, or taker, will take and make purueyance, or buy any thing to the value of forty shillinges, or aboue of any person, and make not ready payment in hand, that then it shalbee lawfull to euery of the kynges liege people to retayne their goodes and cattels, & to resist such purueiours & buyers, & in no maner wise suffer them to make any such purueyances, buyings, or takynges. And for the peace better to be kept, that euery constable, tythyngman or chiefe pledge of euery towne or hamlet, where such takynges or purueyances shalbe made shalbe ayding or assisting to the owner or seller of such thynges to bee taken against the fourme of this ordinaunce, to make resistaunce in the fourme aforesaied in case that such constables, tythingman or chiefe pledges be required that to do, vpon payne to yelde to the party so greued the value of ỳ thynges so taken, with his double damages. And that none of the kinges liege people bee put to losse or damage by the kinge or any officer for such resistance. And that none of the kynges officers shal do to be arested, vexed, or impleded in ỳ court of ỳ marshalsey or ela where any of ỳ kings liege people for such withholding or not suffring to be done, vpon paine to lose xl.li the one moity of that to the kinge, & the other moity to hym which bee in such case sue. And that the

Justices of peace in euery county shal haue power by auctority of this ordy-
Oier & ter. nance to enquire, heare & determin al-
wel at the suit of the kinge as of ptie
which will sue of any thing done against
this ordinance, and thereof to make
Damages due punishement and execution, and to
award damages to the party plaintife,
when any defendaunt is therof duely
conuict. And that in euery action to be
taken vpon this ordinance, euery par-
ty defendaunt shal be put to answere to
that without ayd of ỳ king. And in such
Proces actions to be taken proces shalbe made
as in a writ of trespas. dou against the
Cõmission peace. And that in euery cõmission of
puruetours, buyers, takers, to be made,
this ordinance shalbe contained and ex-
pressed. And moreouer that this ordi-
naunce among other statutes of pur-
ueyours, buyers, & takers before this
Shirifs time made shalbee sent to the sherifes
of euery county of Englãd to proclaim
& deliuer ỳ said statutes & ordinances
in ỳ maner & fourme contained in the
statut of puruetours & buyers, made the
first yere of the raigne of our said sou-
raigne lord ỳ king ỳ now is. And more
ouer the king will & commaund that ỳ
statut made the xxvi. of king Edward
late king of England after ỳ conquest,
touching puruetours of other persons
then of the king, shal be put in due execu
tiõ. An. 20. H. 6. ca. 8. (S. An. 36. E. 3)
32 ¶ The said statutes of A. 36. E. 3.
from hereforth shal be duely kept & put
in due execution. And moreouer hath it
ordened by the same auctority ỳ euery
Swerne Chauncery puruetour and buyer before ỳ they shal
haue any commission shalbe sworne in
ỳ chauncery ỳ he shal take nothing of ỳ
people contrary to the said ordinaũces.
And moreouer for almuch as the poore
people be not of power, nor dare make
resistaunce against ỳ puruetours, buy-
ers, nor sue them by ỳ lawe though that
they do contrary to the said statutes, it
is ordeined by the same auctority that
Townes ỳ preyours & also al ỳ towne or townz
adioyning if neede be, shal be bound to do
their deuoir & power to resist ỳ buyers Resist
& puruetours doing contrary to the said
statutes, and as much as in them is, to
execute the said statutes vpon the same
puruetours, if they be required. And ỳ
he which is greeued of his goodes ta-
ken contrary to the said statutes & ordi-
naunces, may chose to haue an accion Accion of debt
of debt against ỳ said preiours, towne
or townes & euery of them, which doo
not their deuoir in resistance of ỳ saied
puruetours or buyers in the fourme a-
forsaid, when they shalbe required or
els against the said puruetours or buy-
ers & euery of them to recouer ỳ treble 3. Value 3. damages
value of hys goodes so taken, & more o-
uer his treble costes & his damages, &
if any puruetour or other ỳ hinges offi-
cer, for trouble or berreany of ỳ kigs liege
people in the marshalsey or elswhere,
by any smale suggestion or cause seined
imagined or coloured vpon the, because
of execution of the said ordinaunces, he
shall incurre ỳ peine of xl. li. to be paied Forf.
to ỳ party greued, ouer his damages &
costes in this behalfe susteyned. And ỳ
he thereupon shal haue a writ of Debt. writ of debt
And ỳ euery issue triable in this accion Issue County
shalbe tried in the county where taking
of ỳ said goods was made. And ỳ the de
fendãts in al the said causes shal not be
admitted to wage their law. And shal-
be put to answer without fourching, and
no essoine, nor of ỳ king, nor protectiõ
shalbe to them allowed. And ỳ the ser- Sergeant of the catery
iaunt of ỳ caterie shal satisfie al the da-
damages debts, & executions, which
should be recouered against euery puru-
etour & buyer vnderneth him in al the
cases aforsaid in case that ỳ puruetour
or buyer be not sufficient to satisfie. And
ỳ party complaynaunt shal haue a scire Scire fac.
facias to haue execution against the said
seriauntes in ỳ case. And ỳ these sta-
tutes & ordynaũces shalbee sent to the Just. of p. Proclaimt
Justices of the peace in euery county,
to proclaime them euery yere & there-
of to enfourme ỳ people. An. 23. H. 6.
capitulo. 2.
39 ¶ If any buyer or other officer of ỳ

Duke

Duke of Glouceſter, or of any other
Lord or perſon of what eſtate degree or
condition ỹ he be, preſume vpon him to
Victuales take, or otherwiſe do take any victuales,
Corne corne, hey, carriages, or any other thing,
Hay whatſoeuer, of any of the kinges lyege
Cariage people in any wiſe againſt their will,
without lawfull bargaine bet wixt the
ſaid buyers or officers & the ſayd lyege
people therof to bee made to the vſe of
the ſaid duke or other lord for their hou
ſes, but alonly for the kinge & the queene
Maior & their houſes, ỹ the ſame, or requeſt
Sheriffe be made to the maior, sheriffe, bayly, cõ
Bailife ſtable, officers, or other of ỹ kinges mi
Conſtable niſters of cities & boroughs, or other cõ
ties or places where ſuch taking ſhall
happen to be, ỹ then the ſaid maior, ſhe
rife, conſtable, officer, and miniſter to
Arreſt whõ ſuch notice or requeſt ſhalbe made
by & by ſhall take & arreſt all ſuch buy
ers & officers ſo doing, or offending, &
them ſhall ſeuue to the kinges next pri
Impriſon ſon there to remaine & not to bee let to
Mainprize baile nor mainprize til the time ỹ they
haue reſtored al the ſaid vitailes, carri
ages, & other thinges ſo taken or ỹ very
Maior value of the ſame. And if the ſaid maior
Bailife ſheriffes, bailiffes, conſtables & officers
Sheriffe aforeſaid do contrary to this, that then
Conſtable they ſhal forfait xx li. whereof ỹ king
Forf. ſhal haue the halfe, and ỹ partie of whõ
Mouie ſuch thinges bee taken, the other halfe
Accion of if hee wyll ſue by an accyon of Dcbt
debt in the which the defendaunt ſhall not
doe hys lawe, and yf hee will not ſue
whoſoeuer will ſue for the kynge and
hym ſelfe, ſhall haue the ſuyt to recou
uer to hym ſelfe the one halfe thereof,
and the kynge the other halfe. And if
Conuict any of the ſaid buyers, other then of ỹ
king & the queene, bee duely conuict of
ſuch vnlawfull taking (as aforeſaid reci
ted) at the ſuit of ſuch parties as ſhalbe
againſt them in this behalfe, that then
3. Thinne they ſhall yelde to the party which ſo
1. Coſts ſueth the treble value of the vitailes or
other thing ſo taken, & the double coſtes
Fine. of their ſuits, and for the ſaid treſpaſſe
to make fyne and raunſome to ỹ kyng.

And that in all ſuch accions or ſuits a
foreſaid, the kinges proteccion ſhal not
be allowed nor auailable for the defen
dant. And this ordinance ſhall begin to
take effect at ỹ feaſt of Eaſter, which
ſhalbe in the yere of our Lorde 1546.
Prouided alwaies that by this act the
puniſhment ordeined againſt ỹ kinges
purueiours in no wiſe ſhalbee reſtray
ned. An. 23. H. 8. ca. 14.

34 ¶ All ſuch letters patents (that
is to ſay, to take horſes & mares for the
kinges & Queenes cariage) graũted to
any perſon or perſõs holding any hoſ
ties, bee whoales, or houſe of retailing
of victaile, ſhalbe voyd & of no valure nor
effect, & if any ſuch graunt be made to
any ſuch perſon or perſons from hence
forth, that al ſuch patentes ſo graunted
ſhalbe void & of no effect. And that no
perſon nor perſons ſhall take horſe nor
cart in any place within this Realme,
but by the ordinaũce of the Maior, ſhe
rife, bailifes, or conſtable where ſuch
taking ſhalbe had. And if any ſuch per
ſon or perſons take any horſe or cart of
any perſon or perſonnes vnthankfully
made to the owner for the ſame, and
by the ordinaũce of the Maior, ſheri
ffe, bailife or conſtable where ſuch takings
ſhalbee had, that then hee or they from
whom ſuch horſe or cart is taken, and
hee or they of whom ſuch fines or pay
mentes be taken, as is afore rehearſed,
ſhall haue an action of treſpas at the
commõ law for ſuch takings. And that
he or they that ſo leeth him ſelfe grieued
in ſuch action ſhal recouer treble damã
ges againſt him or the which ſo take a
ny horſe or cart fines or paimẽts cõtra
ry to this ordinance: Saving alwaies
to the king his prerogatiue & his pre
eminence of and in the premiſſes. An.
28. H. 8. cap. 2. ſect. 2.

35 ¶ An. 2. & 3. E. 6. ca. 3. ¶ Lawe was
made againſt purueiours & takers, and
for prices of horſes & carters taken for ỹ
king, to endure for 3. yeres.

36 ¶ After the feaſt of ỹ birth of our
lord next enſuing, every ſuch commiſ

Cõmissiõs

sion as shalbe made, graunted & dyrected to any perso, or persõs, whatsoeuer, whereby ỹ sãe perso or persõs, or their deputies shal haue auctoritie to take any beeues, wethers, lãbes, calues, or any kynde of saltfishe, or any kynde or kynds of grain, or any butter in barels or other vessels, cheese, bacon, connies, pigges, geese, capons, or hennes, that ỹ same commission or commissions shall not extend or continue aboue the space of vi. monethes at the farthest next ensuinge the date of any of the said commissions. And after the end of the said vi. monethes euery of the said commissions to be voide & of no force nor effect what soeuer maydes matter or sentences shalbe cõtained or expressed in any of the same commissions. And be it ec. that in al and euery such commission or commissions to bee graunted after the said feast of the birth of our lord, shalbe plainly & well contained and expressed such county or counties, as any of ỹ said beeues, wethers, lambes, calues, hogges or swine, or any kynde of saltfishe or any kynde or kyndes of graine, butter, cheese, bacon, connies, pigges, geese capons or hennes or any of the is to be levied, purueyed, or taken in, by any of the perso or persons or their deputy or deputies so auctorized by the vertue of the saied commission or commissions, as also ỹ iust, true, and full proporcion & number of al & euery such beeues, wethers, lambes, calues, swine, any kynd of saltfyshe, or any kynde or kyndes of graine, butter in barrels, or other vessels, cheese, bacon, connies, pigges, geese, capons, & hennes, or any of the as the said person or persons, their deputie or deputies, or any of them, shalbe by force and vertue of the said commission or commissions auctorized to leuy, take, or puruey, within any of the said countie or counties. And be it ec. that to euery such commission or commissions after the said birth of our lord to be made, graunted and directed, as is aforesaid, shalbe annexed so many blankes in parchment, as there shalbe seuerall counties expressed, named and contained within the same commissiõ or commissions, or any of them, in the which blankes shalbe faire and legeably written all and euery such beeues, wethers, lambes, calues, swyne, any kind of saltfish, or any kind or kinds of grayne, butter, cheese, bacon, connies, pigges, geese, capons and hennes, with the true and seuerall prices of the same and euery of them as shalbe leuied, gathered, and purueied, by any person or persons, their deputy or deputies, or any of them, as shalbe thereunto auctherised by any such commissions aforesaid, within any particuler Towne, Parish, or hamlet, sett, lying, and being within any those entie or cõtties, as shalbe named, contained & expressed in ỹ said cõmissiõ or cõmissiõs or any of thẽ, whereunto shalbe subscribed the name or signe manuel of al & euery such high cõstable or cõstables, petty cõstable or constables, headborough, or headborroughes as shall bee by any precept to him or thẽ directed, by any perso or persons their deputy or deputies or any of thẽ, auctorized thereunto by such cõmission or cõmissions to be graunted, as is aforesaid prany or knowledging to ỹ deliuery of ỹ said beeues, wethers, lambs, calues, any kind of saltfish or any kynd or kindes of graine, butter, cheese, bacõ connies, pigges, geese, capons & hennes or any of thẽ. And be it ec. ỹ euery perso or persõs their deputy or deputies, or any of thẽ which shalbe by commission or commissions hereafter to be graunted as is aforesaid, auctorized to take, take or puruey, any beeues, wethers, lambes, calues, swine, saltefishe or any kind or kindes of graine, butter in barrels or other vessels, cheese, bacõ, connies pigges, geese, capons and hennes, or any of them as is beforesaid shal make a docket or bieue in writing, subscribed with his or their name or names, conteining all and euery such beeues, wethers, lambes, calues, swine, kynde of salte-

Beeues
Sheepe
Calues
Saltfish
Grayne
Butter
Cheese

6. moneths

Lloyd

County

Office

Number

Cõmission

Blankes

Prices

High constable
Head borough

Docket

salt fish, kinde or kindes of graine, butter in barrels or other vessels, cheese, bacon, connies, pigges, geese, capons, and hennes or any of them, as hee or they shall by vertue of the sayed commission or commissions, leuy, take or puruey within any particuler towne, parish or hamlett, sett, lyinge or beeyng within any such countie or counties as shalbee named contained and expressed within the sayd commission or commissions or any of them, and the same docket or dockettes, breefe or breefes, faire and legeably wrytten & subscribed as is aforesaid, shall well and truely delyuer to the sayd high constable, pety Constable, or head Borough or one of them, at such prefixed times as the said bieues, wethers, lãbs, calues, swine, salt fish, kinde or kindes of grain, butter, cheese, bacon, connies pigges, geese, capons, and hennes, or any of them shalbee deliuered to them or any of them vppon paine of forfayture of a hundred marches of lawfull money and one yeares imprisonment as often as he shall so offend. Whose moity of which forfaiture to be to the king and Quenes maiesties, and the other moitie to him that will sue therefore in any of the kynge or Quenes court of Record &c. wherein no wager of lawe &c. to bee allowed. All which dockets or briefs the said high Constable or Constables, pety Constable or constables, headborough or headboroughs, shal deliuer ouer to the Iustices of peace, at the next generall Sessions to bee holden within any of the sated counties. And that the same Iustices or two of them may and shal from tyme to time certifie the whole number and content of all and euerie the saied dockettes and briefes, to the lord stewarde of the kinge & Quenes most honorable houshold for ỹ tyme beinge, or to the Treasourer or comptroller of the same, or any of them, or to the Treasourer and Comptroller of the king and Quenes shippes, if provisions of any the thinges afore mencioned bee prouyded or taken for the victualling of the navy, or any of the kinge or Quenes maiesties shyppes, whereby the serving of any of ỹ foresaid commission and true answeringe of the same shall fully appere. Prouyded alwaies and bee it &c. that it shall not be lawful to any person or persons their deputie or deputies, or any of the which shalbe authorized by such commission or commissions herafter to be graũted as is aforesaid, to leuy, take or purney any beues, wethers, lambs, calues, any kind of salt fish, kynd or kinds of graine, butter in barrels, or other vessels, cheese, bacõ, connels pigs geese, capons, and hennes, or any of them otherwise or in any other sort & manner, then is in seuerall estatutes heretofore for purueiours made ordained, prouided, appointed, limitted and expressed, vppon such paine & paines as in ỹ said seuerall estatuts is contained & expressed. And for asmuch as the good and necessary lawes heretofore made and prouided against the abuses and euil doings of purueiours are not taken to extend to the vnder takers deputies and seruauntes of any such purueiours, by whom therefore the people of this realme, be often times very vncharitably and vnlawfully vsed & oppressed. Be it therefore &c. that all & euery such lawes, statutes & prouisions as heretofore haue bene made and ordained against purueiours, & al and euery the paines, penalties, forfaiture and losse, contayned, mencioned, or appointed, in any of the same lawes or statutes against purueiours and takers or any of them, shal also be extended and executed vppon euery of their vnder takers, deputies and seruaunts, and all other which by colour shal after the first day of January next commynge, take any victuall or any other thing, by vertue or force of anie such commission, from any the kynge and Quenes maiesties subiects contrary to the

High constable

Forf.

Imprison

Moitie

Headborough Iust. of p. Sessions

Certifie

Steward

Treasorer Cõptroller

Vnderta-kers

to the tenour and effect of any of the saied lawes or statutes, in like maner and fourme to all intentes and purposes as the same lawes and estatutes, or any of them, and the paynes and forfaitures therein contayned, should might or ought to bee executed and extended agaynst purueiours and takers them selues or any of them. And as strongly and amply, as if the said vnder takers deputyes, and seruauntes were specially and particularly recited and named in euery of the same estatutes.

Prouided alwayes and bee it &c. for the better execution of this act, and all other actes concernynge pureyours that all and euerie commyssion and commissions that fromhencefoorth shal bee made and graunted vnto any pureiour or pureiours shalbe written & set forth from time to time in the Englysh tongue and not otherwise. An. 2. & 3. P. & M. ca. 6.

Cõmission

*Quare impedit.*

AAnd in a plea of Quare impedit if the dissourbour come not at ỹ first day, that hee is summoned, nor cast no essoine, then hee shalbee attached at an other day, at which day if hee come not, nor cast no essoigne, he shalbee distraigned by the great distresse a bous geuen: And if he come not, then by hys default, a writte shal go to the bishoppe of the same place, that hee claime of the dissourber for that time shall not be prejudicial to the plaintife. Saueng to the dissourbour hys ryght at an other time, whych will plead therefore. The same lawe, as to the making of attachmentes shall fromhencefoorth bee obserued in all writtes (where attachmentes lie) as in making distresses, so that the second attachment shalbee made by better pledges and at the least a distresse. Parliadg anno. 22.

Dissurbor.

Essoine

Distreined

¶ *Queene.*

BE it &c. that the lawes of this Realme is, and euer hath bene and ought to bee vnderstand, that the kyngelie or regall office of the realme, and all dignities, prerogatyue, royall power preheminences, priuiledges, auctorities, and iurisdiccions thereunto annexed, vnited, or belonging, being invested either in male or female, are & be, and ought to be, as fully, wholy, absolutely and entierly deemed iudged, accepted, invested and taken, in ỹ one as in the other, so that what or whesoeuer statute or lawe dooth limit and appoint, that the kynge of this realme may or shal haue, exeut, and do anie thynge as kynge, or dooth geeue anie profit or commoditie to the kynge, or doth limitte or appoint any paines or punishment for the correccyon of offendours or transgressours agaynst the regality and dignitie of the kynge, or of the crowne: The same the Queene (beinge supreme gouernesse, possessour and inheritour to the imperial crowne of this Realme, as our said soueraigne Lady the Queene most iustly presently is) may by the same auctority and power lykewyse haue, exercise, exeut punish correct and doo, to al intentes, constructions, and purposes, wythout doubt, ambiguitie, scrupule, or questyon, any custome, vse, or scrupule, or any other thynge, whatsoeuer, to bee made to ỹ contrary notwithstanding. An. 1. M. 2. parl. 2. ca. 1.

2 ¶ Ann. 1. M. parl. 2. cap. 2. was one act made concerning the mayntenyng of king. P. and Queene Mary wherby is determined, & An. 1. & 2. P. & M. ca. 1. there was one other act made repealing one article in that former statute concerning signing of patents &c. by ỹ Queene.

¶ *Quod permittat.*

IN like maner as a persoune of a Church may recouer a comyne of pasture by a writte of Nouell disseisin, so hereafter the successour shal recouer agaynst the disseysour or hys heire

Person
Common
Ass.

here by a writte of quod permittat, although such a writ hertofore hath not beene graunted in the Chancery. Wi. 2. ca. 25.

¶ Rape.

And ỹ kinge prohibiteth, that none do rauish, nor take away by force any mayden within age (neither by her owne consent, nor without) nor any wife, or mayden of full age, nor any other woman against her wil. And if any do at his suit that will sue within xl. daies, the king shal doo common right. and if none commence his suyt within xl. daies, the king shal sue. And such as bee found culpable, shall haue two yeares imprisonment, & after shal make fine at the kinges pleasure, and if they haue not wherof, they shalbe punished by longer imprisonment according as the trespas requireth. Wi. 1. cap. 14. 13

Mayden

40. Daies

King

Imprison

Fine

2 ¶ If any man fromhencefoorth rauish any woman maried, maid, or other, where she did not consẽt neither before nor after, he shal haue iudgment of life and of member. And likewyse where a man rauisheth a womã maried, Lady, damsel or other with force although shee consent afterward, he shal haue such iudgement as before is said if hee bee attainted at the kyngs suit, for the king shal haue the suit.

Woman

Maid

Felony

Consent

Judgemẽt

And for women caried away with ỹ goodes of their husbandes, the kyng shal haue the suit for the goodes taken away. And in case the wife wylfully forsake her husband, and go away, and contynue wyth her paramour shee shalbe barred for euer of action to demaund her dower, that shee ought to haue of her husbandes landes if shee bee conuict thereuppon, except that her husband willingely and wythout coherction of the Church, reconcile her and suffer her to dwell wyth hym, in which case shee shalbee restored to her action. Hee that carieth away a Nun frõ her house, although the consẽt shalbe punished by iii. yeres imprisonment, and shal make conuenient satisfaction to the house from whence shee was taken, & neuertheles shall make fine at the kings wil. Wi. 2. ca. 34. 35

Goods

Dower

Nunne

Imprison

Fine

3 ¶ Against offenders & rauishers of ladyes, and the daughters of noble men, and other women in euery part of the said realme now a daies offending more violently, & much more thẽ they were wont: It is ordeyned and stablished, that wheresoeuer, and whẽsoeuer such Ladyes daughters & other women aforesayd be rauished, and after such rape, do consent to such rauyshours, that as well the rauishours, as they that be rauished, and euerie of thẽ be from hencefoorth disabled, and by the same deede bee vnable to haue or challenge heritage, dower or ioyntfeffemẽt after the death of their husbandes and auncesters. And that incontinently in thys case the next of the bloud of those rauishours, or of them that be so rauyshed, to whom such heritage, dower, or ioyntfeffemẽt ought to reuert, remain or fall, after the death of the rauishour, or of her that is so rauished, shall haue title incontinently, that is to say, after the rape, to enter vppon the rauishour, or her that is rauished, and their assignes and land tenaunts in the same heritage, dower, or ioyntfeffement, and the same to hold in state of heritage. And that the husbands of such womẽ, if they haue husbandes, or if they haue no husbandes in life, that then the fathers or other next of their bloud haue from hencefoorth the suit to pursue, and may sue agaynst the same offendours and rauishours in this behalfe. And to haue the therof conuict of life & of mẽber, although the same women after such rape do consent to the sayd rauyshours. And further it is accorded that the defendaunt in this case shall not be receyued to wage battaile, but that the trouth of the matter bee thereof tryed by inquisition of the countrey. Sauing alwayes to our soueraygne Lorde the kyng,

Consent

Ladies

Disabled

Dower

Heirs

Entre

Husbands

Next of blood

Suit

Consent

Battaile

kyng, and to other lords of the sayed realme, al their eschetes of the said rebelliours, if peraduenture they be therof convict. An. 6. H. 2. ca. 6.

¶ *Rebellion.*

Owen Glendor

A Anno. 9. H. 6. capi. 3. it is enacted, that all indictments, proces, iudgmentes and Statutes made agaynst Owen Glendor and his adherentes, that made an insurrecyon agaynst Henry the sowerth should bee effectuall &c.

John Cade

2 ¶ Anno. 9. H. 6. capitul. 1. John Cade for his insurrection is convicted of Treason and his goodes and landes forfaited.

Endictmẽts voyd

3 ¶ Anno. 31. H. 6. cap. 1. it was enacted that John Cade should be a traitour, and al his tirranous actes voyd, and all endictmentes vnder that tyranny voyd, and no blood to be corrupted thereby, and that all indyctmentes after that in lyke case vnder the power of tiranny, rebellion, and commotion, to be voyd, and all peticions delyuered to kyng Henry the vi. in the xxi. yere of his raigne, and not agreed by him, should be void.

¶ *Receiuours.*

Acquitãces

SE courtes how receiuours that pay pensions, fees or rentes, shall make their acquitaunces, & what they shall take for those acquitaunces, and for ỳ money that they shal pay.

Collectors

2 ¶ Euery high collectour of any subsidie or other tare or lone, and all & euery other the kings said particuler & generall receiuours of any the sayed summes of money, & other duties belonging to the king, from and after ỳ first day of July next comyng, shal

3 monethes

within the space of iii. monethes next after such dayes and times as any the said fiftenes, subsidies, rents, summes of money, or other percly profits, shal be due and payable to the kynge, hys heires & successours, by any statute ordinance or other meane, and by the

Fifteens Subsidies

same collectour or generall receiuour, or any of them retayned or gathered, truelie content, delyuer, and pay the same to the kinges vse, at such place or places, and to such person or personnes as be or shalbe named, appointed, and limitted for the same vpõ paine to forfeyt to the king, his heires & successours fourtie pound so being receyued, and after that retayned, kept or layed out for gaine, and not payed within three monethes to the kings vse as is aforesaid, iiij. s. for euery moneth, ỳ the same money shalbe so retayned, kept or layd out for gaine, as is aforesaied, and also shall lose and forfait his or their sayed office concerning the same, & al profits thereunto belõginge. And ỳ the king shall at hys pleasure charge the sayed collectour, perticuler or generall receyuour vppon his or their accomptes, vñ the penaltie and forfeyture aboue rehearsed, or els at his pleasure demaũde aske and recouer the same by accion, bil plaint or suit of debt agaynst the same collectour or collectours, particuler or generall receiuour, their heires, executors, or administrators. In which accion, bil, plaint, or suit no protection &c. shalbe allowed nor admitted. Prouyded alway, that if anie of the sayed collectours, particuler or generall receyuors, tender payment of al such money by them receyued to the kings vse vñ in the sayd iii. monethes, in such place and vnto such person or personnes as be or shalbee charged with the receipt of the same, and do as much as in him or them is or shalbe for to make true payment therof & cannot be thereunto admitted by reason of importunate busynes, or other lawfull impediment or cause in him or the ỳ should accept or receyue the same: that in euery such case, the same collectour, particuler or generall receiuour or receyuors as shal so make tender of al such money by him or them receyued or gathered to the kings vse as is aforesayd, & cannot bee thereunto admitted for any

Forfeit

Forfeiture King

Tender

Collectes

the

the causes aboue said shall not be charged with, or incurre any danger or penalty contained in this act: This act or any thing therin contained to ẏ cõtrary notwithstãding. Prouided alwaies and be it &c. that the heire or heires of any collectour or receiuour afore sayed shal not bee charged or chargeable by reason of this act, but onely for and in such landes, tenementes, or hereditaments, which the said heire or heires haue or shal haue by discent in fee simple or fee taile, or by gift or else by any other assurance had or made to any such heire or heires onely by couin frõ the said collectour or receiuour, or any of them, or any their assignes. And ẏ in al & euery such case & cases, ẏ kinges maiestie, his heires and successours, to haue execution only of & in such landes tenementes, or hereditaments discended, geuen or otherwise assured as is afore said, vntil such time as his maiesty his heires & successours be fully satisfied and paied of all and euery such summe & summes of money, due or to bee due by any such collectour or receiuor. And it is further &c. that the executour or executours, administratour or administratours of euery such collectour or receiuour, shal not bee otherwise charged or chargeable by this act, but as executours & administratours bee or should be charged and chargeable by ẏ order of ẏ common lawes of this Realme, in accions of debt, vsed and commenced against thẽ, as executours or administratours. Prouided also & bee it further enacted that where the heire or heires of any the kinges receiuours or collectours, or debitours, is or shall be charged of & for his fathers or auncestours debtes or duties whose heire hee is, whereby the landes discended or geuen to him by couin to defraud the kinges execution of such land vnto hym or them from the said father or auncestour is put in execution, ẏ then such heire or heirs shall and may haue his or their accion of debt against the executours or administratours of hys said father or auncestour, & shall haue execution of the goods and cattels of ẏ said father or auncestour, being in the handes of the said executours or administratours, at the time of the said accion brought, in which said accion none essoune, protection, nor wager of law shalbee admitted or allowed. Prouyded alway, ẏ this act shall not extend to the collectors of the kings custome & of the subsidie of tonnage & pondage, which bee accomptable yearely in the kings maiesties Eschequer. Prouided alway, that this act or any thing therin contained shal not extend or be preiudiciall to any the said general or particuler receiuour or receiuors, for or for the paimentes of any pencions, fees, annuities, rentes or other allowaunces by them or any of them, paied, or to bee paied, to any person or persons, according to such allowaunce, order or decree, as be or hereafter shalbee allowed, ordered or decreed in any of the said courtes, any thinge in this act to the contrary notwithstanding. Ann. 34. H. 8. ca. 2.

3 ¶ Euery treasourer, & generall and particuler receiuour, collectour, & bailif and other minister accomptant, which now is charged, or chargeable wyth, or for the receipt of any of the kinges maiesties money rentes or reuenues whatsoeuer not beeinge bound wyth suertie or suerties, by obligations, recognisaunce, or otherwyse to our late soueraigne lord the king, or to our Soueraigne lord the kinge ẏ now is, for or concerning their office or offices before the xx. day of December next comming, or at any time or times beefore ẏ same xx. day of December, if they or any of them bee reasonably required, shal vpon paine of forfaiture of his office bee bound to the kinges maiestie by sufficient writing obligatory in reasonable summe or summes of money, the same writing obligatory to be made with or vppon condition, that

the

Heirs

Couin

King

Execution

Executor Administrators

Heire

Charged Debts

Accion of debt

Customers Tondage & pondage

Payment of fees

Treasorer Collector Bailife

Suerties

Fore office Bound

Condition

the performe which so shalbe bounden his heires, executours, administratours deputie or deputies, or one of them, frō time to time shal yeld a perfect & true accompt of all summes of money, and other thinges ẏ the same treasourer & generall & particuler receiuour, collectour, bailifes, or other minister accōptant shal, may, or reasonably might be charged with, concerning or by reason of his or their office or offices. And also shal make paimēts of the same summes of money, at such dayes and tymes, and in such manner and fourme as hereafter in this act is expressed & declared. And be it &c. that all and euery person & persons hereafter to be named alligned, or appointed to be treasorer, or generall or particuler, receiuor, collectour or bailife, or minister accomptant of our said soueraigne lord ẏ king, shal before any their entrie, executyng bsing or exercising of his or their office or offices, whereunto he or they shalbe so nominated or appointed together wᵗ suerty or suerties, acknowledge and make sufficient & lawful bond or bōds to ẏ kings maiestie, in such court of record, where the same officer or officers is or shalbe accōptable & chargeable, ẏ they their heires, executours, administratours assignes, or deputyes, shall truely accompt & pay all such summes of money, as shall come to their hands or shall may or reasonably might bee charged wᵗ, concerning his or their office or offices, to the kinges use within the circuit of their seuerall receiptes & collectiōs, at such or like daies & times and in such maner and fourme as is a boue said, to bee contained in the conditions of euery of the said bonds, vpō paine of losse and forfaiture of his and their office or offices, & of his or their letters patentes of the same office or offices. Be it &c. that euery receiuor, of the kynges maiesties honours, mannours, landes, possessions, rentes, and reuenues, for the time being, or hys deputie or deputies, shal yerely make his seuerall preceptes to all & singuler ẏ collectours, ministers & bayliues accomptaunt within the circuit of hys office, chargynge and commaundyng them on the kinges maiesties behalfe by the same precept, to appeare before them personally, or by their sufficiēt deputie or deputies, for whō they wil answere vnto in the countie where the same offices, Bayliewyke, receipts or collections doo light at a certayne day and place in ẏ same precept to bee limitted, and to pay to the kings maiesties use such summes of money as they ought to doe by reason of any of their said offices, being due to our said soueraigne lord the king, at or before ẏ feast of Easter whych they haue, or may by any lawfull or due meanes leuy or receiue vnto or by reason of their saied offyces or collectyons. And that the same preceptes shalbe so seuerally deliuered to euery of the sayd officers, ministers and Bailifes accomptaunt, or to their deputie or deputies, or else be left at their dwelling houses, or at the manour, lordshippe, or place where their receipt or Collection is, or ought to be, twelue daies at the least before the day of appearance to them geuen, and prefixed, in the same precept or preceptes. And if any of the saied myniſters, Collectours, or Bayliffes accomptaunt vpon or after any such precept, or preceptes, at any time hereafter made by any such receiuour, and beinge deliuered or left in fourme aforesayed, doo make default at the same day, & place alligned and appoynted in, and by the sayed precept, or preceptes that then the same collectour minister or Bayliſe accomptaunt so making default, and not appearynge as is afore saied, and beeynge thereof duely and lawfully conuicted in the court where the reuenue is or shalbee answered, shal for the first offence lose and forfait to the kinge our soueraigne Lord his whole fee for that yeare, wherein he

Preceptes

Accompt

Pay

Suerties

Bondes

Accompt Pay

Collectors Bailifes

Default

Conuicte

Forf.

Forf. office

Receiuour

Forf.

Auditors

Preceptes

hee shall so make default or the value therof, And for none payement of the saied money due, and payable at or before the saied feast of Easter, vnto our said soueraigne lord the kyng within or by reason of hys aboueſaid office, collecyon or Baylywick, shall loose and forfait for the first offence of none payment sixe pence of the pound, in the name of a paine for euery moneth after the sayed day of apparaunce vntil the same money shalbe by hym or his deputie payed to the handes of the sayed receiuour, to the kynges maiesties vse.

Foyl.

And after the first default of apparãce made by any of the said officers, and another lyke precept by the sayd receiuour be made and deliuered, or left in forme aforesaid, then the said officer or officers makinge againe default, and being therof lawefully conuict, as is aforesaid, for the second default and offence of none apparaunce shall loose and forfait to the kinge our soueraigne lord his office and fee. And for the saied second offence in the non payement of the said money due and payable within, and by reason of hys office, collection, or bailiwicke, at or before the said feast of Easter, shal lose and forfait twelue pence of euery pound in the name of a paine for euery moneth after the saied last day of apparaunce, and default made, as is afore saied, vntil the same money shallbee by hym or hys deputie payed to the handes of the sayd receiuour, to ỹ vse of our Soueraigne Lord the kynge.

Foyl. office

Foyl.

And further bee it &c. that all and euery Auditour and Auditours of our sayed soueraygne Lord the king of his maiesties honours, manours, landes, possessions, rentes, and reuenues, for the time beeinge, or his, or their sufficient deputie or deputies, shall haue full power & authority by vertue of thys act, yearely to make their precept or preceptes to all myniſters Collectours and Bayliſes accomptaunt, commaunding them in the behalfe of our sayed Soueraigne Lorde the Kynge, to appeare and accompt before hym or them personally, or elſe by their sufficient deputie or deputyes at a place certayne wythin the County, where the same landes and possessions doo lie, at the kinges Maiesties Audite, to be holden there yerely betweene the feast of Saynt Michael the Archaungell, and the Natiuitie of our Lorde God, or, and for al rentes, reuenues, and profittes, due and payable wythin, or by reason of their sayed offices, collections, or baylywykes, at or before the feast of saynt Mychaell the Archaungell next before the same Audyte, expressyng in the same precept or preceptes, the time and place, when and where the same ministers, Collectours and Bayliſes accomptable, or their sufficyent Deputie or Deputyes, for whom they will answere, shall appeare, the same preceptes to bee deliuered to the same ministers, Collectours, or Bayliffes accomptaunt, or their Deputie or Deputyes, or left at their dwellynge houſes, or at the manour, Lordshippe, or place, where their receptes or collecyons is, or ought to bee twelue dayes at the leaſt before the day of apparaunce, to hym or them prefyxed in the same precept or preceptes.

Auditour

Pyrecepts

And if anie Minister, Collectour, or Bayliffe accomptaunt do not appeare before the sayed Audytour or Audytours, or his or their deputy or deputies at the said Audite, according to the said precept, or elſe if hee doe appeare, and refuſe to accompt for his said receypt, collection, or bayliwike, before the said auditour or auditours, or his or theyr deputie or deputies: That then the said minister, collector, or bayliffe accomptant so making default and not appearing, or so refuſing to accompt, as is aforesaid, & being therof duely & lawfully conuicted in the Court where the reuenue

Collectour Bailiffe,

Refuſe

Forf. reuenue is, or shalbe answerable, shal for his first offence loose and forfayt to our soueraigne Lord the kinge hys whole fee for that yeare, wherein hee shal so make default, or the value therof. And for the non payment of ỳ said money due and payable within hys collection, office or bayliwicks, at or beefore the same feast of Saynt Mychaell the Archaungell, shal loose and forfait to the kinge our Soueraygne Forf. Lord for hys sayed first offence, fiue pence of euery pound, in the name of a paine, for euery moneth after ỳ sayd day of apparaunce, and default made as is aforesaid, vntil he or hys sufficient deputie or deputies, shal accompt before the said Auditour or Auditours or his or their deputie or deputies for his said collection, receipt, or Bayliwicke. And also pay vnto the handes of the said receiuour or receiuours, all and euery such summe and summes of money, as shalbee iustly found due by the sayed accomptaunt, beefore the saied auditour or auditours, or his or their deputie or deputies, to the kings maiestie, vpon the foote and determination of his accompt. And after the first default of apparaunce made beefore the saied Auditour or auditours, or his or their deputy or deputies by any of the said Officers accomptant being so warned as is aforesaid,

Precept And after an other lyke precept made and deliuered or left in fourme aforesaid: that then the said officer or officers that so shal make agayne default of apparaunce, for the said second offence in makynge default in hys apparaunce as is aforesaid, and beeyng thereof duely and lawefully conuycted in the court, where the reuenue of his sayed Office is, or shalbe answerable, shall lose and forfayt to the kynge our Soueraigne Lord, hys office and fee. And the second offence in the non payement of the saied money due and payable vnto him and by reason of his receipt, collection or bayliwicke, at or beefore the said feast of saint Mychael the Archaungell, shall loose and forfait to our Soueraigne lord the kyng Forf. xii. pence of euery pound, in the name of a paine, for euery moneth after the sayed last day of apparaunce, and default made as is aforesayed, vntill hee or hys sufficient deputie or deputies, shall accompt beefore the said auditour or auditours, or his or their deputie or deputies, for the said receipt, collection, or bailywike, and also pay vnto the hãds of the said receiuour or receiuors, or his or their deputie or deputies to the kinges vse, all such summes of money, as shalbee iustly found due by the said accomptant vpon the foote and determinatiõ of his said accompt. And further be it &c. that all and euery receiuour and receiuours of the kinges maiesties honours, manours, landes, possessions, rents, or reuenues, shall make ready and full payment yerely to the Treasorer, or generall receiuor of the court, where the said reuenue is or shal be answerable, or otherwise, as he or they are or shalbe appointed and assigned by sufficient warraunt, of all such summes of money, as he or they shall know to be due to our soueraigne lord the king, and can by any lawfull or due meane obtaine, gett, haue or receiue of the rents or reuenues of our said soueraigne Lord the kyng, within or by reason of their offices beeing due at or before the feast of Easter by the twentie day of June then next followyng at the farthest. And also shal make like payment yearelie of all their like receyptes of the rentes and reuenues of our said soueraigne Lord the kyng that shalbee due at, or beefore the feast of Saynt Mychaell the Archaungell by the twenty day of Januarie then next followyng at the farthest, vppon payne Forf. of losse and forfayture, for euerie default at any time of the said dates, two pence of euery pound for euerie date ỳ the sayd money so by them or anie of thẽ shalbe vnpayed. And also it is &c. ỳ all

all and euerie of the sayed Receyuour and receiuours, or their deputy or deputies, for whom they will answer, shal enter into their accompt yearely in the Terme of Sainct Hillary, and fully & clerely finish the same accompt before the tenth day of March then next following, & make full and ready payment of the money that shall appeare to bee due vppon the sute and determination of the same accompt before the twenty day of the said moneth of March, vpon paine of forfaiture to our said soueraign Lord the kinge theyr offices and fees, and foure pence of the pounde for euery day that they shall detaine, and withholde the said money, without making any payment thereof as is aforesaied. And further bee it &c. that al and euery receiuours, collectours, and Bailifes of any the kynges honours, manours, landes, tenements, rents, or reuenues for lacke of payment & louying of their said rents, issues, and reuenues, within their offices and charges, shal & may haue power and auctoritie from hence forth by vertue of this act, to distraine for the same, and to vse and order the like distresse in such sort and fourme as any officer or officers of ỹ kings court of the Eschequer for leuying & lacke of payment of the kinges rentes and reuenues answerable in the same court heretofore haue lawfully done, & may lawfully vse to do, deliuering to the party distreigned, the surplusage and ouerplus of the value of euery such distresse, if any shalbe, the kinges debts and duties being first payd, the distreignaunt answered of reasonable costes, & that the head and chiefe officer or officers of euery of the kinges courts of reuenues being of record, or ỹ shalbee of record shall haue full power and auctority by vertue of thys act, to sett, and assesse reasonable fines and amercyamentes vpon any Shyriffe or sheriffes, for not retourning or mysretourninge of any writ to them directed, & deliuered out of any of the same Courtes, touchinge or concerning the leuying, or answering of any of the said issues, rents, or reuenues, or of any debt due to our said soueraigne Lord the king, in such sort, and after such maner and forme as now is or heretofore hath ben lawfully vsed in the lyke and such other cases in ỹ kings highnes court of the Eschequer. Be it &c. that all treasorers & chamberlaines and generall receiuours of any of the kinges gratious Courtes of reuenue, for the time being, and all Customers and collectours of customes, or certain and stalled subsidies within any port, hauen, or creeke, of thys the kinges realme of England, that nowe bee or hereafter shalbee, within x. daies next after notice to him or them geuen from the kyng or vi. of hys most honorable priuie counsell in writing, signed wyth their handes, shall by them selues, or their sufficient deputy or deputyes, for whom they will answere, declare in writing, what summes of money then beeing due vnto our saied Soueraigne Lord the king, be at that time in hys or their hands, or custody, and shall make ready and full payment of all the saied summes of money, as then shall remaine in his or their handes or custody ouer and abour the ordinary paymets and summes of money contained and expressed in sufficient warraunt or warraunts, or resting and remaining in his or their office or offices, and beyng in their full force, strength, and effect, and not lawfully countermaunded, nor reuoked to their knowledge, to the vse of our soueraigne Lord the kinge, at such tyme, and in such sort, as hee or they shalbe commaunded, and appointed by sufficient warrant, vppon paine of forfaiture of his or theyr office or offices. And bee it &c. that ỹ same treasourers chamberlains, & generall receiuors by thẽ selues, or by their deputie or deputies, for whõ they wil answer, shal yerely before the twenty day of June, make a perfect accompt of all such money, or treasour as hath comen to their handes

Finish accompt

Forf.

Collectors Bailifes

Distrains

Outrplus

Amerce Shirifes

Treasorers Chamberlaines

Customers Subsidies Port

Pay

Forf. office

Accompt

to the kinges vse, yerely, at or before ẏ xx. day of Marth then next before the said twenty day of June, and shall make a perfect & whole declaration in writing, of the money remayning in enery of their hands, to ẏ kinges maiestie, or to his priny counsaile yerely before the last day of June then next following, & make payment of the same at such time, & in such sort, as he or they shall be commaunded, or appointed by sufficient warraunt, vpon paine of forfaiture of his or their Office or offices, And be it enacted &c. that if any treasorer, Receiuour, or minister accõptaunt or their deputie or deputies, do take or receiue of any persõ or persõs, any sum or summes of money, or other profit, of, and for the payment of any fees, annuities, pencions, duties, or warrantes more, or other wise thẽ he or they may lawfully do by forreine lawes and statutes therin prouided, that the said treasourer, receiuour, and minister so offending, shal forfait & lose for euery penny or penny worth so to be taken or receiued vi.s. viii.d. to the party greued, so to be recouered in any &c. in which suit &c. And be it also &c. that if any audytour or auditoures, or his or their deputie or deputies, which ought to take the accompt of any treasourer, chamberlayn receiuour or other officer, accomptable before him or them, do refuse, or wyllingly protract, and delay the taking of the same accompt, in such wise, as it cãnot be finished within ẏ tyme or times limitted and appointed by this act, for the taking and finishing thereof, that then euery auditour so refusing, or protracting, and delaying as is aforesaid, and beeing thereof duely and lawfully conuict in the court where the reuenue or charge of the same accompt is, or shalbe aunswerable to the king, shal encurre, forfait, and lose such like paine, losse, and forfeiture, as the treasourer, chamberlain, receiuour, or other officer aboue said, shall and ought to do by this act, for not accompting of and for their charges & office or offices, and thereby the same treasorer chãberlaine, receiuour, & other officer, ẏ should accompt, & shalbe refused, or shalbe protracted & delaied as is aforesaid, shalbe discharged of any pain, losse, or forfeiture, for not accõpting as is aboue said. And be it &c. ẏ the publicate, or copy of euery accompt ẏ shalbe made by any treasorer, or receiuor, or by their deputie or deputies in fourme aforesaid wtin cõuenient time after the finishing of the same accompt, and at the reasonable request & costes of such accõptãt, shalbe deliuered to them or any of them subscribed with the handes of the auditour or auditours that shall take the same accompt, or of his or their deputy or deputies, for whõ he or they will aunswer, vpon paine ẏ the same auditour or auditoures shall lose and forfait to the kynges maiestie tenne pound for euery such default. Prouided alwaies, and be it &c. that this act nor any thing therin contained, shall in any wise extẽd to charge any archbishops or bishoppes of this realme, or of any other the kinges maiesties dominions, or any of them, at any time here after to make any maner of bondes, or to make their accompt and paiment of the tenthes, arysing and growing wtin any of their diocesse, due, or to be due to our said Soueraign Lord ẏ king, other wise, or in any other maner & fourme, then they or any of thẽ heretofore haue bene charged, or accomptable and chargeable by the lawes and statuts of this realme, any thing in this act to the contrary notwithstanding. Prouided alwaies that this act or any thing therin contained, shal not extend to cause ẏ rents, profites, and reuenue, rising and growing to the kinges maiestie within the towne or marches of Caleys, to be aunswered or paied other wise, or at any other dates or times thẽ heretofore hath ben vsed & accustomed, any thing in this act to ẏ contrary notwithstãding, Prouided alwaies and be it &c. ẏ this act nor any thing therin cõtained, shal

in

Forf. office

Forf.

Auditour

Refuse

Conuict

Forf.

Discharge

Copy

Forf.

Archbishop Bishop

Tenthes

Calleis

in any wise extend to touch or charge any Sherife, eschetour, or collectour, of any dismes, quindismes, benevolences contributions of Subsidies (Subsidies of tonnage and pondage onely except) but that they and euery of them, shall and may do and exercise their said seuerall offices and pay such summes of money, as they or any of them be, or here after shalbe charged withall by their said seuerall offices in such & like sort, maner & fourme, as they & euery of them haue vsually done, or should or ought to do, if this act had neuer bene had or made. This act or any thing therein contained in any wise to the cõtrary notwithstanding. An. 7. E. 6. ca. 1.

Shirife
Eschetour
Collectour

## ¶ *Recognisance and Statute merchant.*

EVery Merchannt which will be suer of his debt, shall cause his debtour to come before the Maior of London, or of Yorke, or Winchow, or before the maior and clerke (which the king shall appoint for the same,) for to knowledge the debt, and day of payment, & the recognisance shalbe entred into a rolle with the hand of the said Clerke, which shalbe knowen. Moreouer the said clerke shall make with hys owne hand a bill obligatory, whereunto the seale of the debtor shalbe put, with the kinges seale, that shalbee prouided for the same purpose, the which seale shall remaine in the keeping of the Maior & clerke aforesaid. And if the debtor doe not pay at the day to hym limitted, the creditour shal cõe before ỳ said maior & clerke with his bil obligatory. And if it be found by the rolle & by the byll, that they debt was knowleged, & ỳ the day of payment is crppred, the maior shall incontinent cause the mouables of the debtour to be sold as farre as the debt doth amount, at the prysing of honest men, after the maner of borough goods deusable, vntill ỳ whole summe of the debt & the money be fully payed to ỳ creditour, & if the maior can find no buyer he shal cause ỳ mouables to be deliuered to ỳ creditour at a reasonable price, as much as doth amount to the sũme of ỳ debt, & ỳ kings seale shal be put vnto ỳ sale & deliuerãce of ỳ goods deusable for a perpetuall witnesse. And if ỳ debtour haue no mouables within ỳ iurisdiccion of the maior, wherupon ỳ debt may bee leuied, but peraduenture hath some other where within the Realme, then shall the maior retourne the recognisance made before him & the clerke aforesaid vnto the Chauncelor vnder ỳ kings seale. And the Chãcelor shal direct a writ vnto ỳ shirife, in whose bailiwike ỳ the mouables of the debtour hap to be, & the shirife shal cause him to agree wỏ his creditour in such forme as ỳ maior should haue done in case ỳ the mouables of the debtor had bene with in his power. And let thẽ ỳ haue prised the mouable goodes to be deliuered vnto the creditor, take good hede, that they do set a reasonable price vpon thẽ, for if they doe set an ouer high price for fauour borne to the debtour, to the damage of ỳ creditour, then shall ỳ thing so prayed be deliuered vnto thẽ selues at such price as they haue lymitted, and shalbe forthwith answerable vnto the creditour. And if the debtour will say, that the mouable goods were deliuered or sold for lesse then they were worth, yet shal hee haue smale remedy thereby, for when ỳ maior or ỳ shirife hath sold ỳ mouable goods lawfully to him that offered most, he may accompt it his owne folly, ỳ hee did not sell hys owne mouable goods himselfe before ỳ day of ỳ suit (whẽ he might wel enough & so haue leuied the money wỏ his owne hands. And if ỳ debtour haue no mouables, whereupon ỳ debt may bee leuied then shal his body be taken, where it may be founden, & kept in prison, vntill that he hath made agrement, or hys frinds for him, & if he haue not wherewith he may susteine him selfe in prison the creditour shall find him bread & water, to the end ỳ he die not in prison for default of sustenance, ỳ which costs

Merchant
Maior
Entred
Bill obligatorie
Seale
Mouables
Kinges seale
Maior Returne
Chauncelor
Shirife
Prysors
Price
Imprisoned
Bread and water

the debtor shall recompence him with his debt, before that he be let out of prison. And if the creditor be a merchant stranger, he shall remaine at the costs of the debtor for so long time as he tarieth about the suit of his debt, and intill the mouable goodes of the debtour be sold or deliuered vnto him. And if ỳ creditour doe not take the debtor alone for the suerty of his paymẽt, by reason whereof pledges or mainpernors bee founden: then thole pledges or mainpernours shal come before the Maior & clerke aboueſaid, & shall bind thẽ ſelues by writinges & recognisances, in lyke maner as the principal debtor. And in like maner if the debt be not paied at ỳ day limitted, such execution shalbe awarded against the pledges or maynpernors, as before is appointed for the debtor, Acton burnell. An. 13. E. 1.

Merchant stranger

Goods sold

Mainpernours

Execution

2 ¶ For as much as marchants, which heretofore haue lent their goods to diuers persons, be now fallen in pouerty because there is no speedy remedy prouyded, whereby they may shortly recouer ther debt at the day of paymẽt assessed: And for this mischief many merchants are loth to come into the realme with theyr merchandise, to the great damage of such merchants & of al the realme: The king & his counsail, at his parliament holden at Acton Burnel, after the feast of saint Michell the xi. peare of his raigne, hath ordeyned these establishmẽts, thereupon for the remedy of such marchantes, which ordinances & establishmentes, ỳ king commaũdeth that they shalbe firmely kept & obserued throughout his Realm whereby merchaunts may haue remedy, & leſſe trouble & businesse to recouer their debts then they haue had heretofore. But for as much as marchaunts afterward complained vnto the king, ỳ sheriffes misinterpreted his statutes, & sometime by malice and false interpretation delaied the execution of ỳ statute to ỳ great damage of merchants: The king at his parliamentholdẽ at Weſtminster after Easter, ỳ xiii. yere of his raigne, caused the saied statut made at Acton Burnell, to be reherſed. And for the declaration of certaine articles in ỳ statut aforesaid, hath ordeigned & established, ỳ a merchant for the assurance of his debt, shal cause his debtour to cõe before the maior of London, or before some chiefe wardein of the City, or of an other good towne, where ỳ king shal appoint, & before ỳ maister, chiefe wardeine, or other sufficient men chosen & swoine thereto, when ỳ maior or chief wardein can not attend thereto, & before one of the clerkes that ỳ king shall thereto assigne, when both can not bee attendaunt, he shal knowledge ỳ debt & the day of payment, & ỳ recognisance shalbe enrolled by one of ỳ clerks hãds being knowen, & ỳ roll shall be double, whereof one part shall remaine vñ the maior or chiefe wardein, & the other vñ ỳ clerkes ỳ thereto shalbe first named. And further, one of the saied clerkes with his own hand shal writ an obligation, where vpon the seale of ỳ debtour shal be put, vñ ỳ kinges seale prouided for ỳ same intent, which seale shall bee of two peces, whereof ỳ greater peece shall remaine with ỳ maior or ỳ chiefe wardein, & ỳ other in the keping of the foresaid clerkes. And if the debtour doe not pay ỳ debt, at ỳ day limitted vnto him, then shal ỳ merchant come before the maior & clerke vñ his obligation, & if it be found by ỳ rolle or writing, ỳ the debt was knowledged, & ỳ day of paymẽt expyred, & maior or chiefe wardein shal cause ỳ body of ỳ debtour to be takẽ (if he be lay) whensoeuer he happeneth to cõe in their power, & shal cõmit him to ỳ prisõ of ỳ town, if there be any, & shal remain there at his own costes, vntil he hath agreed for ỳ debt, & it is commaũded, ỳ ỳ keper of ỳ towns prisõ, shal retaine him vpõ ỳ deliuery of ỳ maior or chiefe wardein, & if the keper will not receiue him, he shalbe answerable for the debt, if hee haue whereof, and if hee haue not whereof, he that committed ỳ

Merchantz

Shiriffes

Maior of London Warden

Clerke

Knowledge

Enrolle

Obligation

Seale

Debtor

Maior

Imprison

Gaoler

prise-

prisoner to his kepyng shall aunswer. And if the debtour can not be found by the maior or chiefe warden, then shall they or any of them retourne into the chauncery vnder the kings seale, the recognisaunce of the debt: and the chauncellour shall direct a writ vnto the sherife, in whose shere the debtour happeneth to bee, for to take his body (if he be laie) and saufely to kepe him in prison, vntill he hath agreed for the debt. And within a quarter of a yeare after that he is taken, his landes shalbe deliuered him, so that by the profits he may leuy and pay the debts. And it shalbe lawful vnto him, during the same quarter, to sel his landes & tenements for the discharge of his debts, and his sale shal be good and effectuall. And if he do not agree within the quarter next after the quarter expyred, al the lands & goods of the debtour shal bee deliuered vnto the merchaunt by a reasonable extent, to hold them vntill such tyme as the debt is wholly leuied. And nevertheless the body shall remaine in prison, as before is saied. And the merchaunt shall finde him bread and water, and the merchãt shal haue such season in the landes and tenements deliuered vnto hym that he may maintaine a writt of nouel disseisin, if he be put out, and redisseisin also, as of free holde, to hold to him and his assignes vntil the debt be paied. And as soone as the debt is leuied, the body of ỳ debtour shall be deliuered vỳ his lands. And in such writtes as the chauncellor doth award, mencion shal be made, that the sherife shall certifie the Justices of eyther bench, how he hath persourmed ỳ kinges commaundemẽt at a certain day, at whych day the merchaunt shall be afore ỳ iustices, if agrement bee not made. And if ỳ sheriffes do not retourn ỳ writ, or do retourne that ỳ writ came to late, or ỳ they haue directed it to the bailiffes of some fraunchise, the iustices shal do as it is contained in ỳ statute of Westminster. And if ỳ sherife retourn ỳ they debtour can not be found, or that he be clerke, the merchants shall haue writtes to al ỳ sheriffes, or he shal haue ỳ lãd, & that they shal deliuer al ỳ goods & landes of ỳ debtour by a reasonable extent, to hold vnto him and his assignes in the fourme aforesaid, and at the least he shall haue a writ to what sheriffe ỳ he wyll, to take his body (if he bee laie) and to retaine it in maner aforesaied, & the keper of the pryson ought to take hede, that he muste aunswer for ỳ body or for the debt. And after that the debtours landes bee deliuered to the merchaunt, the debtour may lawfully sell his land, for that the merchant haue no damage of the approuements, & ỳ merchauntes shall alwaies bee allowed for their damages and all costes, labours, suites, delaies, and expences reasonable And if the debtour find suerties, after ỳ day passed, ỳ suerties shalbe ordered in al thinges as is said of ỳ principal debtour, as to the arrest of body delinery of landes, & other thinges. And when the lands of the debtours be deliuered vnto the merchant, he shal haue seisin of al ỳ lands that were in the hand of the debtour, the day of the recognisaunce made in whose handes soeuer that they come after ward, either by feffement or other wise, & after the debt paied, the debtors lands, & the issues therof by feoffement shal retourne againe, as wel to ỳ feoffee as the other landes vnto the debtours. & if the debtour or his suerties die, the merchaunt shall haue none authoritie to take the body of his heire, but he shal haue his lands, as before is said, if hee bee of age, or when he shal be of ful age vntill such time as he hath leuied of the lands the amountaunce and value of ỳ debt. And also an other seale shalbe prouided, that shall serue for fayres, and ỳ same shalbe set vnto euery faire vnder the kinges seale by a clerke sworne, or by the keper of the faire. And of the cõmynalty of London two merchantes shal be chosen, that shall swere, and the seale shal bee opened before them, and the one peces shalbe deliuered vnto the

Chauncery

writ Sherife

3. monethes Lands

Sell

Extent

Bread and water

Prison

Debt paied

Sheriffs Clerke Justices

Returne

Justices

Clerks

Land Extent

Captas

Gayler

Damages Costs

Suerties

Prison

Day.

Debtor by

Heire Lands.

Seale Faires.

London Merchants.

Clerke

Payne

Peny

Faires
Halfe peny

Jues

Chaūcelor
Justices

Clerke

Londs

Judge
Clerke

Infant

Restitution

Execution

forsated marchauntes, and ẏ other shall remayne with the clerke. And before them or one of ẏ marchauntes (if both can not attend) ẏ recognisaunces shall bee taken, as before is sayd, and before that the recognisaunces be inrolled, the paine of ẏ statut shal be openly read before the debtour, so that afterward hee shal not excuse him selfe by ignorancie of the paine, whereto he boūd him selfe & to maintaine ẏ costes of the said clerk the king shal take of euery li. i. d. in euery towne, where the seale is, except fayres, where he shal take i. d. ob. of the. li. This ordinaunce and act the king willeth to bee obserued from henceforth throughout his realme of Englād and Ireland, amongst ẏ which people they ẏ will, may make such recognisaunces (except Jues) to whom this ordinaūce shal not extēd, & by this statut a writ of debt shal not be abated, & ẏ Chaūcelor iustices of either bēch, & iustices errāts shal not be estopped to take recognisāces of debtz before them knowledged & made, but ẏ execution of recognisances made before thē, shal not be don in the forme aforesaid, but by ẏ law & maner before vsed, and otherwise prouided in other statutes: Rex vic. salutem. Quia coram tali maiore, vel custod' talis ville vel coram custode sigilli nostri de mercatoribus in nundinis de tali loco, & tali clerico nostro A. recognouit debere B. tantum, quod soluisse debuit tali die & tali anno, quod iidē B. nondum soluit, vt dicit. Tibi precipimus, quod corpus predicti A. (si laicus sit) capias, & in prisona nostra saluo custodire facias quousque de predicto debito satisfecerit. Et qualiter hoc preceptū nostrum fueris executus, scire facias iusticiariis nostris apud vvestmonasterium per literas tuas sigillatas, & habeas ibi hoc breue. Teste &c. Statut de marcatoribus. An. 13. E. I.

3 ¶ Euery clark, which shalbe deputed to receiue recognisaunces in Cities and boroughes according to the statut merchāt, shal abide in proper persō to do his office according as is contained in the statut of Atton Burnel. And ẏ he haue lands sufficient in ẏ same county wher of he may answer to all persons if hee offend. And if any other be in the same office, he shalbe remoued, & an other cōuenīt set in his place. An. 14. E. 3. c. 11.

4 ¶ At the complaint of the sayd comminalty, made to ẏ king in the parlyament, of that that great dyherison in tymes past was don of the people, and might be done by the false entryng of pleas, rasings of rowles, and changing of verdictes: It is accorded & assented, that if any iudge or clerke be of such default so ẏ by ẏ sāe default there ensueth disherisō of any of ẏ parties sufficiētly conuict before ẏ king & his counsaile by ẏ maner & forme, which to ẏ sāe our soueraign lord the king & his councel shal seeme reasonable, & wōn. ii. yeres after such default made, if ẏ party greued bee of full age, & if he be wōn age, then within ii. yers after that he shal come to his ful age, he shall bee punished by fyne & raunsome at the kinges will, & satisfy the party (& as to ẏ restitution of the inheritaunce desired by the said commōs ẏ party greued shall sue by writ or otherwise according to the law, if he se it expedient for him. An. 8. R. 2. ca. 4.

5 ¶ When any statut merchant is certified into the chauncery, & thereupon a writ awarded to ẏ sherife & returned into the comen place, & the statut there once shewed, ẏ howsoeuer the proceese after the same shewing be discontinued that at what tyme the party sueth to haue ẏ proces discōtinued, & to haue execution of ẏ statut merchant aforesaid, That ẏ Justices of ẏ bēch where ẏ statut was once shewed, may vpō ẏ same record make & award full execution of ẏ statut merchant wout hauing ẏ sight or shewing thereof at any other time after, & that this statut hold place of all statutes merchants not fully executed at this time. An. 5. H. 4. ca. 12.

6 ¶ Where as diuers persons within this realme of England in times past often

oftentimes haue bene taken & arrested by diuers sheriffs & other officers of our soueraign lord ỳ king by writs, as wel going out of ỳ chācery of our soueraign lord ỳ king as of his noble progenitors for to haue execution of diuers recognisaunces made before ỳ maiors of ỳ staple of diuers sūmes, of which summes such persons to whom ỳ dutie belonged had no conuenient remedy, other then the said executions, which persons ther by taken & arrested for execution of the same recognisances, be oftentimes cōe in by diuers writs de Corpus cū causa before ỳ king in his chaūcery out of prisons, in ỳ which they be so kept because of such executions, & there they do lie, shewing forth diuers indētures & other things in defesāce of such recognisāces, desiring writs of scire facias to warne the partie or parties at whose suit they be taken & arrested, to answer vpon the same. And thereupō, by suerty found to the king in his chaūcery, haue ben deliuered out of prison, notwithstanding their said arrest for ỳ executions of such recognisaunces, as aboue is said, ne suerty found to the recognisees, to whom they be so bound, to satisfy them of their duties, in case that ỳ matters compriſed wīn ỳ said writtes of Scire facias bee not found nor adiudged for the recognisours thereby bound, wherby the said recognisees haue ben sōetime greatly delaied of their executiō, & sometime their execution vtterly lost, & in time to come likely to be lost, because ỳ no aduaūtage nor auaile therof might cōe be or grow to ỳ said recognisees to whō such persōs be so boūd by ỳ said suerty so foūd to ỳ king because ỳ ỳ same persōs so boūd by ỳ kings pardō might bee acquite & discharged for euer. Our soueraigne lorde ỳ king considering ỳ ỳ said recognisees to whō persons be foūd bee oftētimes wīout remedy, if so be the said recognisours would not pursue forth their sayd writts of scire fac. with effect, or otherwise ỳ ỳ matters of their said writs of scire fac. be found or adiudged against thē, & thereupon they withdraw thē to places priuiledged, or cloin them out of ỳ realme, or els they would not appere so their bodies might be taken & put in executiō, to ỳ great hinderāce & vndoig of such recognisees in time to cōe, & also because ỳ ỳ king is inherited of ỳ prics of such suerties to him selfe by ỳ course of ỳ chaūcery, the king wil frō hēceforth ỳ such suerties be made seuerally aswel to the king as to the party. An. 11. H. 6. cap. 10.

Suertie

7 ¶ Forasmuch as the Maires of ỳ staple in diuers places of this realme, where any staple is kept, in the preſēce of the constables of the same staple before this time haue and might lawfully take recognisance or knowledge for debts: only concerning and touching ỳ marchādile of the same staple, betwixt marchant and marchaunt of the same staples, according to diuers laudable estatutes & prouisions before this time had, ordeined, and made. Which maires and constables, many & sundry times since the makinge of the same estatute haue taken diuers recognisances and knowleges of diuers of the kings subiects for debts, surmising ỳ sāe knowledge or recognisance to bee made for suertie of payment of summes of money for such wares as were or beens bought in the same Staple: whereof trouth the same recognisāce did not in any wise touch or cōcerne the marchādise of the same, ne also the parties, ỳ is to say, the cognisor ne the cognisee ỳ did knowledge & take ỳ same recognisances, were marchants of the same staple: which recognisances & knowleges taken in forme aforesaid are not onely clere contrary to the true meaning & intēt of ỳ same former estatuts but also thereby diuers great & sundry inconueniences, damages & deceipts, doe daily rise & grow to diuers of ỳ subiects of our soueraigne Lord the king, by reason of the misusing of the same.

Maior of the staple

Constables

And forasmuch as the kinges highnes of his most highe wisedōe, percei-

ueth the misusing and execution of the same to be contrary to the fourme of ẏ said former estatutes: Therefore hys pleasure is, ẏ some true, lawfull, & reasonable bond for suertie of paiment of the said debts, of hys subiects, shall bee made & deuised by true & iust meanes which in it selfe may and shal purport right & equity, & also consonãt to reasõ, In consideration whereof, by the assent &c. it is &c. that from the first day of Aprill next comming the chiefe Justice of the kinges bench & the chiefe Justice of the common place, which now bee, or at any time hereafter shalbe, & euery of them by himselfe, & in their absence out of the terme, the maior of the staple at Westminster, & ẏ Recorder of ẏ City of London for the tyme being, ioint ly togethers by their discretion, shal haue full power and authority to take recognisances or knowledges of euery of ẏ Kynges subiectes for the payment of debts, according to such formes as hereafter ensueth.

Chiefe iust. of both B.

Maior of the staple Recorder of London

Nouerint vniuersi per presentes nos A. B. & C. D. armig. teneri et firmiter obligari Johanni at Stile. in C. li. sterling. soluendõ eidem Johanni aut suo certo attornato hoc scriptum obligatorium heredi vel executoribus suis in tale festo &c. proxime futuro post datũ presentiũ. Et si defecero vel defecerimus in solutione debiti pred, volo & concedo, vel sic, volum⁹ & concedimus qd̃ tunc currat super me, heredes & executores meos, vel super nos et quemlibet nostrum heredi & executores nostros, pena in statuto stapule de debitis pro marchandisis in eadem emptis recuperandi ordinatis & prouis. Dat tali die, An. regni regis &c.

And that euery obligation that shalbe made, as is aforesaid, & knowledged before any of the said chiefe Justices, or the said Maior and Recorder, according to this act, shalbe sealed with the seale of the partie or parties, that shal recognise or knowledge the same, and also wt such seale as the kinges highnes shall assigne and appoint for the same, and with the seals of one such of the sayed Justices, or with the seales of the said Maior and Recorder, and with his or their name or names subscribed: that so shal take ẏ sãe recognisãce or knowledge: And that euery of the saied two Justices, & the saied Maior and Recorder shal haue ẏ custody of one such seale by the kinges highnes to be appointed, with one like print scripture and fashion, which shall severally remaine with them to thentent above rehersed. And further be it &c. that such an honest and discreete person as shall be assigned by the kinges highnesse, or the sufficient deputy or deputies of the same person so to bee assigned, shal make and write al such obligatiõs, as shal be knowledged and recognised by authoritie of thys act, and shal cause the same obligations recognised & knowledged in fourme as is aboue said, to be enrolled in two seuerall rolles indented, whereof one shall remaine with such of the said Justices or with the said maior & Recorder, ẏ so shall take ẏ sãe recognisance in fourme aforesaid, & the other rolle wt the writer thereof, appointed for the same. And ẏ the said person by the kinges highnesse to be appointed for making, writing, & enrolling such obligations, or his sufficient deputy or deputies shalbee dwelling or abiding in the said City of London, vpon pain to forfait for euery time that he & his deputy shalbe absent by ẏ space of ii. dais. r. li. And further it is &c. that the saied person so to bee assigned by the kinges highnes to write, make, and enrolle such obligations, or his sufficient deputy or deputies, at ẏ request of the creditours, their executors or administratours, shal certifie such obligations, as shall be taken and recognised by authority of this act into the kings court of Chauncery, vnder the seale of ẏ said person so to beappointed for writing, making, & enrolling such obligations. And ẏ euery person & persons, to whom any such obligation shalbe made acknowledged, & enrolled, as is aforesaid

their

Sealed

1 seale of the par
2 seale of the kinges
3 seale of the Iustes

Seale

Clerke

Enrolle

Fayl.

Certifie

Chauncery

their executours administratours, & the executours, & administratours of euery of them for default of payment of the debts contained in such obligations, shal haue in euery point degree and condition, against the sayed recognisour, and recognisours, & euerie of them, their heires, executours, & administratours, and the heires executours and admynistratours of euery of them, like procesle execution, commoditie, and aduauntage in euery behalfe as hath ben vsed and accustomed before this time, to bee hadd, done, or made, of and vppon any obligation of the Statute of the Staple, and vnder such manner and fourme as is for the same Statut of the staple prouyded, paying for such procesle and executyon to be had, such like fees as is accustomed for proces and executyō to be had vppon obligations of the same statute of the staple and not aboue. And that euery such person and persones ẏ shal be bounden or other wise greued by vertue of any obligation to bee made by auctho*r*itie of this act, shal haue their like remedy by Audita querela, and all other remedies in the lawe, that they mought haue had in case they had ben bounden by obligation of the statut of the staple. And that euery such person and persons that shal haue procesle for execution to bee had, by reason of ame such obligation to be made and knowledged accoꝛding to this act, shall pay to the kings highnesse his heires or successours at the time of enlealing of the proces for executiō to be had, one halfe peny for euery pound that shalbe contained in the obligation whereof execution shalbe required and not aboue.

And ẏ euery such person and persones ẏ shal happen to haue any execution of any lands tenements or hereditamēts by reason of any such obligations to be made and knowleged as is aboue said their executours administratours or assignes, & the executours admynistratours and assignes of euery of them, if they or any of them ben put out or dissesed, shall haue like remedy in euerie point and condition as persons hauing execution in and vppon any statut of ẏ staple after execution of thē hadd, may or might haue by vertue of ẏ said writing obligatorie of the statut of ẏ staple, and execution of the same. And further be it &c. that euery of ẏ said Justices & the said Maire and Recoꝛder be foꝛe whom any such obligations shall be recogniled shal take foꝛ euery knowledge of euery one such recognisaunce iii. shillings foꝛwer pence & not aboue, And the clerke that shal writ, make, & inrol the same obligations three shyllinges foꝛwer pence. And foꝛ the certificate of euery one such obligatyon xx. d. And if any of the sayd Justices Maire Recoꝛder or Clerke take of any of the kinges subiects, aboue the summe or summes to them limitted by this estatut, that then the said Justices Maire Recoꝛder, or Clerke, that so shall take contrary to the fourme aforesayd, shal foꝛfait foꝛ euery time so offending foꝛty pounds. And further it is &c. ẏ from the said first day of Apꝛil, no Maire or constable of the staple, foꝛ the paiment of any sūme or sūmes of money take any knowledge or recognisaunce of ẏ saied statut of the staple, of any of the kings subiectes, vppon paine to foꝛfait foꝛ euery time so offending xl. pound, thone moitie of al and singuler ẏ sayd penalties to be to the kings highnesse, and the other moitie to the party that will sue foꝛ the same. Foꝛ the recouery whereof, the partie that will pursue shal haue his remedy by information, accion of debt, bil, or plaint, in any of the kinges courts in which no essoine protection, noꝛ wager of lawe shalbee admitted. Prouided alway that thys act noꝛ any thing therein contayned, be in any wyse prejudiciall or hurtfull to any Maire and Constables of the staple foꝛ any bond or writtinge of the statut of the Staple to be taken or receiued betweene marchants being free of

Default of payment

Proces

Justices Maioꝛ Recoꝛder

iij.s.iiij.d.

Clerke iij.s.iiij.d.

Certificat xx.d.

Foꝛf.

Maioꝛ of the staple

Foꝛf.

Moytie

Audita querela

Halfe peny

Execution

Merchants

of the same Staple for marchandise of the same Staple betwene them lawfully bought & sold.

Prouided also and be it further enacted that al recognisaunces before thys time taken before the Maire and constables of any of ẏ said staples where of the summes nowe bee not payed, or otherwise contented, lawfully auoided or discharged by the lawe, shallbee as good and effectual, as though they had bene berely made for marchandise of the same Staple, and betwene marchaunt and marchant of the same staple, and as they should haue ben if this act had neuer ben had ne made. An. 23. H. 8. cap. 6.

¶ *Recordes.*

Justices Justices of assises, gaole deliuery, and of oyer and terminer, shall send all their recordes and processes, determyned and put in execution, to the Eschequer at Michelmas euery yere once, to be deliuered there, & the treasourer and Chamberlaines whych for the tyme shalbe, hauinge the sight of the cõmissions of such Justices, shal receiue the same recordes and processes of the said Justices vnderneth their seales, and kepe them in the treasourie as the maner is. So that the Justices alwayes do first take out the estretes of ẏ said recordes & processes against thẽ to sẽd to ẏ eschequer as they were wont before. An. 9. E. 3. ca. 5.

Recordes

Eschequer

Estretes

¶ *Recoueries.*

Whereas diuers, as well noblemen as other the kinges liegeles haue suffered recoueries against them of diuers their manours, lordships, landes and tenementes, for the performance of their wills, or for the liuertie of their wiues iointours, or for the iointour of sonnes and heires apparant and their wiues, or for any other persomne or persomnes, accordinge to their couenãts and agreements, and those persomnes that so haue recouered the said mannours, by the course of the comon law had no remedy nor may haue to compel the former feholders, and tenaunt, which hold of the same mannours by the rentes seruices, or Customes to attourne to them, nor coulde by the order of the law attaine to the rentes, seruices or customes, (if they were denied) by distresse or accion, wõout they could once attaine to the possession of the same rentes, seruices, and customes by paying or doing the sayd rentes, seruices or custome by ẏ same freeholders, fermours, and tenauntes which to do, diuers and many of them haue often times refused, and yet doo, to the great offence and charge of their conscience, not onely to the disheritãce of the said recoueries, but also in brekinge of the last wills of them, against whom such recouery is had, and also to the disheritaunce of the sayed husband wiues & other to whose vse ẏ same recouery was so had. Also if there were any aduowson appendaunt to any of ẏ said manours, the same aduowson had fallen voyd, and a straunger had presented the saied recoueries, nor they to whose vse the same recoueries were hadde, hadde no remedy for the same disturbaunce, and sometime there by they haue bene disherited. Be it therefore &c. that the recouerers in all such recoueries, their heirs and al allygnes may fromhencefoyth distraine for the forsaid rents, seruices, and customes, so beeing due and vnpaied, & make a nowzy or iustifie ẏ same, as those persons against whom the said recouery is, should haue done if the said recouery had not ben had, and also haue like remedy for the recouering of ẏ said rent, seruices and custome by anowzy. And also Quare impedit for ẏ said aduowsõ if any disturbãce be made as those persomnes against whom the said recoueries were had, might, or should haue had by the course of the common law, afore the said recouery, of any such rẽts seruyces.

Attorne

Damag Costs

Leues

Aduowson

Heires Distraine

Anowry

Quare impedit

seruices or customes had beene denied them or any such disturbance had ben had in their times. And also that euery auowaunt, and euery other persone or personnes that maketh auowry, conisaunce or knowledge, or iustifie, as Waylife to any other persō or persons in any replegiare second deliueraunce for any rent custome or seruice, if their auowry conisaunce or iustification bee found for thē or the plaintifes in ẏ said accions or otherwise barred, shal recouer their damages and costs that they haue sustained, as the playntife should haue done, if they had recouered in the said replecums. An. 7. H. 8. ca. 4.

Damages Costs

2 ¶ Where afore this time diuers persōs haue made leases of their manors landes, tenements, and other hereditaments, sometime by their indentures, and sometime without writtinges, to other persōs for terme of yeres, taking of them great fines for the incomes of the same leases, and after the same lessours, their heires or assignes haue caused and suffered recoueries to be had against thē in the court of our Soueraigne lord the king, & in other Lords courts vpon fained & vntrue tytle, by craft and couine, to put the sayed termers from their said termes. And after such recoueries had, ẏ same recouerers by reason of such recoueries & iudgments, haue entred into the said mannours, lands, tenemēts, and other hereditaments, so to ferme letten, & ther of haue expulsed the said termers, contrary to their said leases, couenants, & agrements. And because it was doubted to some persone whether the sayd termers might falsifie such recoueries or not: Be it &c. that all such termers, shal and may falsify for his terme only, such recoueries as well heretofore had as herafter to be had in such wyse and forme as a tenaunt of a freehold, shal & may do by the course of the common law, where such tenaunt of freehold was neither privy nor party to ẏ same recouery. And that the same termers, their executours & assignes notwithstanding such recoueries so had, shal retaine, hold & enioy their said termes according to their saied leases agaynst all such recouerers their heires & assignes, after such recouerie so hadd, shall haue like remedy against the said termers, their executors and assignes, by auowry or action of debt, for the rents and seruices reserued vppon the same leases being due after the same recoueries, and also like actions against thē for wast done after ẏ same recoueries so had, in like maner and forme as the sayed lessours should or myght haue had, if the same recouery had neuer bē had. And also bee it &c. that no maner of statut of the staple, statut marchant nor execution by elegit, be hereafter auoyded, or in any wise made frustrate by meanes of any such fained recouery but that all persons hauing any lands, tenementes, or other hereditamentes in execution, or being intituled to haue execution of any manors lands or tenementes by any such meanes, shall haue by force of this statut like remedy to auoid and falsify the same recoueries as before is ordained & prouided for the lesse for terme of yeres. An. 21. H. 8. ca. 15.

Termers Falsifie

Leases

Statut staple

Statut merchant

Elegit

3 ¶ A statute made 32. H. 8. ca. 31. for thauoyding of recoueries by collusion agaynst tenauntes for life, out of the meaning whereof because there were sundry euasions, an other statut more strict was made Anno. 14. Elizab. capitulo 8. which is after 5. and thys repealed.

4 ¶ Where diuers of the kings most noble progenitours, and specyally the king our soueraigne lord most liberally aboue al other hath geuen & graunted or otherwise prouided to his & their louing and good seruants and subiects aswell noblesas other, manors, meases, lands, tenements, rents, seruices, & hereditamentes, to them & to their heires males, of their bodyes, or to the heires, of theyr bodyes lawfully begotten

begotten, minding at the time of such gifts not only to preferre and aduance presently the donees, but also their heires in blood of their bodies, according to the limitation of the said giftes, to the intent that the recompence for the seruice of such donees, should not onely bee a benefite for their owne persones but a continual profit and commoditie to & for their heires comming of their bodies, whereby such heires should haue in especial memory & in daily remembrance, the profit that they haue & take by the seruice of their auncestours don to the kings of this realme, and therby be the better encouraged to do like seruice to their soueraigne lord as to their duties or allegiãce appertaineth. And forasmuch as sundry such donees in tayle as their heires haue suffered and dayly suffer by their consentes vntrue and fained recoueries to be had against them with common voucher or otherwise of manours meases, landes, tenementes, or hereditamentes so geuen graũted or prouided in tayle by ỹ kings maiestie, or his noble progenitours, as is aforesaid, to the intent by fraud couin & vndue meanes not onely to bynd & delete their heires inheritable by the limitatiõ of such gifts, but also ỹ kyng of his prerogatiue, wardshipp, primer seysen, and other his rightes, whereby questions & diuersities of opinion haue risen and yet bee, whether such fayned and vntrue recoueries against such tenants in tayle, by their owne consents of lands, tenements or hereditamẽts whereof ỹ reuersion or remainder is in the king at the time of such recouerie or recoueries had, should after the death of the tenaunt in tayle bind the heires in tayle or not: For plein declaratiõ whereof, and to auoid and extinct from hencefoorth diuersities of opiniõ in such cases, Be it ec. that no such fayned recouery, hereafter to bee had by assent of parties against any such tenaunt or tenants in tayle of any landes tenements or hereditaments, whereof the reuersion or remainder at the time of such recouery had shalbe in ỹ kinge, shall bynd or conclude the heyres in tayle whether any condition voucher bee had in any such fayned recouery or not, but that after the death of euery such tenant in tayle, against whom any such recouery shalbe had, the heires in tayle may enter, haue, and enioy the lands, tenements, and hereditaments, so recouered according to the fourme of the gift of entaile: the said recouery or any other thing or things hereafter to be had, don or suffered by or against any such tenant in tayle, to ỹ contrary notwithstanding. And be it ec. that the heires of euery such tenant in tayle against whom any such fained recouery shalbe had, shal take none aduantage, for any recompence in value against ỹ voucher nor his heires. Prouided alwaies ỹ this act nor any thing therein contained, be in any wise preiudicial or hurtful to ỹ lessee or lessees of any such tenant in tayle made or to be made by writtinge indented of any mannours, landes, tenements or hereditamentes for terme of xxi. yeares, three lyues or vnder, whereuppon the accustomable rent or rentes or more is or shalbe reserued yearely during the said terme or termes, but the same lessee & lessees shall and may haue and enioy hys or their termes, & terme therein against the heire and heirs of euery such tenãt in tayle according to the tenour, purport, and effect of the statut made in ỹ xxii. yere of the raigne of our Soueraigne lord kynge Henry the eight (S. capitulo 31. before. 3.) any thinge in thys act contayned, to the contrarie therof notwithstandinge. An. 34. H. 8. cap. 20.

3 ¶ Where diuers persons being seised, or that had beene seysed of landes tenementes, and hereditamentes, as tenaunts by the curtesie of England, tenauntes in tayle after possibilite of issue extinct, or otherwyse, onely for terme of lyfe or lyues, or of estates determinable

Donees in tayle

Voucher

Fraude

Tenant in tayle

Heires

Entr

Heire

Voucher

Leases

T. by curtesie

T. in tayle

Life

determinable vppon life or liues, haue heretofore permitted and suffered o-
Cuin ther persons by agreement or couyne betwene them hadde, to recouer the same landes and tenementes, & other hereditaments, against the same particuler tenaunts, in the Quenes maiesties court, or haue permitted & suffered them selues to bee vouched by o-ther persones, by agreement or couyn betwene them had in recoueries suffered of the same landes, tenementes, and other hereditamẽts, in ẏ Queens Maiesties Court, to the great preiudice of those to whom the reuercion or remaynder therof hath appertained, or ought to appertaine.

For remedy whereof be it enacted that al such recoueries hereafter to bee had or prosecuted by agreement of the parties, or by couine, as is aforesayed, against any such particuler tenaunt of any landes, tenemẽtes, or heredytamentes, whereof the same particuler tenaunt is, or hereafter shalbee seysed of any such particuler estate, as is aforesaid, or against any other vȳ vou-
Voucher cher ouer of any such particuler tenãt or of any hauing, or that hadd right or title to any such particuler estate or tenancie, as is aforesaid, shal frombence forth, as against such persone or persones to whom any reuercion or remaynder thereof, by force of any conueyghaunce or douise before that time had or made, shal, ought, or lawfully may appertayne, & against their heirs and successours, be clerely and vtterly
Void void & of none effect: any law, or vsage heretofore had to the contrary therof, in any wise notwithstanding.

Prouided alway, that this act, nor any thing therein contayned, shall extend, or be preiudyciall to any persone or persons, that shal hereafter by good title recouer any landes, tenementes,
Former right or hereditamentes, without fraud or couine, by reason of any former right or title: but that al and euery such recouery, & recoueries, so to bee had or prosecuted vppon former rights or titles, shal stand and be in like force, strength and effect, as they were before the making of this act: any thing herein contained to the contrary in any wise not withstanding.

Prouided also, that all and euery such recouerie and recoueries, to be had or prosecuted of any landes, tenementes, or hereditamentes, as aforesayed, by the assent and agreement of any perso or personnes, to whom any reuersion Reuercion or remaynder thereof then shall or Remainder ought to appertayne (so that the same assent and agrement do appeare of record in any Court of our Soueraygne Lady the Quenes maiestie, her heirs or successours) shal stand and be in like force, strength, & of like effect, against such person and personnes that shall so assent and agree their heires and successours, as they were before the making of this act: any thynge herein contayned to the contrary in anywise notwithstanding.

Be it further enacted by the authoritie aforesaid, that ons act made in ẏ xxxii. yeare of our late soueraigne lord king Henry the eight, entituled, an act for the auoyding of recoueries by collusions by tenauntes for terme of lyfe, (s. An. 32. H. 8. ca. 31. before 3.) shalbe from the first day of July next ensuing (S. An. 1572.) repealed and shall no Repealed longer stand in force. Anno. 14. Eli. capit. 8.

## ¶ Redisseisin.

IF any be disseised of their freehold, & before ẏ Justicers in eire, haue recouered seysin by assise of nouel disseisin, or by confession of them which did the disseisin, and the disseisie hath had seysin deliuered by the shirife, if the same disseisours after the circuit of the Justicers or in ẏ mean time haue disseised the same plaintif of the same freehold, and therof be conuict, they shelbe forthwith taken and kept in the kings prison, vntill the kinge hath discharged them

Freehold
Iust. in eire
Assise
Imprison

them by fine, or by some other meane. And this is the fourme how such conuict persons shalbee punished, when ỳ plaintifes come into ỳ court, they shall haue the kinges writte directed to the shirife, in whych must bee contayned the playnt of disseisin done vpon dysseisin. And then it shallbee commaunded to the shirife, that hee taking with him the keepers of pleas of the kyngs crowne and other lawful knightes, in hys proper persone, shall goe vnto ỳ land or pasture, for which the playnt hath bene made. And that he make by the first iurours and other neighbours ỳ lawful men diligent inquisition therof. And if they fynd him disseised agayne (as before is said) then lett hym doo according to the promysion afore mencioned. And if it bee found otherwise, the plaintife shalbee amerced, & the other shall goe quite, neither shall the shirife execute any such plaint without speciall cõmaundement of ỳ king. In the same manner shallbee done to them that haue recouered their seysin by assise of mortdauncestour. And so shall it bee of all landes and tenemẽts recouered in the kynges court by enquestes, if they bee disseised after by ỳ first deforceours, against whom they haue recouered any wise by enquest. Perton ca. 3. An. 20. H. 3.

Fourme
Shirife
Iurrours
Amerce
Mortdaũc
Enquest

2 ¶ They which be taken and imprisoned for redisseisin, shal not be deliuered without speryall commaundement of the king, and shall make fyne with the king for their trespas. And yf it be found, that the Shirife deliuereth any contrary to this ordinaunce, hee shalbee grieuously amerced therefore. And neuertheles they which are so deliuered by the shirife vpon ỳ kyngs commaundement, shallbee grieuously punished for their trespas. Marleb. 9. An. 52. H. 3.

Impryson
Deliuer
Fine
Shirife
Amerce
Punish

3 ¶ In writs of redisseisin from hence forth the double dammages shalbe awarded, & the redisseisours shal not bee replauiable hereafter by the common writt. And like as in the statut of Merton the same writte was prouyded for such as were disseised after they had recouered by assise of nouel disseisin, of Mortdauncestour, or other Iuries, euen so from hence forth the same writt shal further hold place for thẽ ỳ haue recouered by default, reddicion, or otherwise vpon recognition of assyses or iuries. W. 2. ca. 26.

2. damages
Nouel dis.
Recouer Default

¶ *Reliefe.*

IF any of our Earles, or barrons, or any other our tenaunts, whych hold of vs in chiefe by knightes seruyce die, and at the tyme of his death hys heire is of full age, and oweth to vs relefe, hee shall haue his inheritaunce by olde relyefe, that is to say, ỳ heire or heires of an Earle for an hole earledome one hundreth pound, the heire or heires of a Barõ, for an hole barrony one hundred Markes. The heire or heires of a Knight for one hole knights fee, one hundreth s. at the most. And hee that hath lesse, shall geene lesse, according to the old custome of the fees. Magna carta cap. 3.

Tenants Chiefe
Knights seruice
Heire
Relefe
Earle
Baron
Knight
Knights fee

¶ *Religion.*

ALL and euery determinations, declarations, decrees, diffinitions, resolutions, and ordinances, as according to Goddes woord and Chriſtes Gospel, by his Maiesties aduise and confirmation, by his letters patents vnder his graces great Seale shall at anie time hereafter be made, set forth, declared, decreed, diffined, resolued and ordayned by the sayed Archebishoppes, Bishops and doctours now appointed or other persons hereafter to be appointed, by his royall maiestie, or else by ỳ whole clergie of Englãd, in and vpon the matter of Chriſtes Religion & the christian faith, and ỳ lawfull rites ceremonies, and obseruations, of the same, shalbe in al and euery point, lymitation and circumstance therof, by all

Archbishop
Bishop

al hys graces subiectes and other resi-
aunts and inhabitants within this his
graces realme, and other his graces do-
minions, fully bee lewed, obeyed, ob-
serued & persourmed to al purposes, in-
tents construccions & interpretations
vpon the paines and penalties therein
to bee compriſed, as if the same deter-
minations, declarations, decrées, diffi-
nitions, resolutions and ordenainces,
& euery of them, with the paines & pe-
nalties therin compriſed had bē, were
or should be by expresse wordes, terms
and sentences plainly and fully made,
set forth, declared, rehersed and contai-
ned in this present act: Any vse, custo-
me, or statut heretofore vsed, obserued
or accustomed, to the contrary thereof
in any wise notwithstanding. Prouid-
ded alwaies that nothing shalbe done,
ordained, diffined, or prouided by au-
thoritie of this act, which shalbe repug-
nant or contrary to the laws and sta-
tuts of this Realme: any thing in thys
act contained to the contrary thereof
notwithstanding. An. 32. H. 8. ca. 6.

Repugnāt

## ¶ Rents.

SE monasteries. 10. that vpon letters
patents made of lands of monaste-
ries, there must be reserued to ỳ kinge
the tenth part of the value.

L. patents

Tenth

2 ¶ Forasmuch as by the order of the
common law, the executours or admi-
nistratours of tenaunts in fee simple,
tenauntes in fee tayle, and tenauntes
for terme of life, of rents seruices, ret
charges, rent seckes and fee fermes,
haue no remedy to recouer such arrera-
ges of the said rentes, or fee fermes, as
were due vnto their testators in their
lines, nor yet the heirs of such testator
nor any persone hauinge the reuersion
of his estate after his decease: may dis-
traine, or haue any lawfull accyon to
leuy any such arrerages of rents or fee
fermes, due vnto him in his lyfe as is
aforesaid, by reason where of the te-
nauntes of the demeane of such landes
tenementes, or hereditaments, out of
the which such rentes were due and
payable, who of right ought to paie
their rentes and fermes at such dayes
& termes as they were due, doo many
times kepe, hold and retaine such arre-
rages in their own hands, so that the
executours and administratours of ỳ
persounes to whom such rentes or fee
fermes were due, cannot haue or cōe
by the said arrerages of the same to-
wards the paiments of the debts, and
persourmance of the will of ỳ said tes-
tatours. For remedy wherof be it en-
acted that the executours and adminis-tra-
tours of euery such persone or per-
sons, vnto whom any such rent or fee
ferme is or shalbe due, & not payed at
the tyme of hys death, shall and may
haue an accion of debt for al such arre-
rages against the tenant or tenants ỳ
ought to haue payed the said rent or
fee ferme so beeinge behind in the lyfe
of their testatour, or agaynst the execu-
tours and administratours of the sayd
tenants. And also furthermore it shall
be lawfull to euery such executour and
administratour of any such person or
persons vnto whom such rent or fee
ferme is or shalbe due, and not payed
at the time of his death as is aforesaid,
to distraine for the arrerages of al such
rents and fee fermes, vpon the lands,
tenements, and other hereditaments,
which were charged with the pay-
ment of such rents or fee fermes, and
chargeable to the distresse of the sayed
testatour, so longe as the sayed landes,
tenementes, or hereditaments, con-
tinue, remaine, and bee in the seyson
or possession of the said tenaunt in de-
meane, who ought immediately to
haue paied the said rent or fee ferme so
beeing behind to the saied testatour in
hys life, or in the seison or possession of
any other persone or persones clay-
ming the said landes, tenements, and
hereditaments, onely by and from the
same tenaunt by purchase gift or dys-
cent, in like maner and forme as their
said testatour mought or ought to haue
done

Executors Administ-rators

Accion of debt

Distreine

done in his life time. And the said executours and administratours shall for the same distresse lawefully make answere vppon their matter aforesayd. Prouided alway that this act nor any thyng therein contayned, shal not extend to any such mannour lordship or possession in Wales, or in ỳ marches of the same wherevnto the inhabitantes haue vsed time out of the mind of man to pay vnto euery Lord and owner of such lordshippe mannour or dominiõ, at his or their first entre into the same any summe or summes of money for the redemption and discharge of al duties, for forfaitures & penalties where with the said inhabitaunts were chargeable to any of the said lordes auncestours or predecessours before hys sayd entre. And further be it ẽ. that if any man which now hath or hereafter shall haue in the right of his wyfe, any estate in fee simple, fee taile, or for terme of life, of, or in any rentes or fee fermes, and the same rentes or fee fermes now bee or hereafter shalbee due, behind and vnpaied in the sayed wifes life: then the said husband after ỳ death of hys said wife, his executors and administratours, shal haue an action of debt for the saied arrerages against the tenaunt of the demeane that ought to haue payed the same, hys executours or administratours. And also the said husband after the death of his saied wife, may distrayne for the said arrerages in like maner & fourme as hee mought haue done if hys sayed wife had bene then liuinge, and make answere vppon his matter as is aforesaid. And likewise it is ẽ. that if anie personne or personnes, which now hath, or hereafter shal haue any rentes or fee fermes for terme of life or lifes of any other person or persons and the said rent or fee ferme now bee or hereafter shalbe due, behind, and vnpayed in the life of such person or persons for whose life or liues the estate of ỳ said eft or fee ferme did depend or continue. And after the said person or personnes death, then he vnto whom ỳ said rẽt or fee ferme was due in forme aforesaid, his executours & administratours, shal and may haue an action of debt against the tenãt in demeane ỳ ought to haue paied the same when it first was due, his executours, & administratours, & also distraine for the same arrerages vpon such landes & tenements, out of ỳ which the said rẽts or fee fermes were issuing & payable, in such like maner & fourme, as he ought or might haue dõe if such person or persõs, by whose death the aforesaid estate in the said rents & fee fermes was determined & expired had bene in full life & not dead: And the answere for the taking of the same distresse, to be made in maner & forme aforesaid. An. 32. H. 8. ca. 37.

Answere

Wales

Wife.

Action of debt

Distraine

Answere

Action of debt

Distraine

Lloyd

¶ *Repeale.*

An. 1. E. 3. ca. 2. the repeale ỳ was made for the exile of the Spencers was annulled, and that exile to stand in his force ẽ.

Crowne

2 ¶ An. 5. E. 3. a statute was made containing fiue articles, but it was repealed by an other parliament holden in that yeare.

3 ¶ Where as it was ordeyned at the last parliament for victayles and apparell, and that noe Englishe merchaunt should vse but one kynd of merchaundize: It is accorded ỳ al people shalbe as free as they were in auncient time before the sayd ordinaunce, and namelie as they were in ỳ time of ỳ graundfather of our soueraigne Lord the king & his other good progenitors. Anno. 33. E. 3. capitulo. 2.

Heires within age

Victaile Apparell Merchant

4 ¶ An. 21. R. 2. cap. 13. it was enacted that the iudgement gẽuen against the Earle of Suff. in 10. R. 2. should bee repealed, & his heires restored, but this parliament of An. 21. R. 2. was repealed by. 1. H. 4. cap. 3.

xviij. Pere

5 ¶ By An. 1. H. 4. cap. 3. the parliament holden in An. 21. R. 2. and all the circumstances and dependences therof be repealed.

I. patents Reuoke

be repealed.

6 ¶Anno 39. H.6. ca.1. the parliament holden at Couentrie in An.38. H.6. & all statuts made in ỳ same parliament were repealed.

7 ¶The said pretenced parlement (s.holde An.9.E.4. & An. 49.H.6. & An.1. of his redemption.) with al ỳ cõtinuances and circumstaunces, depending vpon the same be void and of none effect. And that all actes, statutes, ordinaunces, treates, communications, cõuencions, and workings in the said pretensed Parliament, treated, communed, accorded, wrought, had, or by ỳ authoritie of the same Parliament enacted & ordeined, and al exemplifications made vpon ỳ same, or any part of them & euery of them, shalbe reuersed, cancelled, voied, vndoen, reuoked, repealed, & of no force nor effect. Anno. 17. Ed. 4. cap. 7.

Void

8 ¶If the imperiall crowne of thys realme, after the decesse of the kynges most royal maiestie (whose life our lord long preserue,) discend, come or remaine to the heires of our said soueraign lord or to any person to be vnmitted by hys highnes, as of very right it must and ought to doo according to the lawes of this realme established for the same, ỳ said heires or such person being within the age of xxi. yeares, and that then any act or actes of parliamẽt shall happen to bee made & established in any parlement, that then shalbee holden before such heire or heires, persõ or persons then beeing in possession of the said crowne, shalbe of their ful ages of xxiij. yeres fulle power & auctoritie at al times after they shal come to their said ful age of xxiii. yeres by theyr letters patents vnder ỳ great seale of Englãd to reuoke annulle, & repeale all & singuler such actes, made and established by their royall assents in any parliament during ỳ time ỳ they were within their said age of fower & twenty yeres, their royal assentes had to the same, during ỳ time that they were within ỳ saied age of fower & twenty yeres, or any act or actes hereafter to bee made to the contrary thereof notwithstanding. And be it ẽc. ỳ euery such repeale annullation & reuercion of any act or actes, ỳ shalbee made & established in any parlemẽt, holde before ỳ time ỳ such heirs or persons possessed of ỳ crowne, shall be of ỳ said age of fower & twenty yeres, shalbe as good & effectual to al intents & purposes as though it hadde beene done by auctoritie of Parliament. An.28.H.8. ca.17. This act is repealed by 1.E.6. capitulo. 11. as here next followyng appeareth.

Heires within age

xxiij. yeres

K. patents Reuoke

Repealed

9 ¶The said act of parliament aboue recited, made in the said. xxviii. yeare of the raigne of the said late king (cap.17. before 8.) & euery woord, article, clause matter, sentence, & thing therein specified & contained, shall by auctority of this present parliament, be to al intẽts constructions & purposes, vtterly void Void. annulled, repealed, & of none effect, & as though the same had neuer bene had ne made. Neuertheles to thentẽt ỳ kings maiestie our soueraigne lord may haue power, auctority preeminence & prerogatiue at his full age of xxiii. yeres, or xxiij. yeres. at any time after at his liberty & pleasure, to repeale al statutes and actes of parliament, aswel made in this present Parliament as hereafter in any other Parliament to be holden before he shal accomplish ỳ said age of fower & twẽty yeres, to be made or ordeined according to the true intent & meaning of the makers of the said former statute. Bee it further ẽc. that our said soueraigne lord ỳ king ỳ now is, at his ful age of fower & twenty yeres, or at any times after, & al & euery heire & heirs of ỳ said late kig & other person & persons to whõ ỳ Emperiall crowne of this realme shal hereafter discend come, or remaine by thappointmẽt of the said late king in ỳ case

pꝛouided & made then being within the age of fower and twenty yeares, shall haue full power & aucthoꝛity by vertue of this pꝛesent act at al times after hee oꝛ they shall cõe to his, oꝛ their full age of fower & twẽty yeres by his oꝛ their letters patents, vnder the great seale of
Repeale England to repeale al and singuler act & actes, oꝛ any of them, as be oꝛ shalbe made oꝛ established by his oꝛ their roiall assentes in any ꝑliament holden oꝛ to be holden during the time that he oꝛ they was, were, oꝛ shall be within ẏ said age of fower & twenty yeres other then this pꝛesent act of parliament and
Pardons other then al pardons graunted and to be graunted within the sayd seuerall ages of fower & twenty yeres by auctho ritie of parliament, so that the same re peale be made & vsed in maner & fourm hereafter following, that is to say, that
L. patents euery such letters patẽts of repeale shal conteine all such actes as shalbe repea led, & shal be solemply & openly pꝛoclai med in the kings court of Chauncerie
Pꝛoclaime Chauncery betwene the howers of nine & terme be foꝛe noone at thꝛee seuerall dates in eue ry two of the fower vsual termes to be holden at Westminster oꝛ els where within this realme of England, & also
Countie Wales one time in euery county of this realm & in Wales, at the seuerall assises to be holden in the same seuerall counties be twixt like howers, and that then after
40. Dayes foerty dates nert after such pꝛoclamati on in al & euery place and coũty aboue said so had & made, the saied letters pa tentes of repeale to take theyr foꝛce strength & effect & not befoꝛe, oꝛ from any other time oꝛ season noꝛ in any o ther manner oꝛ fourme. And ẏ al & eue ry such act & actes as wel made in this parliament, as hereafter to be made võ in the said age of xviii. yeres, of our so ueraigne loꝛd ẏ kings maiestie ẏ now is in the tyme of any of the saied heyre oꝛ heires oꝛ other the said person oꝛ per sons then being in possession of the im periall cro wne of this realme, & vnder ſhag of 24. yeres shalbe good & effectual to al intẽtes, constructiõ, & purposes vn till ẏ said letters patents of repeale, pꝛo clamations and foerty dayes shal be so had, made, run, and past, and that all & euery act and actes, thing & things vsed had, committed, done, suffred, oꝛ execu ted by aucthoꝛity of the sayd act oꝛ acts oꝛ any of them withyn any of the saied ages of fower & twẽty yere, accoꝛding to the pur poꝛt tenour & effect of ẏ saied act oꝛ actes oꝛ any of them, shal be good & effectual foꝛ euer, the said repeale so to be made in any wise notwithstanding, and that al & euery person & persons, bo dies politike and coꝛpoꝛate shall & may by thaucthoꝛitie of this pꝛesẽt act, from time to time, as wel after ẏ said repeale as beefoꝛe, pleade oꝛ alleage foꝛ his oꝛ their defence excuse, indempnity, pꝛofit benefite, oꝛ aduantage, al & euery such act oꝛ actes oꝛ any of them so reuoked annulled, oꝛ repealed, oꝛ to bee reuoked, annulled, repealed, foꝛ, oꝛ concerninge noꝛ in any wise touching any thing oꝛ things had, vsed, graunted, suffred, pos sessed, committed, done oꝛ agreed by ẏ aucthoꝛity sufferaunce, oꝛ foꝛce of ẏ said act & actes, oꝛ any of them befoꝛe ẏ re uocation annullation oꝛ repealing of the same in such & as ample maner & foꝛme as if the said act oꝛ actes so to be reuo ked annulled oꝛ repealed, & euery of thẽ had stand in his and their full strength, foꝛce, & effect, & as if the said act oꝛ acts had neuer bẽ reuoked, annulled, oꝛ repea led, any thing in such repeale contained notwithstanding. ¶ Pꝛouided al wayes & be it &c. that no king noꝛ kinges of this re alme shall haue aucthoꝛity, power, and pꝛerogative to repeale any act of parlia ment oꝛ statut that shalbe made in the tyme of any kinge beefoꝛe the saied age of fower and twenty yeres, other then such as he oꝛ shall be made in his diuine time, Any thing aboue mencioned to ẏ contrary in any wise notwithstãding. An. 1. E. 6. ca. 1.

10 ¶ Al clauses, sentences, articles of euery other statute oꝛ act of parlia ment made since the said xx. yere of the

raigne

raigne of king Henry the eight againſt the ſupreme auctho-
rity of ỳ popes holines o3 ſea apoſtolike of Rome, o3 con-
Pope teining any other matter of the ſame effect only that is repealed in any of ỳ ſtatuts afo3ſaid, ſhalbe alſo by auctho-
ritye hereof frō henceforth vtterly void ſtruſtrate & of none effect. An. 1. & 2. Ph. & M. ca. 8. ſe this in Rome 4. & ſee there what ſtatuts be repealed expreſſely.

¶ *Repleder.*

FRom henceforth if any iſſue be tried by the oth of twelue o3 more indiffe-
Iſſue rent men, for the party plantife o3 de-
maundaunt, o3 for the partie of the te-
naunt o3 defendaunt, in any maner of accion o3 ſuit at the cōmon law of thys realme in any of the kinges courtes of
Iuſtices recō3d, that then the iuſtice and iuſtices by whom iudgement thereof ought to be geuen, ſhall proceede & geue iudgemet
Iudgemēt Miſpleding Ieofaile Miſcontinuance Diſcōtinuance Warrant of attorney in the ſame, any miſpleding lacke of co-
lour, inſufficiēt pleding, o3 ieofaile, any myſcontynuance o3 dyſcontinuance o3 miſconueynge of proces, miſioyning of the iſſues, lacke of warrant of attur-
ney for the party againſt whom ỳ ſame iſſue ſhall happen to be tried, o3 any o-
ther default o3 negligence of any of the parties, their counſaillours o3 attourneis had o3 made to the contrary notwithſtā-
ding. And ỳ ſaid iudgements thereof ſo to be had & geuē, ſhal ſtād in ful ſtrēgth & force to al intēts & purpoſes accō3ding to ỳ ſaid verdict wout any reuerſell o3 wrdoing of the ſame by writt of erroure o3 falſe iudgemēt, in like maner & for-
me as though no ſuch default o3 negligence had neuer ben had o3 committed. Pro-
uided alway & be it &c. in auoyding of er-
rour & other great inconueniences that dayly do fortune to riſe & grow in the kinges courts of recō3d at weſtminſter
Negligēce thorough ỳ negligēce of attourneis, be-
cauſe they deliuer not their warrāts of attorney, in ſuch accion & ſuits where-in they be named attourney, accō3ding to ỳ lawes of this realm, ỳal & euery ſuch perſon and perſons which ſhall fortune hereafter to be attourney, to o3 for any other perſō o3 perſōs being demāndaūt o3 plaintife, tenant o3 defendant in any acciō o3 ſuit at any time hereafter cō-
menced o3 take in any of the kings ſaid courts, & pleade to an iſſue in the ſame accion o3 ſuit, that then ỳ ſame attour-
neis and euery of them from tyme to time ſhal deliuer o3 cauſe to be deliuered
Warrant. his o3 their ſufficient and lawfull war-
rant of attourney to be entred of recō3d for euery of the ſaid accions o3 ſuytes wherein they bee named attourneyes to the officer o3 his deputy o3deined for the recite & entrying therof in the ſame terme, when the ſaid iſſue is entred of recō3de in the ſaid court, o3 afore, vpon
Fo3l. paine of fo3feiting vnto our ſaid ſoue-
raigne lo3d ten pound ſterling for eue-
ry default for non deliuering of ỳ ſaid warrant of attourney. And alſo further to ſuffer ſuch impriſonment, as by the
Impriſon diſcretion of the Iuſtices of ỳ court for the time being, where any ſuch default ſhall fortune to be had o3 made ſhalbe thought conuenient: This preſent act with the prouiſo, to endure to ỳ laſt day of the nert parliamēt. An. 32. H. 8. ca. 30. This act is continued. An. 33. H. 8. ca. 17. & an. 37. H. 8. ca. 23. And after An. 2. E. 6. ca. 22. it is made perpetual.

¶ *Repleuin of Cattell.*

IF the beaſtes of any man be taken, Beaſtes and wrongfully withholden, the ſhi-
rife after complaint made to him there- Shirife
vnto, may deliuer them without lett o3 gainſayinge of him that tooke the beaſts, if they were taken out of liber-
ties. And if the beaſtes were taken vō- Liberte
in any liberties, and the bailifes of the Bailife
liberte will not deliuer thē, thē ỳ ſhirife Shirife
ſo3 default of thoſe bailifes ſhall cauſe them to bee deliuered, Marlebridge, capit. 21.

2 ¶ For as much as Lords of fees Diſtreine. Deriue. diſtreigning their tenants for ſeruices & cuſtomes due vnto them, are many times grēued, becauſe their tenāts do replegy the diſtreſſe by writ o3 with-

out writ. And when the Lordes at the complaint of their tenaunts, do come by attachment into the countie, or vnto an other court, hauing power to hold pleas of wythernam and do aduowe ỳ taking good and lawfull: by reason ỳ ỳ tenauntes dysauowe and doe disclaime to hold ought of him (which take the distresse) and aduowed it be that distrained is amerced, and the tenaunts goe quite, to whom punishemẽt can not be assigned for such disauowyng by record of ỳ countie, or of other courts hauyng no record: It is prouided and ordeined from henceforth that where such lordes can not obtaine iustice in counties, and such maner of courtes against their tenauntes, as sone as they shal be attached at the suit of their tenantes, a writ shalbe graunted to them, to remoue ỳ matter before the Iusticers, afore whō & none other where, iustice may be ministred to such lordes. And the cause shal bee put in the writ, because such a man distrained in his fee for seruices & customes to him due. Neyther is this act preiudiciall to the law commonly vsed whereby it is prohibited, ỳ no plea shal be moued before Iusticers at the suit of the defendaunt, For though it appere at the first face that the tenant is plaintife, & the lord defendant: neuertheless hauing respect to that, ỳ the Lord hath distreined & sueth for seruices & customes being behind, he appeareth in dede to be rather plaintife then defendaunt. And to the intent the Iusticers may knowe, vpon what fresh saysin ỳ lordes may aduowe the distresse good & lawfull vpon their tenauntes: Frō henceforthe it is agreed and enacted, that a reasonable distresse may be aduowed vpon the seisin of any aūcestour or predecessour synce the time that a writt of nouel disseisin hath runne. And because it chaunceth many times, that the tenant, after that he hath repleuied his beastes, doth sell or alien them, whereby retourne cā not be made vnto the lord that distrained, if it be adiudged: It is prouided, ỳ sheriffes or bailifes from hēceforth shal not onely receiue of the plaintifes pledges for the suit, before they make deliuerannce of the distresse, but also for the retourne of the beastes, if returne be awarded. And if any take pledges otherwise, he shal aunswer for the price of ỳ beastes, & the lord that distreineth, shal haue his recouerie by writ that he shal restore vnto hym so many beastes or cattel. And if the bailife bee not able to restore, his lord shal restore. And for as much as it happeneth sōetime, that after the retourne of the beastes is awarded vnto the distreignour, & the party so distraigned, after that the beastes be retourned, doth repleuie them againe, and when he seeth ỳ distrainour appearyng in the Court ready to aunswer hym, doth make default, whereby retourne of ỳ beastes ought to be awarded again vnto the distrainour: And so ỳ beastes bee repleuied twise or thrice, & infinitly and the iudgementes geuen in ỳ kings court take no effect in this case, whereupon no remedy hath bē yet prouided. In this case such proces shalbe awarded, ỳ so sone as retourne of the beastes shalbe awarded to the distrainer, the sherife shal be commaunded by a iudyciall writte, to make retourne of ỳ beastes vnto the distrainor, in which writ it shalbe expressed, that the sherife shall not deliuer thē without writt, making mencion of the iudgement geuen by ỳ Iusticers, which can not bee without a writ issuyng out of the rolles of the said Iusticers, before whom ỳ matter was moued. Therefore when hee commeth vnto the Iusticers, and desireth repleuin of the beastes, he shall haue a iudyciall writt, that the sherife taking suerty for the suit, and also of the beastes or cattell to be retourned, or for the price of them (if retourne be awarded) shal deliuer vnto hym the beastes or cattell before retourned, & ỳ distrainour shall bee attached, to come at a certayn day before the Iusticers, afore whom the plee was moued in presence of ỳ parties.

withernam
Auowe
Countie Courts
writ
Distres
Shyriffes Bailiffes Pledges Recouery
Default
Shyriffe Iudiciall writ
Suertie

And

And if hee that replevied make default againe, or for an other cause retourne ẏ distresse being now twice replevied, the distresse shall remayne irrepleviable, but if a distresse be taken of newe, & for a newe cause, the proces abouesayed shal be obserued in ẏ same new distresse W.2.ca.2.

## ¶ Receipt.

Leas

IT is prouided also, that if a man lease his landes for terme of yeares within the citie of London, and he to whom ẏ freeholde belongeth causeth him selfe to be impleaded by collusion, and maketh default after default, or commeth into the court, and geueth it vp, for to make the termour leese his terme, and the demaundant obteyneth his suit, so that the termour may recouer by writ of covenaunt. The maior, & ẏ bailifes may inquire by a good inquest in the presence of the termour & of the demaundaunt whither the demaundaunt emoued his plea vpon good right that he had, or by collusion and fraud, to make ẏ termour leese his terme. And if it be found by the inquest, that the demaundant moued his plea vpon good right that he had, ẏ iudgemẽt shalbe geuen forthwith. And if it be found by inquest that hee impleded him by fraude to put the termour from his terme, then shall the termour enioy his terme & the execution of iudgment for the demaundaunt shalbee suspended vntill ẏ terme be expired. And in lyke maner it shalbe of equity before the iusticers in such case, if ẏ termour do challenge it afore the iudgement geuen Glouc. cap. 11. An. 6. E. 1.

London

Collusion Default

Termour

Maior Bailifes Enquest

Iudgemẽt

2 ¶ Where ẏ any purchaseth a writt against the tenauntes by the curtesie, in taile, in dower, for terme of life, or of yeares, and the demaundaunt sueth so farre that the landes be in maner recouered whereuppon an other cometh in before iudgement geuen, and sayeth that hee hath fee and right in those landes and prayeth the Court, that in as much he is come before iudgement he may be receiued to defend his right and to make aunswer vnto ẏ demaundaunt thereof by force of a certaine statute lately made by the kynge that now is at westminster. (S. W. 2. cap. 4. which is in Cui in vita. 1. & 2.) wher by as well such as hadde no right as they oftentimes in the case afore mencioned, falsely and in deceipt of the Court did come in and pray to bee receyued to make aunswer, to the intent that their admission might prolong the demaundaunt from the attaining vnto iudgement and season of hys lande and for to cause those demaundauntes to replede of newe, wherby such demaundauntes are greatly deferred in the case aforesayed for to recouer theyr right in the kynges court by reason of such malyce, as well by mistakinge of the sayed statut as for any other cause iust and reasonable and this is vsed and found daily before our Iustices: In consideration whereof our soueraigne lord the kynge, for to withstand al such malice in the foresaid case, and intendyng to prouide a remedy therein, in his full Parliament hath ordeyned, and from henceforth commaundeth straightly to be obserued, that is to wytt, the monday next after the feast of the purification of our Lady ẏ xx. yere of his raigne that if any before iudgemẽt in the fore sayd case cometh in by a collaterall tytle, and desyreth to be receiued, beefore hys receipt he shall finde sufficient suertie, (as the court will award) to satisfie the demaundaunt of the value of issues of the landes so to be recouered from ẏ day ẏ hee is receiued to make aunswer vntill the tyme that fynall iudgement be geuen vppon the peticion of the demaundaunt. And if the demaundaunt recouer hys demaund, the defendour shall be greeuously amerced if hee haue whereof. And if he haue not, hee shall be imprisoned at the kynges pleasure. And if hee can proue hys right to bee as good as hee affyrmed at such time as her was receiued, hee shall go quite

Tenants

Suertie.

Amerce

Imprison

An.20.Ed.1.

3 ¶If any such tenaunt bee impleded, & he in the reuercion come into the court, & prayeth to be receiued to defēd his right at the day that the tenaunt pleadeth to the accion or before, he shall be receyued to plead in chiefe to the acciō, with out taking any delay by voucher ayde prayer, nonage, or any other delay so that after such receypt he shall haue no maner delay, by protection, essoin of the kynges seruice, common essoyns nor any other delay, but that ẏ busines bee halled in as much as it may bee by the lawe, and that dayes of grace bee geuen by the discretion of the iuges betweene the demaundaunt and hym that is receiued in such case, without geuing the common day in plea of land, if the demaūdaunt wil not assent, to ẏ intent that the demaundants be not to much delated, because they must pled vñ two aduersaries, & in ẏ right of plees that be now depēding in such case, they in the reuersion shall be receiued in the maner as before is said, at the next day that the parties haue in court, although the same parties haue pleaded in chiefe before this time. Prouided alwaies ẏ they in the reuersion, which pray to be receiued, as before is said, shal synd suertie of the issues of ẏ tenements demaūded for the time that the same demaundauntes be delayed after the said plea determyned betwene the demaundauntes & tenauntes, if the iudgement passe for the demaundaunt agaynst thē in the reuercyon aforesayed, as well where the receypt is counterpleded, as where it is graunted. Anno. 13. R. 2. capitulo. 16.

Reuercion

Suertie

## ¶Residence.

IT pleaseth our soueraigne lord the kinge that such clerkes as attend in his seruice shal be correct by their ordynaries like as other but so long as they are occupied about his business they shal not be bounden to kepe residence in their Churches. This is added of newe by the kynges counsell. The kyng and his auncestours synce tyme out of mynde haue vsed that clerkes during such time as they are in his seruice shal not be cōpelled to kepe residence at theyr benefices. And such thinges as bee thought necessary for the kynge and the common welth, ought not to be called preiudiciall to the libertie of the church. Articuli cleri. cap. 8. An. 9. E. 2.

Clerkes

Residence

2 ¶That no spirituall person, seculer or regular, of what degree soeuer hee or they bee, shall from henceforth take to ferme to him selfe, or to any person or persons to hys vse, of the lease or graūt of the kynge our soueraigne lorde, nor of any other persone or persones by letters patentes, indentures, writings by word or otherwise, by any manner of meanes, any manors, landes, tenementes, or other hereditamentes for terme of life, for terme of yeares, or at will, vppon paine to forfait x. li. for euery moneth that hee or any other to his vse shall occupy any such ferme by reason of any such lease or graunt hereafter to be made. Whon half of which for faiture to be to the kinge, and the other halfe therof to euery such person as will sue &c. in any of the kinges courts, In which accion and suit no wager of law shalbe admitted for the defendaunt &c. And be it &c. that al and euery such spirituall persō or persons, which now haue or occupy in ferme by themselfe, or by any other to their vse, any manours, landes tenements, or hereditamentes of the lease or graunt of the king our soueraigne Lord, or any other person or persōs for term of life, or for yeres or at will by any writing or otherwise, or ẏ now haue any annuall rentes or other annual aduauntage or profit by occasion or colour of any such lease or ferme, shal clerly bargaine, sell, geue or grant away on this side the feast of saint Michaell tharchangell next comminge to any such lay person or persons, as they wil at their owne nominations and appointment al such lease, terme, interest and profit as any such spiritual persō or

Ferme

Leale

L. patents

Fol.

Moitie

Ferme

Rents

any

any other to his vse now hath or haue in or by reason of any such ferme, so that in no wise any such spirituall person or persons at any time after ẏ same feast, by them selfe or any other to their vse by any maner of meanes, fraud or male engin, shall haue vse or occupy in ferme any manours, landes tenemẽts or hereditamentz of the demise, lease or graũt of any person or persons heretofore made, or hereafter to bee made, to thẽ selfe or to any other to theyr vses, nor from ẏ said feast shal take any ãnuall rent, or other annual aduauntage or profit by occasion or colour of any such lease or ferme by any maner of means vpon paine to forfait for euery moneth so occupyinge any such ferme at any time after ẏ said feast contrary to this present act x.li. & vpon paine to forfayt ten times so much as any spirituall person, or any other to his vse, shal take in any annuall rent, aduauntage or profit, by occasiõ or colour of any such lease at any time after the said feast. The one halfe of which forfaiture to be to ẏ king &c. & the other halfe to him that will sue &c. in any of the kings courts, in which accion & suit no wager of law shalbe admitted &c. And be it &c. ẏ all such leases made or hereafter to be made vnto any such spirituall person or persons, or to any other to their vse for terme of life, terme of yeres or at will, of any manors lands tenements or hereditamentes, whereof they or any of thẽ shal take any profit, or medlig by thẽselfe or by any other to their vse, after the said feast of S. Michael, by colour of any such lease or graunt, and not by them bargayned, graunted and sold alway before the said feast, as is before limitted, shall from thẽceforth be vtterly void, and of none effect, as well against the lessour or lessours, grauntour or grauntours, their heires and assignes, and against euery of them, as against the lesse or lessees, & their executors and assignes, and euery of them. Prouided alway that this present act shal not extend to any spirituall person or persons in, & for taking to ferme any temporalties durig ẏ time of vacatiõs, of any archbishopricks, abbeis, priories, or other collegial, cathedral, or cõuentual churches, nor to any spiritual persõ or persõs, ẏ shal tend or make any trauers vpon any offices or office, cõcernig his or their freehold, & be it &c. ẏ no spiritual persõ or persõs secular or reguler, of what estate or degree so euer they be, shal frõ henceforth by him selfe, nor by any other for him, nor to his vse, bargain & buy to sel again for any lucre gaine or profit, in any markets, faires or other places, any maner cattels, cornes, lead, tin, hides, leather tallow fish, wooll, woad or any maner of vitaile, of merchãdise, what kind so euer they be of, vpõ paine to forfait treble ẏ value of euery thing by thẽ, or by any other to their vse, bargained & bought to sel again cõtrary to this present act, & ẏ euery such bargain & contract hereafter to be made by thẽ or by any to their vse cõtrary to this act shalbe vtterly void & of none effect, & ẏ one halfe of euery such forfaiture to be to ẏ king our soueraigne lord, & ẏ other halfe to him ẏ will sue for ẏ same by original writ of debt, bil, plaint, or informatiõ in any of the kings courts: In which accion or suit, no wager of law for the defendant shalbe admitted, nor any essoigne nor protection allowed. Prouided alway, ẏ if any such spirituall person or persones shal happen hereafter without fraud or couyne to buy any horses, mares, or mewles, to ẏ only intent to occupy for himselfe or his seruãts to ride to & fro, vpõ his necessary busines, or any other cattals or goods to ẏ only intent & purpose at ẏ buying therof, to be employed & put in, & about his necessary apparrell of his owne house or of his person & seruants, or in, for, & about the onely occupying, manuring or tillage of his own glebe or demeane lãds annexed to his church, or for the necessarie expẽces of his own household keping, & after ẏ buying of any such horses cattells or goods



Fraude

Forf.

Forf.

Moitie

Moyte

Tẽporalties Vacation

Trauers

Buy Markets Faires

Vitaile Merchãdise Forf.

Moyte Moitie

Horses Mares

Cattals

Tillage

or exercise of them or any of them, happeneth to mislike any of them, ẏ they should not be good profitable, nor convenient for any of the purpoles aboue said. for ẏ which they were bought, ẏ then euery such spirituall person or persons may lawfully bargaine and put away such thinges so by him bought, without fraude or couin for any of the purpoles aboue said, at his pleasure & aduantage: This act or any thing therein contained to the contrary notwithstanding. Prouided alwaies ẏ al abbottes, priours, abbelles, prioresses, prouostes, prelotes, maisters of colledges, & hospitals, & al other spirituall gouernors & gouernelles of any spirituall monasteries or houses of religiõ, by what name or names so euer they be called, hauing manours, lands, & tenements, hereditaments, & other yerely profits in the right of their monasteries or houses of the yearely value of viij. ℔. Parkes or vnder & not aboue, may ble & occupy as much & as many of their demean lãds for fermes to their most aduantage, cõmoditie, & profit, to and for the onely maintenance of their houlholds & hospitalities, in as ample and as large maner as they or any of them or their predecessors, or the predecessors of any of them, at any time by the space of a ℂ. yeres last past, before the making of this act, haue done, vled, and occupied: Any thing in this present act to the cõtrary notwithstanding. Prouided also that euery spiritual person and persons not hauing glebe or demeane landes in their own handes, in the right of their churches, monasteries, and houses, for pasturage of cattalles, or for increase of cornes to and for the onely expences of their houlholds, or for the cariages and iourneis, may take in ferme other lãds & buy and sell corne and cattell for the onely manuraunce, tillage & pasturage of such fermes, so that the encreale ther of, be alwaies emploied & put to, & for the onely expences in their houlholdes & hospitalities & not in any wise to buy & sell againe for any other commoditie, lucre, or aduauntage any corne or cattel renewing, cõming, or growing, in & vpon any such ferme or otherwise, but only ẏ remaine & ouerplus aboue their expences of their houlhould if any such shall happen to the breede, & encreale thereof without fraud or couin: Any thyng in this present act to the contrary hereof notwithstanding.

Spiritual person

Religious persons

See. mark3

Demeane lands

Ferme

Glebe

Corne

Ouerplus

And be it further enacted that if any person or persons hauing one benefice with cure of soule, beeing of the yerely value of eight poundes or aboue, accept & take any other with cure of soule and be instituted and inducted in possession of the same, that then and immediatly after such possession had therof, the first benefice shalbe adiudged in the lawe to be voide.

Benefice Cure

Institute Induct

First

Voyd

And that it shalbee lawfull to euery patron, hauinge the aduowson there of, to present an other, and the presentee to haue the benefice of the same in such like maner & forme, as though the incumbẽt had dyed or resigned, any licence, vnion, or other dispensation to ẏ contrary hereof obtained notwithstandig And ẏ euery such licence, vnion, or dyspensation hade or made hereafter to be obtained, contrary to thys present act, of what name or names, quality or qualities soeuer they be, shalbe vtterly void and of none effect. And if any persõ or persons at any time after ẏ first day of Aprill, in ẏ yere of our lord god M.D. & xxx. cõtrary to this present act, procure & obtain at ẏ court of Rome or els where any licẽce or lycẽces, vniõ, tolleratiõ or dispẽsatiõ to receiue & take any moe benifices wt cure, thẽ is aboue limitted, or els at any time after ẏ said day, put in executiõ any such licẽce, tolleratiõ or dispẽsation, before ẏ obtained contrary to this act, ẏ thẽ euery such persõ or persõs so after ẏ said day liuing for him selfe, or receiuynge or takinge such benefice by force of such licence or licences, vniõ, tolleratiõ of dispensation, ẏ is to say, the same person or persons onely and none other

Patron Present

Licence Dispẽsation

Voyd

Rome Licence

other shal for every such default incurre the daunger paine and penaltie of xx. li. sterlinge, and also loose the whole profittes of every such benefice or benefices, as hee receiueth or taketh by force of any such licence or licences, vnion tolleration or dispensation. The one halfe of which forfaiture to be to the king &c. and the other halfe thereof to him that wil sue for the same &c. In which suit no wager of law &c. shalbee admitted or allowed. Prouided alwaiz that this act cõcerning the not keping of mo benefices with cure of soule the one extend ne be preiudiciall to any person or persons, whych at any tyme before the said first day of Aprill in the yeare of our Lord God a thousand fiue hundred and thirty, shalbe really entituled or possessed of any such benefices with cure of soule, as concernyng or touching any of the same benefices whereof they shal then bee already really entituled or possessed before the sayed date, to or vnder the number of fower and not above, and if any such spiritual persoune or persounes so being intituled or possessed of moe benefices with cure of soule then fower do not by the said first day of Aprill clerely and without perely pension, resigne or otherwise geeue vppe al and every such benefice and benefices as hee shal bee so intituled, and possessed of, above the saied number, that then it shalbee lawfull for every patrone hauyng the aduowson of anie such benefyce ouer the number aforesayd, to present an other, and the presentee to haue the benefit of the same in lyke maner and fourme as though it had been void by death or resignation of the incumbẽt, any lycence, vnion, or other dispensation to the contrary herof obtained not withstandinge. And this clause of presentation to bee taken and vnderstanden, and of such benefices wyth cure of soule as were geeuen to anie such spiritual persoune after the said number of 4. benefices with cure fulfylled and fulfilled. Prouided also that al spiritual men now being or which hereafter shalbee of the kings Counsayle may purchase licence or dispensation & take, receyue, and keepe three personages or benefices with cure of soule, & that al other being ẏ kings chaplaines and not sworne of hys Counsaile, and chapleins of the Quene, Prynce, or princes, or of anie the kings children brethren, sisters, vncles, or aunts, may semblably purchase licence, or dispensation, and receiue and keepe two personages or benefices wᵭ cure of soule. And in likewise that euery archbishop & duke may haue vi. chapleins wherof euery one shal & may purchase lycence or dispensation, & take receiue & keepe two personages or benefices wᵭ cure of soule, & that euery Marques & Earle may haue v. chapleins, wherof euerie one may purchase licence or dispensation and take receiue & keepe two personages or benefices with cure of soule And that euery viscont and other Bishop may haue 4. chapleins wherof euery one may purchase licence, and receiue haue & kepe ii. personages or benefices wᵭ cure of soule, as is aforesaid. And that the Chauncelour of England for the time beinge, and euery baron & knight of the garter, may haue three chapleins, wherof euery one shal now purchase licence or dispensation, & receiue haue & keepe two personages or benefices with cure of soule. And that euery Duches, Marques, countesse, & baronesse, being widowes, may haue two chapleines, whereof euery one of them may purchase licence or dispensation to receiue, haue & kepe two benefices wᵭ cure of soule, & that the Treasourer & cõptroller of ẏ kings house, ẏ kings secretary, & dean of hys chappel, ẏ kings Almner, & ẏ master of ẏ rolls may haue euery of thẽ two chapleines and the chiefe Iustice of ẏ kings bẽch one chapleine, & the wardein of ẏ fiue portes for the tyme being one chaplein, whereof euery one may purchase lycence

Spiritual persons
R. Counsaile
Licence
3. Benefices
R. chapleins
2. Benefices
Archbishop
Duke
6. Chapleins
Licence
2. Benefices
Marques
Earle
5. Chapleins
2. Benefices
Viscount
Bishop
4. Chapleins
2. Benefices
Chancelor
Baron
Knight
3. Chapleins
2. Benefices
Duches
Counties
Widowes
2. Chapleins
2. Benefices
Chiefe iust.
warden of
v. portes

rence, & receiue haue & keepe two personages or benefices w̄ cure of soule. And that the brethren & sonnes of all temporall lordes, which are borne in wedlocke, may euery of them purchase licence or dispensation & receiue haue and kepe as many personages or benefices with cure as the chapleines of a duke or an archbishop. And likewyse ẏ brethren & sonnes borne in wedlocke of euery knight may euery of thē purchase licence or dispensation, & receyue take and keepe two personages or benefices w̄ cure of soule.

Lordes sonnes Lordes brethrē

Knight

Prouided alwaies that the sayd chapleines so purchasing taking, receiuinge and kepig benefices with cure of soule as is aforesaid, shalbee bound to haue and exhibit where nede shalbe, letters vnder the signe and seale of the kynge or other their Lord and master testifyinge whose chaplaines they be, and else not to enioy any such pluralitie of benefices by such Chaplaine.

Letters testimonial

Anie thynge in this act notwithstandinge. Wee it also prouided that al doctours and bacheleirs of diuinitie, doctours of lawe and bacheleirs of lawe Canon, and euery of them, whych shalbe admitted to any of the said degrees, by any of ẏ vniuersities of thys realme and not by grace onely, may purchase lycence, and take haue and keepe two personages or benefices w̄ cure of soules so that alwaies the sayd libertie by any of the prouisions before sayd geuen to any of the said counsellours, chaplains and other persons before specified to purchase licence or dispensation, and take receiue and keepe moe benefices then one, after the maner and forme aforesayed, bee taken and vnderstanden to extend in nūber to no more benefices w̄ cure of soule then is aboue limitted, accompting in the same and as parcel thereof such benefices with cure of soule, as any of the said personnes shall haue in reall title, or in their possession, at the sayd first day of Aprill, in the yeare of our Lord God. M.D.xxx.

Doctors Bacheleirs

2. Benefices

Cure of soule

Prouided also that euery archbishop because he must occupy viii. chapleins at consecrations of bishops. And euery bishop because he must occupy vii. chapleins at geuing of orders and consecration of churches, may euery of thē haue two chapleins ouer and aboue the nūber aboue limitted vnto thē, where of euery one may purchase licence of dispensations, and take receiue & kepe as many personages or benefices with cure of soule, as is before assigned to such chapleines. Prouided also and bee it &c. that no persone or personnes, to whom any number of chapleines, or any Chapleyne by any of the prouisions aforesaied is limitted, shall in any wise by colour of any of the same prouisions, aduance any spiritual persone or persons, aboue the number of them appointed to receiue or kepe any mas benefices w̄ cure of soule then is aboue limitted by this act: Any thynge specified in the sayed prouysions notwithstanding. And if they doo, then euerie such spiritual persone or personnes, so auaunced aboue the said nūmber, to incure the pain and penaltie contained in this act. Wee it also enacted that aswel euery spirituall personne now beynge promoted to any archdeaconry, deanry, or dignitie in any monastery or cathedral church, or other church cōuentual or collegial, or being beneficed with any personage or vicarage, as all and euery spirituall personne or personnes which hereafter shallbee promoted to any of the saied dignities or benefices, with any personage or Vycarage, from the feast of saint Michael the archangel next commynge shalbee personally resident & abidinge in, at & vppon his said dignitie, prebend or benefice, or at one of them at the least.

Archbishop 8. Chapleins Bishop 7 Chapleins

Spiritual person

Resident

And in case any such spirituall persons at any time after ẏ sayed feast kepe not residence at any of hys sayed dygnities prebendes or benefices, as is aforesaied, but absent himselfe wilfully by

Absent

1. Moneth by the space of one moneth together, or by the space of two monethes, to be accompted at seueral times in any one yere, and make his residence and abiding in any other places, by such time, that then hee shal forfait for euery such Forf. default tenne pound sterling. The one Gyltie halfe thereof to the king &c. and the other halfe of the same to the party that will sue &c. In which accion and suyt the defendant shall not wage his law &c. And if any person or persones procure or obteine at the court of Rome, Rome or else where, any manner of lycence or dispensation to bee non resident at Non resident their said dignities, prebend or benefices, contrary to this act that then euery such persone or personnes puttinge in execution any such dispensation or licence for himselfe, from the said first day of Aprill, in the yeare of our lord God. M. D. xxx. shall renne & incurre in the penaltie, damage & pain of xx. li. sterling for euery time so doing Forf. to be forfaited & recouered as is aboue said, and such licence or dyspensation so procured, or to bee put in execution, Void to bee void and of none effect. Prouyded alwayes that this act of non residence shal not in any wise extēde be preiudiciall to any such spirituall persone as shall chaunce to bee in the K. seruice kinges seruice beyond the Sea, nor to any persone or persones going to any Pilgrime pilgrimage or holy place beyond ỳ sea, during the time that they shall so bee in the kynges seruice, or in the pilgrymages goinge and retourning home, Scholler nor to any scholer or scholers beeynge cōuersāt and abydinge for study, without fraud or couyn at any vniuersitie, within this realme or without, nor to K. chapleins any of the chapleynes of the kinges or queenes dayly or quarterly attending and abiding in the kinges or Queenes most honorable houshoulds. Nor to any Prince chapleins of ỳ chapleins of the prince or princes or any of the kinges or Queenes children, brethren or sisterne, attendynge dayly in their honorable houshoulds duringe so long as they shall attend in any of their sayd houshoulds. Nor to any chapleyne of any archebushoppe, Archbishop or byshoppe, or of spirituall or temporall Lordes of the Parliament dayely Bishop attendyng, abidyng, and remaining in any of their honorable houlsholds. Nor to any chapleine of any Duches, mar- Duches ques, countesse, vicountesse, or baronnesse attendyng dayly and abidyng in any their honorable houlsholdes. Nor to any chapleine of the lord Chauncellour or treasorer of England, ỳ kinges chamberlaine or steward of his houlsholde for the time being, the treasorer and comptroler of the kings most honorable houlsholde, for the time being, attending daily in any their honorable houlsholdes. Nor to any chapleine of any of the knightes of the honorable order of the garter, or of the chiefe iustice of the kynges bench, wardeyne of the ports, or also of ỳ maister of the rolles, Nor to any chaplein of the kings Secretary & deane of ỳ chappell or Amner for ỳ time being, dayly attendyng & dwelling in any their houlsholdes, during the time that any such chaplein or chapleines shall abyde and dwell, wythout fraud or couin, in any of the said honorable houlsholdes. Nor to the maister of the Rolles, or Deane of the arches. Nor to any chauncelour or cōmissary of any Archbishop or bishopp, Nor to as many of the xii. maisters 12. Masters of the chauncery, and xii. advocates of 12. Advocats the Arches, as be or hereafter shallbee spiritual men, during so longe time as they shall occupy their sayed rowmes and offices. Nor to any such spirituall Iniunccion persons, as shal happen by iniunccyon of the lord chauncelour, or the kynges counsaile to be bound to any dayly apperaunce and attendaunce to answere to the law, during the time of such iniunccion. Prouided also that it shalbee lawfull to euery spiritual person or persons, being chapleines to the kinge our soueraigne lord, to whom it shal please his highnesse to geeue any benefices

or

or promotions spiritual to what number so euer it be, to accept and take the same without incurringe the daunger penaltie, & forfeiture in this estatut cõprised. And that also it shalbee lawfull to the kings highnes to geue licence to euery of his owne chapleines for non residence vppon their benefices: Any thing in this present act contained to ỹ contrary notwithstanding. And be it &c. that no spirituall person seculer, reguler, beneficed with cure as is afore rehearsed, from the feast of saint Michael the archangell next comming by auctority of any maner licence, dispẽsation, or otherwise, shal take any particuler stipend or salary to sing for any soule, nor haue occupie by him selfe, or by any other to his vse, any personage or vicary in ferme, of the lease or graũt of any person or persons, nor take any profit or rent out of any such ferme, vpon paine to forfait xl.s. for euery such wreke that he or any to his vse shal occupie or haue any such stipend or ferme contrary to this present act.

And vppon payne to lose tenne times the value of such profitt or rent as hee shal take out of any such ferme after ỹ said fealtie. The one halfe of which forfaiture to be to the kyng &c. and the other moitie to him that will sue &c. in any of the kings courts, in which suit &c. no wager of law shalbe admitted &c. Prouided alway that no deanery Archdeaconry, Chauncelorshippe Treasourershippe, Chauntershipp, or prebend, in any cathedrall or collegiall Church, nor personage that hath a vycare moued, nor any benefyce perpetually appropriat, be taken or comprehended vnder the name of benefice hauing cure of soule in any article afore specified. Prouided also and be it &c. ỹ no spirituall person or persons, reguler or seculer, of what estate, degree, or condition soeuer hee or they bee, from the first day of Aprill next comming, haue vse or kepe, by him or themselfe, or by any person or persones to his or their vse or commoditie any maner of tanhouse or tanhouses to be vsed or occupied to his or their owne vse, commoditie, or behoofe, nor from the said first day of Aprill next comming, shal haue vse, or kepe any maner of brewhouse or brewhouses to any other vse, intent or behoofe, then onely to bee spent and occupied in his or their owne houses, vpon pain to forfait for euery moneth so vsing and occuppying any of the sayd misteries or occupations ten poundes. The one moitie therof to the king &c. and the other moitie to him that wyll sue &c. in any of the kinges courtes, in which accion & suit no wager of lawe shalbe admitted &c.

Prouided alwaies, that euery Duchesses, Marquesses, Countesse, Baronesse, widowes, which haue taken, or that hereafter shal take any husbandes vnder ỹ degree of a Baron, may take such number of chaplemes as is aboue limitted to them being widowes, and that euery such Chapleyne may purchase licence to haue and take such nũber of benefices wyth cure of soule, and haue like libertie of none residẽce, in manner and fourme as they might haue done if their sayed Lawes and maistresses hadde kept themselfe widowes. Any thing in this present act contayned to the contrary notwythstanding.

Prouided alwayes that euery spirytual person or persons hauing landes, tenements or other possessions in the right of their houses, aboue the yearely value of eight C. markes, may kepe & retayne in their occupation & maintenance, as much of their sayd lands and tenements, & other possessions, as shal be necessary & sufficient for pasturage of their cattels, and for tillage of corns to be employed and spent for the onely maintenance, sustentation and keping of his or their houshold and hospitales without fraud or couin: Any thyng in this present act to the contrary therof notwithstanding. Prouided alway, ỹ it may

Licence Non residence

Stipend

Ferme

Forf.

Forf.

Moitie

Tanhouse

Brewhouse

Forf.

Moitie

Widowes

Chapleins

Licence

Non residence

800. marks

it may be lawful to euery spirituall per
son and persons, to take in ferme ante
Ferme Dwelling house meases, mancions or dwelling houses
hauing but onely orchards or gardens
in any Citie, borough, or Towne, for
their owne habitation or dwellynge:
Any thing in this act to the contrary
notwithstandinge. So that no persone
spirituall other then bee aboue prouided
Non residence for, for their non residence haue any
libertie of non residence by colour of
this prouiso. Anno. 21. H. 8. cap. 13.
See Rome. 5. diuers Articles of thys
act repealed.

Iuges 3 ¶ Al well euery iudge of the sayed
high courts (s. of the common place &
kings bench) and euery of the Chan-
cellour and chiefe Barron of the sayd
Eschequer, the kinges general attour-
ney and general solicitour which for ỳ
time is, be or shalbe, shal & may from
henceforth at his libertie, retayne and
haue singularly to euery of them in his
house or attendaunt his persome, one
Chapleine chapleine to haue one benefice wt cure
of soules, which may be absent from
hys sayed benefyce, and not resident
vppon the same: The saied statut made
in the sayed xxi. yeare. cap. 13. (before
2.) or any other statut, act or ordinance
made to the contrary, in any wise not
withstandinge. Anno. 25. Henrici. 8.
cap. 16.

4 ¶ All and singuler spirituall person
and persons, which now be or hereafter
shalbe to any benefice or benefices pro
moted as is aforesaid, being aboue the
Age age of xl. yeres. The chauncelour, vice-
chaūcelour, commissary of the said vni
uersities, or any of them, Wardens,
Deanes, prouosts, presidentes, rectors
masters principals, and other head ru-
lers of colledges, halles, & other houses
or places corporat within ỳ saied vni-
uersities or any of them, doctours of ỳ
chaire, readers of diuinitie in the com-
mon scoles of diuinitie, in any of the
said vniuersities only excepted, shalbe
resident and abiding at and vpon one
of their said benefices according to the


entent and true meaninge of the said
former act, vpon such paine and penal
ties as be contained in the said former
act, made and appointed for such bene
ficed persons for their non residence.
And that non of the said beneficed per-
sons being aboue the age aforesaid (ex- Age
cept before excepted,) shal fromhence-
forth be excused of their non residence
vpon the saied benefices, for that they
be students or resiaunt vnto ỳ said vni-
uersities or any of them: any prouiso,
or any other clause or sentēce specified
or cōtained in the said former act of nō
residence, or any other thing or things
to the contrary hereof in any wise not
withstanding. And ouer this bee it en.
that al and singuler such beneficed per
sons, being vnder the age of xl. yeares,
resiant and abidinge wythin the sayd
vniuersities or any of them, shall not
enioy the priuiledge & libertie of non re
sidence cōtained in the prouiso of ỳ said
former act, made for the scolers & stu-
dents of the said vniuersities or any of
thē, vnlesse he or they be present at the
ordinary lecture and lectures, as well
at home in their houses as in the com-
mon schole or scholes, and in their pro-
per persons, kepe sophemes, problems
disputations and other exercises of ler-
ning, be apponent and respondent in ỳ
same according to ỳ ordinaunce & sta-
tutes of either of the sayd vniuersities,
where he or they shalbe so abidinge or
resiant, any thing contained in ỳ sayed
prouiso or former act to ỳ cōtrary not
withstandinge. Prouided alway, that
this act shal begin to take effect at the
feast of S. Michaell tharchangell next
comming and not before. Prouided al
way that thys act, nor any thing ther-
in contained, shal extend to any persō Readers
or persons which nowe is or hereafter
shalbe readers of any publike or com-
mon lecture in diuinitie, law ciuile, phi
sicke, philosophy, humanitie, or of ante
of the liberall sciences or publique or
common interpretors or teachers of ỳ
Hebrue tonge, Caldey or Greeke, in
whatsoeuer

whatsoeuer colledge or place of any of ỳ said vniuersities the said persons for the time being shal read ỳ lãe common or publique lectures. Nor yet to any person or persõs which after or about the age of xl. yeres, which shal resort to any of ỳ said vniuersities to procede doctors in diuinitie, law ciuile or phisicke, for ỳ time of their proceedings & vsecting of such sermon disputations or lectors which they be found in ỳ statutes of ỳ vniuersitys there to do for ỳ said degrees so obtained. An. 28. H. 8. c. 13.

Chaūcelor Lancaster

Exchecior

Master of wardes

Surueiors Treasorer

Ezoome

Chapleins

Not resident

5 ¶That the Chauncelour of the said court of the duchy of Lancaster ỳ Chancelour of your highnesse court of Augmentations, the Chauncelour of your graces court of first fruits & tenths, ỳ master of your highnesse wards, & tyueries, & euery of your graces generall surueiors of your highnes lãds ỳ Treasorer of your graces chamber, ỳ treasorer of your highnes court of augmentations and the graūme of your graces stole, & euery of them for the time being shal & may receiue singulerly to euery of them in his house, or attendant vnto his persons one chaplein hauing one benefice with cure of soules, which may be absent from his said benefice & not resident vpon the same, ỳ said statut made in the xxi. yere of your most gracious raign (ca. 13. before. 2.) or any other estatut, act or ordinance made to ỳ cõtrary in any wise not wtstanding. Prouided alway & be it &c. ỳ euery of ỳ said chaplaines so being beneficed as is aforesaid, & dwelling with anie of the officers afore named, shall personallie repaire two times in euery yere at the least to hys said benefice & cure, & there to tary & abide by ỳ space of eight days at euery such time at the least to visit & instruct his said cure vpon the paine for forfait for euery time so failing. xl. s. ỳ one moitie thereof to the king &c. ỳ other to such as wil sue &c. in any of the kings courtes of record, in which suit no essoigne &c. shalbe allowed. An. 33. H. 8. ca. 28.

For. Moitie

For as much as before this time reasonable ayde to make ones sonne knight, or to marry hys daughter, was neuer put in certaine, nor howe much should bee taken, nor at what tyme, whereby some leuied vnreasonable aide and more then often seemed necessary whereby the people were sore greeued, It is prouided, that from hence forth of a whole knights fee there be taken but xx. s. And of twenty pound land holden in socage xx. s. and of more, more: and of lesse, lesse, after the rate. And ỳ none shall leuy such aide to make hys sonne knight, vntill his sonne bee xv. yeres of age, nor to marry his daughter vntil she be of the age of seuen yeares. And of that there shalbee made mencion in the kinges writte, fourmed on the same, when any will demaund it. And if it happen, that the father, after he hath leuied such aide of his tenants, die before he hath maried his daughter the executours of ỳ father shalbe bound to the daughter, for so much as the father receiued for ỳ aide. And if the fathers goods be not sufficient, his heire shalbee charged therewyth vnto the daughter. Westm. 1. cap. 35. Anno. 3. E. 1.

Knights fee

Knight Sonne Daughter

Executors

Heire

2 ¶Reasonable aide to make the kings eldest sonne knight, & to marry his eldest daughter, shalbe demaunded and leuied after the fourme of ỳ statut thereof made, and not in other maner that is to say, of euery fee holden of the king without meane xx. s. & no more, and of euery xx. li. of land holden of ỳ king without meane in socage xx. s. and no more. Anno. 25. E. 3. ca. 11.

Kings sõs Daughter

¶ *Restitution.*

An. 1. H. 4. cap. 3. it was enacted ỳ they that were foūnden by ỳ parliament holden. An. 21. R. 2. or their heirs, should be restored to their lands, & to such of their goods as ỳ kinge was not answered of.

¶ If any felon or felons her after doo robbe

Writs of restitution

Felons

do rob or take away any money, goods or cattels, from any of the kinges subiects from their persoune or otherwise within this realme, & thereof the sayd felon or felons bee indicted, & after arraigned of ỳ same selony, & found guiltie thereof, or otherwise attainted by reason of euidence geuen by the partie so robbed or owner of the saied money goodes or cattelles, or by any other by their procurement, that then the party so robbed or owner shallbe restored to his said money, goods & cattels, & ỳ as wel the Iustices of Gaole delinery as other Iustices afore whō any such felon or felons shalbe found guiltie or other wyse attainted by reason of euidence geuen by the partie so robbed or owner, or by any other by their procurment, haue power by this present act to award from time to tyme writtes of restitution for the said money goods and catteles in like manner as though any such felon or felounes were attainted at the suit of the partie in appeale. An. 21. H. 8. ca. 11.

Restored Goods Iustices

Writs of restitution

## ¶ Resumpcion.

A N. 1. R. 3. ca. 15. an act was made wherby al letters patents, statuts confirmation, & acts of parlyament of any hereditaments made to Quene Elizab, wife to kinge E. the fowerth were made void, & all men to bee discharged of the profittes and trespalles thereof.

Letters patents

3 ¶ An. 28. H. 6. an act was made whereby al lands tenements graunts annuities rents & fees, granted by the kinge since the first day of his raigne were resumed. And after An. 31. H. 6. ca. 8. ỳ resumpcion was repealed concerning the fees wages, rewards, and profits of the officers, wherch were ỳ first day of his raigne or before.

## ¶ Retourne of sheriffes & bailifes.

Such as do feare the subtiltie of Shiryfes, shall deliuer theyr writtes originall and iudiciall in the open cōtie or againe in the shire, where the collection of the kynges money is, and may take of the sherife and undersherife beeing present a bill, wherein the names of the demaundauntes and tenauntes mencioned in the writ, shalbe conteined, and at the request of him that deliuered the writte, the seale of ỳ sherife or under sherife shallbee put to the bill for a testimonie, and mencion shalbe made of the day of ỳ deliuerāce of the writte. And if the sherife or undersheriffe wyll not put hys seale to the bill, the witnes of knightes and other credible persones being in preſēce shalbee taken, that put their seales to such bill. And if the sherife will not retourne writtes delyuered vnto him, & complaynt thereof bee made to the Iustices, a writte iudicial shal go vnto the Iusticers assigned to take assyses, that they shall inquire by such as were present at the deliueraunce of the writte to the sheryffe, if they knewe of the delyueraunce, and the inquest shalbee retourned. And if it be found by the inquest, that the writte was delyuered to hym, dammages shalbee awarded to the playntyfe or demaundaunt, having respect to the qualitie & quantitie of the action, & to the perill ỳ might haue come to him by reason of the delay that he sustained, and by this meane there is remedy when the sherife returneth, that the writt came to late, whereby he could not execute the kings commaundement. Oftentimes also pleas be delaied by reason that the sherife retourneth, that hee hath commaunded the baylifes of some liberty, which did nothing therein, & nameth liberties, that neuer had the retourne of writtes, whereupon our soueraigne lord the kyng hath ordeyned, that the Treasourer & Barōs of the ekchequer shal deliuer in a roll all the liberties in all maner of shires that haue retourne of writtes. And if the sherife aunswer, that he hath made retourne to a bailife of all

Bill

Witnes

Iusticers

Enquire

Damages

Tardis

Treasorer Barons Liberties

Shirifs

Shirifes

of an other libertie, then is conteyned in the sayd roll, the sherife shalbe forth with punyshed as a disheritour of the kyng and his crowne. And if peradue̅ture he returne, that hee hath deliuered the writte to a bailliffe of some liberture, that in dede hath returne, the sherife shalbe commaunded, that hee shall not spare for no libertie, but to execute the kings precept, & that he do the baylifes to witte, to whom hee retourned the writte, that they be ready at a day conteined in the writ to answere why they did not execute the kings precept. And if they come at the day & acquyte them selues, that noe retourne was made to them, the sherife shalbe forthwith condempned to the Lorde of the same libertie, and likewyse to the partie greeued by the delay for to rendre dammages. And if the baillifes come not in at the day, or doe not acquite themselues in manner aforesayed in auerte iudiciall writte, so long as the plea hangeth, the sherife shalbee commaunded to spare for noe libertie &c. Manie times also sheriffes make false retournes as touching these artycles. Quod de exitibus &c. returning some tyme and lying, þ there be noe illues, some tyme that there are small illues, when they may returne great, & some time doe make mencion of no illues, wherefore it is ordeyned and agreed, that if the plaintyfe demaund of the sheriffes retourne, it shall bee graunted hym. And if hee offer to auerre, that þ sherife might haue retourned greater illues vnto the kyng, hee shall haue a writt iudiciall vnto the Iustices assygned to take assises, that they shall inquire in presence of the sherife (if hee will be there) of what and howe great illues the sheriffs might haue made retourne from the day of the writt purchased vnto the daie conteyned in the writt. And when the inquest is returned, if he haue not afore answered for the whole, he shalbe charged with the ouerplus by the extreats of þ Iustices

Punish

Damages
Baillifes

False retournes

Extreats

deliuered in the Eschequer, and nevertheleffe shalbe greeuously amerced for the concelement. And lett the sheryfe know, that rentes, corne in þ graūge, and al moueables (except hosle harneis, and houshold stuffe) be contayned vn̄ in the name of illues. And þ king hath commaunded that shirifes shalbee punished by the Iustices once or twise (if nede be) for such false retournes. And if they offend the third time, none shal haue to doo therewith but the kynge. They make also many times false answeres, retournynge þ they could not execute the kinges precept, for the resistance of some great man: wherfore lett the shirifes beeware fromhencefoorth, for such manner of answeres redound much to the dishonour of the kinge and of his crowne. And as soone as his vnderbailifes do testifie, that they found such resistance, forthwith al things set apart (taking with him the power of the shire) hee shal go in proper person to do execution: and if hee find his vnderbailifes false, he shal punish them by imprisonment, so that other by their example may be reformed. And if hee doo find them true, he shall punish the resisters by imprisonment, from whence they shall not bee deliuered without the kynges speeyall commaundement. And if percase the shirife when hee commeth, do find resistaunce, hee shal certifie to the court the names of the resisters, ayders, cōsenters, commaunders, and fauourers and by a writ iudicial they shalbee attached by the bodies to appeare in the kings court: and if they bee conuict of such resistance, they shalbee punished at the kinges pleasure: neither shall any officer of the kings meele in assignynge the punishment, for our Soueraign lord the king hath reserued it speecially to him self, becaule þ resisters beue reputed disturbours of his peace and of his Realme. Tit. 2. cap. 39. An. 13. E. 1.

False answers

Imprison

Attach

Punish

2 ¶ Weetaule the punishment of trea-

trespalle for the desert of any perso offending ought to be set, and many shirifes of the Realme are altogether lay, hauinge no knowledge of returne of writs, which hitherunto haue bene returned into the kings court, sometime are learned, yet hauing so great confidence ouer their clerkes doings that of writs to them directed to be ouerseene and examined, they care not any thing to meddle therewithall, and alweies in times past as well in the Eschequer, as els where in the kinges Courts it hath ben vsed that for writs executed vndurely, the shirifes to whō they were directed haue bene amerced & their clerkes which haue returned & made false, fained, and friuolous answeres to the same writs, nothing at all, whereby it is presumed, & thought to be true, those clerkes to haue taken more audacitie of offending. The honorable fathers W. of Wotthom, archbishop of Dublin. W. of Luda, of Ely, W. of Cymisend of London. W. of Lantonge of Couentrie, & the Bishop of Lichfield the kinges Treasurer, and John of Langton Chancelor of England, John of Cobham & his fellowes Barons of the eschequr aforesaid: Also ỳ Justices of either bench, & other more of ỳ kinges counsell called together to ỳ same Eschequer at west. ỳ thursday in ỳ feast of saint Valentine in ỳ yere of king E. xxvi. consulting to pounde a remedy in the case aforesaid, ỳ hereafter clerkes of shirifes geuing false answeres to ỳ kings writs may know, not to palle ouer such their deceptfulnesse vnpunished, as hitherunto they haue done, neither ỳ sheriffes in ỳ case for the doinges of their Clerkes may receiue punishment as before ỳ they haue done: They haue agreed & prouided that they assisters before ỳ Treasurer & Barons of the eschequer of our Lord the king & else where in the courts of ỳ same king, before his Justices whatsoeuer, of false returnes, & shall ỳ clerks as ỳ shirifes themselues be punished, so ỳ if default of returne be found in the perso of ỳ clerke, & not in ỳ person of ỳ sheriffe, ỳ clerk shal satisfie to ỳ partie hurt, of ỳ losse which ỳ party can lawfully shew, ỳ he shall be fined for default of ỳ returne aforesaid, & neuertheless towardes ỳ kinge shalbe punished according to the discretion of ỳ Justices before whō he shalbe conicted hauing regarde to the quantity of ỳ offence, & ỳ sheriffes the in ỳ case shalbe quit, so ỳ their clerkes bee sufficient to satisfie, as is aforesaid, to which if they be not, for their default, ỳ sheriffs vnder whō their clerkes do intend such office, shal answer & satisfie, & it is to be knowen ỳ this prouision, frō ỳ day of ỳ making of ỳ same, hath ben obserued of ỳ sheriffes & their clerkes in London and Middx because they are forwarned of the same &c. And as to ỳ other sheriffs of ỳ realme & their clerkes, ỳ prouision afore said shall hold place in ỳ morowe of ỳ clause of Easter next cōming, & not before, because then they shalbe forewarned, vpon their proffer, & afterward in ỳ morowe of ỳ clause of Easter in the yere of king E. 28. the prouision afore said was expounded in the eschequr to al sheriffes of England, & then it was agreed by the kynges counsell that clerkes of sheriffs geuing false answer should be punished at the sommons of ỳ Eschequr vpon the accōpt of sheriffes if they be conuicted hereuppon in forme as aboue is prouided to punish thē for writtes falsly executed, Tractatus contra vicecomites & Clericos.

¶ And because it is many times cōplained in the kings court, vpon retournes that bailifes of franchises (hauing full power to returne the kings writs) haue deliuered to sheriffes, that haue bē afterward changed, and otherwise returned in the kinges court, to the damage of the parties, and the delay of right: It is agreed, that for such retournes as hereafter be deliuered to the sheriffes by such bayliffes of franchises, an indenture shalbe made betweene the bay-

bayliffe of the fraunchise by hys proper name, & the sherife by his proper name. And if the sherife chaung the retourne is deliuered to him by indenture and be therof connict at the suit of the Lorde of the fraunchise, of whom hee receiued the retourne, if the lord haue hadde any damage or if his fraunchise be distrayned, or at the suit of the partie that hath sustayned losse thrughe that occasion, he shalbe punished by the kinges for his false retourne, and shall yelde vnto ỳ lord & to the party double damags. Also it is agreed, that from henceforth the reues and other bailiffes, that receiue ỳ kinges writs, retournable in hys court shall send their owne names with the retournes, so ỳ the court may know of whom they take such retournes, if need bes, and if any sherife or other bailiffe leaue out his name in his returnes hee shal be grieuously amerced to the kings vse, An. 12. E. 2. ca. 5.

Damages

Amerce

¶ Such execution shalbee done of them ỳ make false retournes of writts (whereby right is deferred) as it is ordeined in the second statut of Westminster with like paine at the kinges commaundement, An. 28. E. 1. ca. 10. Stat. de Articuli Super cartas.

¶ It is prouided, that from henceforth against the false retournes of bailifs of fraunchises, which haue no retourne of writtes, a man shall haue auerrement and recouer as well against them, as against the kynges sherifes as well of to little tilles retourned, as in other cases, so that it falleth in preiudice of the lordes nor in the blemithe of their fraunchise. And that the estate of holy church be alwaies saued. And that al the punishment fall onely vpon the bailifes by punishment of their bodies, if they haue not whereof to answer. Anno. 1. E. 3. cap. 9.

Bailifes

Auerment

Church

¶ Wherefit was ordeined by the statute of Westminster second, those ỳ will deliuer theyr writs to the sherife, shall deliuer them in the full countie or in the nexte county, & ỳ the sherife or inder sherife shall thereupon make a byll: It is accorded & established ỳ at what time or place in the countie a man doth deliuer any writ to the sherife, ỳ they shall receiue the same writs, and make a byll, after the fourme contained in ỳ same statut, without taking any thing therefore. And if they refuse to make a bill, other that be present shal set to their seals, & if ỳ sherif or inder sherifs do not retourne ỳ said writs, they shalbe punished after ỳ fourme contained in ỳ sāe statute. And also ỳ Justices of assises shall haue power to enquire thereof at euery mannes complaint, and to award damages, as hauinge respect to the delay & to ỳ losse & perill ỳ might happen. An 2. E. 3. ca. 5.

Full cotity Sherife

Will

Refuse

Iust. of ass.

Damages

¶ An. 4. H. 6. ca. 1. an act was made to endure to the next parliament concerning ỳ returne of sherifs.

¶ Reuenues.

An. 3. H. 8. cap. 4. an act lyes made that acquittances made by John Heyron the kinges generall receiuour or any other appointed to ỳ office, shalbee a good discharge against the king to endure to the next parliament. And ỳ the same John Heyron, & euery other persone that shall haue the said or lyke office of receipt, be chargeable and charged to euery person and persons, spirituall & tẽporal now hauing or that here after shal haue any interest in any part of his or their receipts by title of inheritance, or succession, or by graūt, assignement, act of parliament, or other wyse. And that euery of them haue like remedy against the said John & euery other person ỳ shal haue ỳ said or like office of receipt as they haue hadde or ought to haue had against any other person that haue receiued of any of the premisses, this present act notwithstanding. And ỳ euery such person spirituall or temporall for non paiment of al such summes of mony as they or any of them ought to haue of ỳ said receipts by title of inheritance, or succession, or by graūt assignes.

Acquittaces

Remedy

signement act of parliament, or otherwise haue theyr accions and remedies
Actions in euery of the kinges courtes agaynst the said John, and euery other person hauing the same or like office or receipt for their recouerie and payment of all summes that shal be due vnto the or any of them after ỳ first day of this present parliament. An. 1. H. 8. ca. 3.

¶ *Rie and Winchelsey.*

Balast An. 2. E. 6. ca. 30. is an act made against balast to bee cast into the Chanell. See the statut.

¶ *Richmondsh.*

Spiritual person Benefice Yorkshire FRom the feast of Saint Marke the Euangelist next comming, no manner of spirituall person or others hauing, or that from the said feast shall haue any manner of benefice, or other spirituall promotion within the sayed Archdeaconry (of Richmond in Yorkshire) shall in no wise aske, leuy, demand or take, after the decease of any person or persons, any such pencions or pensions, nor any other demaund or duties, in the name or lieu of the same, vpon paine to incurre such dangers, forfeitures, and penalties, as be contained in the statut of premunire, made in ỳ xvj. yere of the raigne of your most noble progenitour king E. 3. but that al and euery ỳ kings subiects of the said archdeaconry, and their executours & administratours from hencefoorth shalbe ordered, executed & vsed, for their goods & cattels after their decease, in like maner, forme, order, and condition, as is contained in the statut made in the xxi. yere of your most noble and victorious raigne for probate of testaments, and none otherwise, any vse, custome, bul, composition, prescription, or ordinance heretofore had, vsed or obtained to the contrary notwithstanding the foresaid archdeaconry, or any wise notwithstanding. An. 28. H. 8. ca. 15. See the statut.

¶ *Right.*

THe wrytt that is called Precipe in capite shalbe from hencefoorth granted to no man vpō any freehold wherby any freeman may leese his Court. Mag. carta. ca. 34.

¶ *Riots, Routes, vnlawfull assemblies, and rebellions.*

An. 2. R. 2. capitulo 6. an act was made concerning Riots, but An. 10. 2. Richard 2. statute 2. that act was repealed. Repealed

¶ The kynge in this present parlyament hath entended to all the kynges people, as wel lordes as other, of what soeuer estat that they be, that none shal make such assemblies, ryot, or rumour, against the peace in no wise: And if any such assemblie be begonne, as soone as ỳ sheriffes & other the kings mynysters, may therof haue knowledge, they with the strength of the county & countrey, where such case shall happen, shall sett diligence against such maisters with all their power, and shal take such offenders, and them put in prison tyll due execution of the law be of them made. And all lordes and other liege people of the Realme, shal bee attending with al their strength and power to the sheriffes and mynisters aforesaid. An. 17. R. 2. cap. 8. Assemblies Sheriffes Imprison Lords

¶ 3 ¶ If any ryot, assemblies, or route of people against the lawe bee made in any parties of the realme, that ỳ Justices of peace, iij. or ij. of them at ỳ least, and the sheriffe or vnder sheriffe of the County, where such ryot, assemblie, or rout shalbee made hereafter shal cōe with the power of the county (if nede bee) to arrest them, & shal arrest them, and the same Justices and sheryffe or vndersheriffe, shall haue power to record that, that they shal fynd so done in their presence against the lawe. And ỳ by the record of the same Justices and sheryffe or vndersheriffe, such trespassours and offenders shall bee conuycte in the manner and fourme as is contained in the Statute of Forcible Justices of p. Sheriffe Arrest Record Conuict

entries. And if it happen that such trespassours and offenders bee departed before the comming of the said Justyces and sheryffe or vndersheryffe, that then the same Justices three or two of them shal diligently enquire within a moneth after such riot assembly or rout of people so made. And thereof shall haue & determin according to the law of the land. And yf the trouth may not bee found in the manner as afore is said, then within a moneth then next following the Justices three or two of them & the sheriffe or vndersherife aforesaid, shal certifie before the kyng & his counsell al ỳ dedes & circumstances therof, which certificat shal be of like strength and force, as the presentment of xii. vpon which certificat the said trespassours & offenders shalbe put to answer, & they which shalbe found guylty, shalbe punished after the discretion of the king and his councell. And if such trespassours & offenders do traunce the matter so certified: the same certificat and trauers shalbe sent into the kinges bench, there to be tried and determined as the lawe requireth. And if the same trespassours and offenders do not come before ỳ king and his counsell in the kinges bench at the fyrst commaundement, then shalbe made an other commaundement, directed to the sheriffe of the county, to take the said trespassours & offenders, if they may be found, and bring them at a certaine day before the king and hys said counsell in the kinges bench. And if they cannot bee found, the sheryffe or vndersheryffe shall make proclamation in hys full County nexte sutyinge the delyuery of the sayed second commaundement that they come before the kynge and hys sayed counsell in the kinges bench, or in the chauncery, in time of vacation within three weekes then next follo wynge. And in case the same offenders come not as afore is said, and the proclamatiõ made and returned, they shalbe conuict and attainted of the riot assemblie or route aforesaid, notwithstandyng any article or ordinaunce made to the contrarye.

Enquire

Oier & ter.

Justices of p. Shirife Certifie

Answers

Punish

Trauers K. Bench

Default

Shirife Proclamation

Conuict Attaint

And moreouer that ỳ Justices of peace dwelling most nyghest in euery county where such ryot of people shalbe made hereafter, together with the sheryffe or vndersheryffe of the same county, and also the Justices of assises for the tyme that they shalbe there in their sessions, in case that any such ryot assemble or rout be made in their presence, shall doo execution of the same statute, euery one vpon paine of C.li. to be paied to ỳ king as often as they shalbe found in default of execution of the same statut. An. 13. H. 4. cap. 7.

Justices of p. Shirife

Default

Justices of p. Justices of assise Shirife

4 ¶ If default be found in the said two Justices of the peace or Justices of assise (ỳ is to say named in ỳ statute. An. 13. H. 4. ca. 7. before 3.) and the sheriffe or vndersheriffe of the countie, where such riot assemblee, or rout should bee made touching the execution ỳ they ought to make by vertus of the said statute, and whereof the said statute maketh mention, that then at the instaunce of ỳ partie greeued, the kynges commission shal goe out vnder his great seale to enquire as well of ỳ trueth of the cause, and of the originall matter for the party cõplaynaunt, as of the default or defaultes of ỳ said Justices, sheriffe or vndersherif, in this behalfe supposed, to be directed to sufficient & indifferẽt persõs at ỳ nominatiõ & by the aduise of ỳ Chaũcelor of the realme of England. And ỳ the said commissioners cõtinent shal send into the chauncery the enquestes & matters before them in this behalfe taken and found. And moreouer that ỳ coroners of the same Countie for the tyme being, in which county such ryot assemblee or rout shalbee made, shall make the panel vpon the said commission retournable for the tyme that the sheriffe so supposed in default stãd in his office, which coroners shall returne no persons, but only such which haue lãds tenementes, or rentes, to the value of x.li. by yere at the least. And also that ỳ same

Cõmission

Enquire

Chancelor

Enquest

Coroners

Panell

x.li. Land

same coroners shal returne vpon euery of the saied personnes empannelled at the first day, when issues bee to be lost xx.s. at the least, and at the second day xl.s. at ẏ least, & at ẏ third day C.s. at ẏ least, & at euery day after ẏ double at ẏ least, which issues so returned because of none apparaunce of such persons empannelled shalbe adiudged as forfait to the king, and leuable to his vse. And if default be found in the saied coroners touching the returne of such persons to bee empanelled, or touching the returne of such issues as afore is saied, that euery of them shal pay to the kinges vse xl.li. And if it happen that the said sherife so reputed in default, be discharged of his office at the time that such commission shal goe out of the chauncery, that then the newe sherife of the same county, his successour mediate or immediat for the time being, and not the coroners of the same county, shall make the pānell vpon this cōmission, returnable in maner and fourme as the saied coroners should do in time, when ẏ sherife so reputed in default stode in his office. And that the same newe sherife shal incurre like paine of xl. li. agaynst the kinge, if any default in him be found touching ẏ returne of the other persons by him empannelled, which haue not landes, tenements, or tenthes, to the value of x. pounde by yere, or of retourninge such issues as ẏ said coroners be aboue charged to returne, as ẏ sayd coroners be, to lose again st ẏ king in this behalf. And that the chauncelour of Englande for the time being as soone as he may haue knowledge of such riot assemblee or rout, hee shal do to be sent the kings writt to the Justices of the peace, and to the sherife or undersherife of the comitie, where they be so made, that they shall put the statute therof made in execution, vppon the paine contained in the same. And though that such writte come not to the said Justices sherife or undersherife, they shall not be excused of the paine afore sayed, if they make not execution of the saied statut. Prouided alwaies that the Justices and other officers afore saied shal do their offices afore said, at the kynges costes in going, tarieng, & retourning, in doing their saied offices, by payment therof to be made by the sherife of the same county for the time being by indentures betwixt the sherife and the saied Justices and other officers afore said, to be made of the payment afore saied: whereof the said sherife vpon his accompt in ẏ eschequer, may haue due allowāce. And that such ryotours atteynted of great and heynous ryottes, shall haue one hole yeres imprisonment at the least, without being let out of prison by baile mainprise, or in any any other maner during ẏ yere afore said, & ẏ ryotoures atteited of pety riots shal haue imprisōmēt as best shal seme to ẏ king & to his counsell. And that the fynes of such ryottours attainted, shalbe by the said Justices encreased and putt in greater summes then they were wont to bee putt in such cases before thys tyme, in ayde & supportatiō of the costes of Justices and other officers afore said in this behalfe. And that the kinges liege people beeing sufficient to trauayle in the county where such routes, assemblies or riotes be, shalbe assistent to the Justices, commissyoners, sheriffe or vndersheriffe of ẏ same county when the shalbe reasonably warned, to ryde with the saied Justices, commissioners, and sheryffe, or undersherife, in ayd to resist such ryotes, routes & assēblies, vpō paine of imprisonment, and to make fyne and raunsome to the kynge. And that the bayliues of fraunchises shal doo to bee impanelled sufficient people, as before, vpon peyne to lose to the king xl. pounde, in case that such sufficient persōnes may bee found within the same fraunchises. And that like ordinaunces and paynes shall hold place & take effect in Cities, Borroughes, and other places, and Townes infraunchised, which haue Justices of the peace

Issues
xx.s.
xl.s.
C.s.
Forf.
Default Coroners
Forf. Sherife
Panell
Forf.
xl.li. Land
Issues
Chaūcelor
Iust. of p. Sherife
Iustices
Costs
Sherife
Indenture
Accompt
Imprison
Mainprise
Imprison
Fines
Assist
Imprison
Bailife
Empanell
Forf.
Cities

within ỳ Cities, Boroughes, townes and other places aforesaid. And ỳ this statute shall begynn to holde place conuenient after the proclamation thereof made. An. 2. H. 5. ca. 8.

Murders

Insurrection

Flee

5. ¶ For asmuch as great and greuous complayntes haue bene made to our soueraigne lord the king by the comens in this p̄sēt parliament of diuers murders, manslaughers, robberies, batteries, assēblies of people in great number, in manner of insurrection, & of dyuers other rebellions riotes, and after such offences the said felones and offenders, flee, and withdraw them to dyuers woodes and secret places and vnknowen, and els where, to the entent and purpose to auoid the execution of the common lawe, and that they should not be brought to answere, wherevpon our soueraigne lord the king, consydering the aforesaid complaint by the aduise and assent of the Lordes spirituall and temporall in the same Parliament assembled, hath ordeined and stablished at the requeste of the saied comens, that if any persone in tyme to come, come into the chauncerie, and make complaint duely, that any such felon or offendour as afore is sayed, flee or withdraw them to any such place or els where, to the entent aforesaied, vpon such a complaynt a bill shalbee sufficiently made for the kynge. And the Chaunceler of England for the tyme beyng after such a bill to hym deliuered, if he may be duely enformed, that such a bill conteyneth trouth, shal haue power to make according to his discretion, a writte of Capias at the kynges suit, directed to the sherife of the countie or counties where the said murders manslaughtes, robberies, bateries, and other offences bee supposed by the said bill to be done and perpetrate, returnable in the sayed chauncery at a certayn day. And if the persons in the said writ contained, bee taken by the sayed sherife, or yelde them in the same chaūcerie, that then such persones shalbee put in ward or keeping, or to mainprise after the discretion of the chauncelour And more ouer bee it commaunded to enquire of such offences, and vpon that shalbee done as the law requireth. And if the sherife returne at ỳ day of ỳ Capias retournable, that the persones in the same comprised for any of these causes aforesaied, may not bee by him taken, and the same persones do not yeld them in the said chauncerie, that then the saied chauncelour shal do to be made a writ of proclamation, directed to the sayed sherife, returnable in the kinges bench at a certayne day, that he shall make proclamatiō in two cōuties ỳ ỳ persons named in ỳ said writ, shal come at the said day in the bench aforesaied, there to answer to the matter comprised within the said bill, vpon paine to be conuict of the matter comprised in the saied bill. And that in euery such writ of proclamatiō shalbe conteyned the substaunce of the matter cōprysed within the saied bill, and if they come not at the day of such proclamation returned, then shall they be holden and adiudged for conuict and attainted as afore is said. And if they come at ỳ proclamation, bee it of them enquyred and done in manner as aboue is saied. Prouided alwaies that if the suggestions of such riots bee witnessed to the Chaunceler of England by letters sealed vnder the seales of two Iustices of peace at the least, and the sherife of the county, where such riots shalbee made before that the writt of Capias be graūted, in which writ of Capias ỳ matter which is comprised within the same bil, shalbe as well expressed as in ỳ writ of Proclamation thereof to bee made. And if such cause happen in the countie palantine of Lancaster, or els where in any fraunchise, where there is a Chaunceller and a seale, that then the Chauncelour of England shal do to bee writtē or sent by the kynges writte to the Chauncelour of such County or fraunchise, all the suggestyon in the said bill

Imprison Mainprise

Proclamation

K. bench Answere

Payne

Writ

Conuict Attaint

Iust. of p. Sherife

Lancaster

Chancelor

Chaūcery

Bill

Chancelor

Capias Sherife

byll compryſed, commaundyng hym to make ſuch execution as in the ſayd article is compriſed, ſo that alwaies the kynges writte ſhall not ren out of the chauncery of England in ſuch a countye or fraunchiſe, otherwiſe then hath ben vſed in tyme paſt. And that thys ordinaunce ſhall ſtande in his force vntil the end of the next parliament. An. 2. H. 5. ca. 9. Thys act is made perpetuall as appeareth here next following.

Execution

6 ¶ The ſaied late Statut (S. An. 2. H. 5. cap. 9. before 5.) ſhall now bee kept and fermely holden for a ſtatute for euer, aſwell of murders, manſlaughters, robberies, bateries aſſemblies of people in great number, in maner of inſurrectyons, and dyuers other rebellion and riottes made and committed beefore the beginning of this preſent parliament as in time to come. Prouided alwaies, that it be witneſſed by iij. Juſtices of the peace of the Coũtie where ſuch riottes ſhalbee ſuppoſed, that the common fame and voyce rumeth in the ſame counties of the ſame riotts, before that the writ of Capias ſhalbee awarded. Prouided alſo that if any ſuch caſe happen in the ſaid Coũtie palantine of Lancaſter, or els where in a place infraunchiſed, where there is a Chauncellour and a ſeale, that then the ſaid Chauncellour of ſuch Countie or place infraunchiſed for the time beeing after complaint to him duely made & witneſſed by a Juſtice, or the lieutenaunt of a Juſtice and Sherife of ſuch Countie palantine or place enfraunchiſed, for the time being, in the forme aforeſaid, ſhall haue like power to award a Capias and a writte of Proclamation aforeſaid, as the ſaid Chaunceller of England hath Anno 8. H. 6. capit. 14.

Murders & Manſlaughter

Juſt. of p.

Lancaſter

Chaūceller

Sherife

Capias Proclamation

7 ¶ The ſaid act made the ſaid xiij. yere of king Henry the fowrth (ca. 7. before 3.) concerning riots, aſſemblies or routes of people, and all and every article and articles compriſed in the ſame. And alſo al other eſtatutes beefore thys tyme made concerninge the punithement of riotours at the tyme of the making of this act beeinge in force from hence forth ſtand in their forces, and be duely putt in execution after the tenours and purports of the ſame.

And for as much as in the ſayd ſtatute made in the ſayed xiij. yeare, it is not expreſſed of what ſufficiency the inrors empanelled ſhould bee, or what iſſues they ſhould loſe if they appeare not, nor no mencion therein made of any punyſhement of the mayntenors and embracers of the Jurrours that ſhall ſo bee empanelled, ſhould haue for theyr miſdemeanour if any bee: It is therefore &c. that if any ryot, rout, or vnlawfull aſſembly bee committed and done at any tyme after the fyrſt date of May next cõming within thys realme of England, that the ſheriffe beynge a precept dyrect to hym, ſhall retourne xxiij. perſonnes dwelling within the ſhere, where ſuch ryot rout, or vnlawfull aſſembly ſhalbe ſo committed and done, whereof euery of them ſhal haue Landes and Tenementes wythin the ſame ſhere, to the yerely value of xx. s. of Charter hold or free hold or xvi. s. viij. d. of copy holde, or of both, ouer & above all charges for to enquyre of the ſaied ryot, route, or vnlawfull aſſemblie. And bee ſhal retourne vppon euery perſon by him empanelled in iſſue at the fyrſt day xx. s. And at the ſeconde day. xl. s. if that they appeare not and bee ſworne to enquire of the premiſſes at the fyrſt day. And if default be found in the ſheriffe or vnder sheryffe for retourning of other perſonnes not beyng of the ſayed ſuffycyencie, or retourne not iſſues in fourme aforeſayed, that then the ſayed sheryffe ſhall forfayt to our Soueraigne Lord the kyng for eyther xx. pounde. And if the ſayed ryot, route, or vnlawfull aſſembly bee not found by the ſayed Jury, by reaſon of any mayntenaunce or embracery of ſayd Jurrours, then the ſame Juſtyces and the ſheriffe or vnder sheriffe ouer & above

Jurours

Iſſues

Shirife Precept Empanell

Landes

Iſſues

Forf.

Default Shirife

Mayntenans Embracery Juſt. of p. Shirife

abone all such certificat that they must and be bound to make, according to the said statut made the sayd xiij. yere of H.7. cap.7. before 3. shall in the same certificate, certifie the names of the mainteinors & embrazours in that behalfe if any bee with their misdemeanours that they know, vppon paine of euery of the said Justices and shirife, or vndershirife to forfeit xx.li. if the same Justices and Shirife, and vndershirife haue no reasonable excuse, for non certifyng of ỳ same: which certificate so made shalbe of like force and effect in the law, as if the matter conteyned in the same were duely found by the verdict of the twelue men. And euery person duely proued to bee a maintenour or embrazour in the same, shall forfeyt to our said soueraigne Lord xx. pound. And aswel the same maintenours as the embrazours shalbee committed to ward, there to remaine by the discretion of the Justices. Anno. 19. H. 7. cap. 13.

Certifie

Forf.

Maintenor Embrazour Forf.

Imprison

Rebellion

8 ¶ Anno 3. E. 6. cap. 5. a great act was made against rebellion & vnlawfull assemblies and riling of the kings people to cõtinue to the end of the next parliament. And after An. 7. E. 6. ca. 11. it was continued to endure to the daie day of the next parliamẽt. And after Anno. 1. M. 1. parliamento ca. 12. it was repealed as hereafter foloweth.

Repealed

xij. persons

9 ¶ If any persones to the number of twelue or aboue, being assembled together at any time, after ỳ xx. day of December nert comming, shall intend go about, practise or put in vre with force of armes vnlawfully, & of their owne authority, to alter or chãge any lawes made or established for religion, by authority of parliament, which shal stand in force after ỳ said twenty day of December, or any other lawes or statuts of this Realme, or any of them, the same number of twelue, or aboue beeyng commaunded or required by the sherif of the shere or by any Justice of peace of the same shere, or by the Maior, Shirife, Justices of peace, or Bailiffes of any Citie, Borough, or Towne corporate where any such assembles shall be vnlawfully hadde or made by proclamation in the Queenes name, to retyre and repaire to their owne houses, habitations, or places from whẽce they came, and they or any of them not with standynge such proclamation shall remayne and make there abode or continuus togeather by ỳ space of one whole houer after such commaundement or requeit made by proclamation, or after that shall willingly in forcible and ryotous manner attempt to do, or put in vre any thing abone specified: ỳ then aswel euery such abode or continuing togeather, as euery such act or offence, that after such commaundement or requeit by proclamation, hadde or made, shalbee attempted, to be done practised, or putt in vre by any personnes, beeyng of the number aforesaied, shalbee iudged felony in all and synguler those personnes, that so shall make theyr abode, or continue together or shall attempt, or committ any such act, and the offendours therein to bee adiudged felons, and shall suffer onely execution of death as in case of felony. And furthermore it is enacted ordeyned, and established &c. that if any personnes to the saied number of twelue or aboue, after the said twenty day of December shall intend, goe about practise or putt in vre in maner and fourme afore saied to ouerthrowe, cutt, breake, cast downe or digge vppe the pales, hedges dythes or other inclosure, or any parkis parke, or other grounde or grounde inclosed, or the bankes of any fythe pond, or poole, or any conduit for water, conduit heades, or conduyt pypes, hauynge course of water, to the intent that the same, or any of them from thencefurth should remaine open not enclosed or boyd, or vnlawfully to haue common or waie in the sayed parke or parkes, or other grounde or groundes inclosed, or in any of them or

Proclamation

1. Houres

Felony

Ouerthrow Pales Hedges Inclosure Parke Fith pond Conduit

Shirife Just. of p. Maior

Distroy Deare warrens Doufhouses

them, or to destroy in maner & fourme aforesaid, the Deare in any maner of Parkes or Parke or any warrens or Warren of conies, or any doufhouses or any fish in any fish pōd or pole, or to pull or cutt downe anie houses, Barnes, Milles or Bales, or to burne any Stackes of Corne or Graine, or to abate defaulke or diminish the rēts or yearely value of anie mannours, landes or tenementes, or the price of any victuall, Corne or graine, or anie other thinge vitial for the sustenaunce of menne, and beeyng required or cōmaunded by any Justice of the peace, or by the Shcrife of the Countie or by the Maire, Bailife or Baylifes, or other head officers of any Cytie or Towne corporat, where such assembly shalbe had by proclamation to bee made in the Queenes name to retyre or returne in peacible maner to their habitations, places and houses, from whence they came, and they or any of them not withstanding such proclamation shal remaine, or make their abode or contynue together by the space of one whole howre, after such cōmaūdement or request made by proclamatiō, or after in that shal in forcible maner do, or putt in vre any of ẏ thynges last before mencioned, that then aswel euery such abode, or continuinge together as euery such act that after such commaundement or request, by proclamation had or made shallbee done practised or putt in vre, by any persōs, beeing aboue the number of xii. shalbe adiudged felony, and the offendours therein to be adiudged felons, and shal suffer onely the execution of death as in case of felony. And also it is &c. that if any personne or personnes, after the said xx. day of December, vnlawfully and without authoritie, by ryngynge of any belles, sounding of any trompette, drumme, horne or other instrument whatsoeuer, or by fieringe of any beacon, or by malicious speakynge or utteringe of any woordes or making of any outcry, or by settinge vpp, or castynge of any billes, byll or writing, whatsoeuer, or by any other deede or act, shall raise or cause to bee rayled or assembled any personnes to the number of twelue or aboue, to the intent, that the same personnes should doo, commit or put in vre any of the actes or thinges aboue mencioned, & that the personnes to the number of xii. or aboue, so rayled and assembled after request or commaundement had or geeuen in fourme aforesayed, shall make their abode or continue together as is aforesaid, or vnlawfully, and in forcible manner, perpetrate, do, committ, or putt in vre any of the actes or things aboue said: that then all and singuler personnes, by whose speaking deede, act or any other the meanes aboue specified, any persons to ẏ number of xii. or aboue, shalbe raised or assembled, for the doing, committing or putting in vre any of the acts or thigs above mencioned, shalbe adiudged for hys so speaking or doing, a felon, and shal suffer executiō of death as in case of felony, And also it is &c. that if anie wife, or seruāt of any the same persōs or any other person, whatsoeuer, shall willingly & without compulsion bring send, deliuer or cōuey any money, harnesse, artillery, weapon, meate, bread, drinke or other victual, to any personne or persons so being assembled, as is aforesaid, during such time as he or they shal so be assembled, or be together as is aforesaid: ẏ then euery wife, seruant or other person so bringing, sendyng, deliuering or conueyinge any money harnesse, artillery, weapon, meate, bread, drinke, or victuall, to the same persons so being assembled together in forcible maner, or to any of them, and not departing to their house or dwelling places, vpon request, or commaūdement made vnto them as is aforesaid shallbe adiudged a felon, and shall suffer execution of death, as in case of felony. And furthermore it is &c. that if any

Billes

xii. Persons

After request

Felony

Seruant

Money Armour Victuall

wife

Ringing Trumpet Drumme Horne

woordes

One howre

xii. Persons Felony

Proclamation

Justi. of p. Shirife Maior Bailife

Victuall Corne

4. Persons

Force of armes
Murder

Pales
Hedge
Enclosure

Parkes
Ponds
Conies
Dovehouses
House
Rents

Victuall
Corne

Just. of p.
Shirife
Maior
Bailife

Proclamation

Imprison-

if any persones above the number of two, & under the number of twelue, being assembled together at any tyme, after the said 11. day of December shal intend, go about, practise or put in ure with force of armes vnlawfully, and of their owne auctoritie, to murder, kill or slea any of the Queenes maiesties subiectes, or to ouerthrowe, cutt, breake or cast downe or digge vp the pales, hedges, diches, wal or other closure of any parkes, parke, or other ground enclosed, or the banke of anie fish pond or poole, to thentent that the same or any of them, from thencefoath should remayne open not enclosed or void, or to haue common or way in ỹ same parke, or parks, or other grounds or ground inclosed, or in any of them or to destroy any manner of parkes, or parke, or fish pond or poole, or anie warrens or warren of connies, or any douehouses, or to pull or cut downe any house, barne, mill, or to burne any stackes of corne or graine, or alter, defalke, or abate the rents or pearely value of any mannours, landes or tenements of any the Queenes subiectes or the price of any victuall, Corne or graine, or any other thynge vtuall for the sustenance or apparell of men, and beinge required or commaunded by any Justice of the peace, or the sherif of the county, or by anie Maiours, Bayliffes or Bailife, or other head officer of any Citie or towne corporat, where such assembly shalbee had, by proclamation to bee made in the Queenes name to retyre or returne to their habitations, place, or houses, and they so required by such proclamatyon, shall not so doo, but after that shall in forcible manner in fourme aforesayed attempt to doo or putt in ure any of the thynges last above mencyoned: that then euery of the same persones, beeing aboue the number of two, and vnder the number of twelue, shall suffer imprisonment of hys or their bodyes by the space of one yere, without baile or mainprise. And also that if any person or persons at any time after the said 11. day of December, shalbe dampnified or hurted by the doing committing, or putting in ure of any vnlawfull act, or thynge above mencioned, that then all and singuler persones so dampnified, and hurt shall recouer and haue dammages with the costes of their suit sustayned in that behalfe treble against the offendours therein. And for asmuch as such euill disposed persones, whych of late tyme made commotions and rebellion in certaine places within this realme, being but fewe in number, at such tyme as they did begin the same commotion, were not in short time after the beginning thereof suppressed by strength, for that the louing subiectes at that tyme, for feare to incurre in daūger of the lawes of this Realme, durst not take vppon them so to doo, a great number of euill disposed persones dyd come, and ioyne them selues to ỹ said smale number, whereby the same euill disposed persones tooke vppon them such boldnesse that they would not bee reduced to obedyence without much bloudshedding, to the great daūgre of the perfourme of the Ordynce, where yt the said subiectes durst haue taken vppon them to haue suppressed thē at the beginning, such inconuenience and bloud shed should not haue followed:

Therefore it is enacted &c. that if any persones above the number of two, that at any time after the said twenty day of December, shalbe vnlawfully, & of their owne auctoritie assembled together, to the intent with force and armes to doo, practise or putt in ure any of the thynges above mencyoned, that then it shalbee lawfull to euery Justice of peace and to euery Shyrife in any county being within the Queens dominions, and to euery Maior, bayliffe and other head officer of any Citie or Towne corporat, for the tyme he shalbe in office, or any other person

Mainprise

Damages
Costs

2. Persons

Just. of ỹ Shirife Maior Bailife

or persones having the Quenes commission, or letters from her highnesse, as well to raise & assemble the Quenes loving subiectes, in manner of warre, to bee arrained in such great number, as hee or they then shal thinke meete or hable to the intent by violence and strength, to suppresse, apprehend and take the said personnes that so shalbee vnlawfully assembled. And that yf the saied personnes so vnlawfully assembled, after such commaundement or request by proclamation made, shal proclamation contynue together and not endeavour themselues to retourne towards their habitations, houses or places, from whence they came, in such short time as they may conveniently, that thē it shalbe lawful to every Justice of peace Justice of peace Shirife, and also every Maior, Baylyfe, and other head Officer of any Citie or Towne corporat and to every other person, having authoritie as is aforesaied, after such commaundemēt or request by proclamation made and to such personnes, as shalbee assembled with any Justice of peace, or Shiriffe, or with any Maior, Baylife, or other head officer of any Citys or Towne corporat, and with everie other person having authoritie as is aforesaid, to suppresse, apprehend, and take those personnes so vnlawfully assembled, which after such Proclamation made shal continue together, and not endeavour them selues to retourne toward their habitations or places frō whence they came, and that if the said personnes so vnlawfully assembled together, or any of them shall fortune to be killed, slayne, maymed, or hurt, in, or about the suppressing or takinge of them, that then every such Justice of peace, Shirife, Maior, Baylife, and other head officer, and every other person, havinge authoritie as is aforesaid, and all and singuler personnes by him or them assembled, shalbe free discharged and vnpunishable, as well against the Queens, as against all and every other person and personnes, of, for, or concerninge the killing slaying, maymynge, and hurtynge of any personne or personnes, so vnlawfully assembled, that shall fortune to be kylled, slaine, maymed or hurt about or by occasion of suppressinge or takyng of them. And furthermore bee it &c. that al and every copyholder or customary holder, beinge yoman artyficer, husbandmanne, or Labourer, and being of the age of xxiii. yers or more, and under the age of three score yeres, not sicke, impotent, lame, maimed, ne havinge any other iust or reasonable excuse or cause to the contrary, and beinge required by the Shirife, Justice of peace, or other havynge authority of thys act, or by commyssion or letters as is aboue sayed in that behalfe, they declarynge their sayd authoritie, or beeing required by the immedyat Lorde or Lordes of whom such copy holdes, or customary holdes then shalbe holden, to serue ye Queens maiestie for any the causes aboue rehearled, and refuse so to do, shal onely duringe the lyfe of such personne or personnes, so refusinge, forfayt and loose to hys or their Lord or Lordes, of whom such copy, or Customarie holdes then shalbee immedyatly holden and should bee holden, during the life of such personne or persones so refusing, in case hee or they hadde not so refused, al their copie holdes, and customarie holdes. And that it shalbee lawfull to enerie such Lord or Lordes their heires or assignes of whom such copie holdes or customary holdes shalbe immediately holdē, and should haue been holden, in case that such person or personnes had not so refused by vertue of thys present act, to enter and take into hys or their handes or possession, all such copie holdes, and Customary holdes, to holden of them, or anie of them immediatlie, and to retayne the saine duringe onelie the lyfe of the

Copyholder
Artificer
Laboyer
18. Yeres old
Shirife
Iust. of p.
Forf.
Lords
Heires

such

in such manner and fourme as hee or they should haue had the rents or seruice of such copy hold and customarie hold, in case such persoone or persones so refusinge, had not refused. And that all and euery fermour being a yoman husbandman, artificer, or labourer, & beeinge of the age of xviii. yeares or more, and vnder the age of three score yeres, not sicke, impotent lame, maymed, ne hauing any iust reasonable excuse, or cause to the contrary, & beinge required by the Shirife, Justice or iustices of the peace or other hauyng authoritie by this act, or by commission or letters as is aforesaid in that behalfe they declaringe their said authoritie, or being required by their landelord or landlords for the time being, to whom the rents of such fermes shallbee then rising, cōming or growinge to serue ỹ Queenes maiestie for any the causes aboue rehearsed, & refuse so to doo, shall duringe onely the life of such fermour or fermours, so refusinge, forfait and loose to such Landlord and Landlords as should haue had the rent of such fermours duringe the life and liues of such persoone and persoones, so refusinge all their said fermes, and that it shalbee lawfull to euery such Landlord and landlordes, their heires and assignes to whom the rents of such fermes should haue bene due, duringe the life of such person or personnes so refusing in case such personne or personnes had not so refused by vertue of this present act to enter and take into his or their handes or possession, all such fermes, and to retaine the same duringe only the life of euery such offendour or offendours. Prouided alwaies, & bee it enacted that after the death, expiration, or determination of the interest or terme of yeares, of euery such copy holder, customary holder, or fermour, as so shall offend and forfayt any of the said copy holdes, customary holdes, or fermes as is aforesaid, that then all and euery such person and personnes, as should or ought to haue hadde the sayed copyholdes, customary holdes, or fermes, after or by the death, expiration or determination of the interest or terme of yeares, of such copy holder, customary holder or fermour, in case such copy holder, Customary holder, or fermour had not so offended ne forfaited, shall and may haue the same copy holdes, customary holdes & fermes, by entrie, action, admission, or otherwise in like maner, fourme, and condition, and by such waies & means as they and euery of thē, should, might or ought to haue had, if no such forfeiture or offence had bene had, done, or committed.

And also be it &c. that if any persone or personnes, which at any time after the said twentie day of December shall bee spoken vnto, moued, or stirred to make any commotion, insurrection, or vnlawfull assemblie for any of the ententes aboue mencioned, and doe not within xviiij. houres next after hee or they shalbe spokē vnto, moued, or stirred, vnlesse he haue a good reasonable cause of excuse, declare the same to one Justice of the peace, or Shirife of the said Countie, or to the Maior, Shirifs Bailifes, or other head officers of any Citie or Towne corporat, where such speaking, motiō or stirring shalbe had, shall suffer imprisonment by the space of iij. moneths without baile or mainprise, vnlesse hee shalbee discharged by three Justyces of Peace of the same shire, where the offence shalbe, whereof one of the said Justices shalbe of the Quorum. And it is &c. that if anie person or persons beeing aboue the age of xviij. yeres, & vnder ỹ age of three score yeres, being able to serue and not sicke, lame or impotent, shalbe required by anie Justice of ỹ peace, or anie Shirife of any countie, where any such assemblie shalbe, or by any maior, bayliffe, or other head officer of anie Citie, Borough or towne corporate, or by anie other by the commaundement of anie such,

Fermour Artificer Labozer

Shirife Just. of p.

Seruice

Refuse

Forf.

Cōmotion

24. Hower

Declare

Just. of p.

Shirife

Maior

Bailife

Imprison

Mainprise

Just. of p.

Quorum

18. yers

Just. of p.

Shirife

Maior Bailife.

such Justyce of peace, Sherife, Maior bailife, or other head officer, to go with him or them to suppresse the persones vnlawfully assembled, in manner and fourme aforesaid, that then every persone which so beinge able and required doth willingly and obstinatly refuse so to doo, shal suffer imprisonmēt of his body for one yeare wōut Baile or mainprise. Prouided alwaies & bee it &c. that if the Queens highnesse shall by her letters patents make anie lieutenaunt in any county or countyes of this realme, for the suppression of any commotion, rebellion, or vnlawfull assembly, that then as wel al Justices of peace, of euerie such Countie, and the shirife and shirifes of the same, as all Maires, Baylifes and other head officers, and all inhabitaunts and subiectes of any countie, citie, borough or Towne corporat, within euerie such countie, shal vpon the declaration of ỳ said letters patentes, & requist made, be bound to geeue attendaunce vppon the same lieutenaunt, to suppresse any commotion, rebellion, or vnlawful assembly, vnlesse he or they, being so required, haue any reasonable excuse for his not attendance, vpon paine of imprisonment for one whole yeare.

Imprisonmēt

Lieutenāt

Iust. of p.

Shirife Maiors Bailifs

And be it &c. that the order and fourme of the proclamations that shalbe made by thauctoritie of thys act, shalbee as hereafter foloweth, or with the lyke order and woordes in effect that is to say the Justices or other person auctorised by thys act to make the sayd proclamation, shall make or cause to bee made an Oyes, and after that shall openly pronounce, or cause to bee pronounced these wordes or like in effect. The Queene our soueraigne lady chargeth and cōmaundeth al persones beeing assembled, immediatly to disperse themselues, & peaceably to depart to their habitations, or to their lawful busines vpon the paines contayned in the act lately made against vnlawful & rebellious assemblies. And God saue the Queene. Prouided alwaies, and bee it enacted by thauctoritie aforesaid, ỳ if any persone or persons do or shall molest, let, hinder, or hurt any person or personnes, that shal proclayme or go to proclaime accordinge to the proclamation and order, made in the statut aforesayed, whereby such proclamation shal not be made: that then all and euery such persone and personnes so molesting, letting hindering or hurtinge, and hauinge knowledge of hys message, shall incurre and bee in such daūger, & suffer such paine or paynes and forfaitures, as the persons assembled, to whō the proclamation should haue beene made, should by thys act incurre, for not obeyinge the proclamation if it had ben made, or for doynge after the proclamatiō of any ỳ things before in this act expressed. And also al and euery such persone and personnes beeing assembled to the number aforesaid to attempt or do any of the thinges aforesayed to whom proclamatyon should or ought to haue bene made, if the same had not ben let as is aforesaied, shall likewise in case they do afterward commit, put in vre & do any things aforesaid they hauing any manner waies knowledge of the let so made, or by any meanes procuringe the same let, incurre and bee in like daunger, and suffer lyke payne or paynes and forfaiture aforesayed in euery their degrees, as though the proclamation had ben made: Any clause, article, or sentence heretofore in thys act included, made to ỳ contrary notwithstanding. And bee it &c. that thys act, or the effect therof shalbee openly read, published or declared, at euerie quarter sessions, and at euery lete and lawe day.

Proclamation

Molest

Forf.

Forf.

Quarter sessions Leete Lawday

Prouided alwayes and bee it &c. that all and euery the heire and heires of all and euery the offendour or offendours in any the cases aforesayed, and all and euery persone and persones, bodyes polytyke and corporat, their heires,

Heire

Bodies politike

heires, successours and executours, and euery of them other then such persone and personnes only as shalbee attainted, conuicted, or outlawed, of any the aforesayd offences of felony, shal haue, hold, and enioy al such right, tytle, entre, interest, leases, possessions, rents, conditions, profits, commodities, and aduauntages, as they or any of them haue or hereafter shal haue, or of right ought to haue, in, or to any honours, castelles, mannours, landes, tenements, woodes, rentes, reuersions seruices or hereditamentes, whatsoeuer, in, or to any part or parcell thereof, in as large & ample maner and fourme, to all intentes, constructions, and purposes, as if such attayndour had neuer beene hadd ne made: Any thynge in this act to the contrary in any wyse notwythstandynge. Sauing to al and euery persone and personnes, bodyes polytike and corporat, and their successours, their liberties and fraunchyses, in such manner and fourme, as if this act had neuer beene had ne made. And be it &c. that if any person or persons, after the said twenty day of December do moue, stirre, or procure, any person or persons, to commit or doo any of the offences in this present act specyfied, that then euery such persone which shal so procure, stir, or moue any person or persons so to offend, shall suffer such paine and punishment by imprisonment, without baile or mainprise, as is before expressed in this present act, against counsailours of such offences. And that if any persones, to the number of xl. or mo, after the sayd xx. day of December, shal assemble together in forcible maner, vnlawefully and of their owne auctoritie, to the intent to do, exercyse, or put in vre any of the thinges aboue specified, or to doo other felonous or rebellious act or acts and so shall continue together by the space of thre houres after proclamation shalbe made, or nigh y place where they shal so be assembled, or in some market towne thereunto next adioyning, & after notice therof to them giuen, y the euery person so willingly assembled in forcible maner, and so continuing together by the space of iii. houres, after such proclamation shalbee made, and notice therof geuen, shalbee adiudged a felon, & shal suffer death, as in case of felony. And bee it &c. that no lieutenaunt or lieutenauntes, that shalbee appointed or made by auctoritie or colour of this act, or for to execute this act, shall in any wyse make put, or constitut vnder him or the or in his or their place, any deputie or deputies, nor shall call, conuent, or appoint to appere before him or them, by the onely auctoritie of lieutenauncie, or of commission of lieutenauncy, any persone or personnes, for any cause or matter whatsoeuer, saue onely for the causes & matters expressed in this present act, and for none other. And that no person or personnes shalbe put to any losse, forfaiture, paine, or punyshment, of lyfe, land, or goodes, as accessary to any person or personns that shall commit any of the offences contayned in this present act for receiuing comforting, or aydinge of any such offendour after such act committed or done. And that no attainder or conuiction vpon of any person or persons for anie offence or offences herein contayned, shalbee any manner of corruption of blood betweene the offender and any of his auncestors, or such person and persons as should haue ben heire to such offender, if no such attainder or conuiction had ben had, sauing to all & euerie person & persons, body & bodies polytike and incorporat, and their successors, their liberties & fraunchises, in such maner and fourme, as if this act had neuer beene had ne made. And be it &c. that one act of parliament made in the session of the parliament holden vppon prorogation at Westminster y xxiiij day of Nouember, in y third yere of the raigne of king Edward the vi. sirt,

Liberties

Procure

Imprison. Mainprise

40. Persons

Hovers

Proclamation

Felony

Lieutenant

Deputy Conuent

Receive

Attainder Conuiccion

Blood

Fraunchises

Lloyd

In 3. E. 6.

firt, and there continued and kept to ẏ firſt day of Febꝛuary in the ſoweꝛth yeare of the raygne of the ſaid king, intituled by the name of an act foꝛ ẏ puniſhment of vnlaweful aſſemblies, & riſing to the kinges ſubiectes, and all and euery bꝛaunch, clauſe ſentence and article therein contayned, ſhalbe from the twenty day of December next cõming, vtterly void and of no foꝛce, to al intentes, conſtruccions, and purpoſes. And this act onely to be put in execution, foꝛ, and concerninge the offences mencyoned in the ſaid foꝛmer act. This act to continue vnto the end of ẏ nert parlyament. Anno. 1. Ꝑ. 1. parliamento ca. 12. And after. Anno. 1. Ꝑ. 2. parliamento ca. 12. this act is continued to the laſt day of the nert parliament. And after. Anno. 1. & 2. Ꝑ. & Ꝑ. cap. 16. it is continued to the laſt day of the nert parliament. And after An. 2. & 3. Ꝑ. & Ꝑ. cap. 21. it is continued to the laſt day of the nert parlyament. And after. An. 4. & 5. Ꝑ. & Ꝑ. it is continued to the laſt day of the nert parliament. And it is contynued. 1. El. ca. 17. as ſoloweth.

10 ¶ The ſaid act and ſtatut (s. of 1. Ꝑ. 1. parliamento ca. 12. beefoꝛe, 9.) & euery bꝛaunch, clauſe, & article therin contained, ſhal ſtand, remaine continue and be in ful foꝛce and ſtrength, to all ententes and purpoſes, foꝛ & during the natural life of the Queenes moſt excellent Maieſtie that now is, (which almighty God longe pꝛeſerue and continue) and to thend of the nert parliament then nert following. And that the ſaied act and ſtatute, and the woꝛds and ſentences mencioned and contained in the ſayed act, ſhal ertend and bee in the Quẽnes highneſſe that now is, as fully and amply as euer the ſame did ertend to ẏ ſaid late Queene Mary, An. 1. El. c. 17.

11 ¶ An. 11. H. 7. c. 7. an act was made againſt riotes and rowtes, to endure to the nert parliament.

AND foꝛ as much as ẏ peace of this Realme hath beene euill obſerued heretofoꝛe foꝛ lacke of quicke and freſh ſuit makinge after felons in due maner, and namely becauſe of fraunchyſes, where felons are receiued: it is pꝛouyded, that all generally be ready and apparailed at the commaundement & ſũmons of ſhiriffes, and at the crie of ẏ countrey, to ſue & arreſt felons (when any neede is) as well wythin fraunchyſe as wythout, and they that wyll not ſo do, and thereof be attainted, ſhal make a greeuous fine to the king. And if default bee found in the Lord of the franchiſe, the king ſhal take the ſame fraunchiſe to him ſelfe. And if default bee in the Bayliffe, hee ſhall haue one yeares impꝛiſonment, and after ſhall make a greuous fyne. And if hee haue not whereof, hee ſhall haue impꝛiſonment of two yeres. And if the ſheriffe, coꝛoner, oꝛ any other bailiffe wiñ ſuch fraunchiſe oꝛ without, foꝛ reward, oꝛ foꝛ pꝛaier, oꝛ foꝛ any manner of affinitie, conſele, conſent, oꝛ pꝛocure to conſele ẏ felonies done in their liberties, oꝛ otherwiſe wil not attach noꝛ arreſt ſuch felõs (there as they may) oꝛ otherwiſe wil not doo their office foꝛ fauour boꝛne to ſuch miſdoers. and be attaynted therof, they ſhal haue one yeares impꝛiſonment, and after make a greuous fine. And if they haue not where of to make fine, they ſhal haue impꝛiſonment of iii. yeares W. 1. ca. 9. An. 3. E. 1.

And after. An. 23. H. 6. cap. 5. it is enacted that this ſtatut ſhalbee putt in execution.

2 ¶ Foꝛ as much as from day to day robberies, murders, burnig of houſes, & theft be moꝛe oftẽ vſed thẽ they haue ben heretofoꝛe, & felons can not be attainted by ẏ oth of the iurours wheych had rather ſuffer ſtraungers to be robbed, and ſo paſſe without payne, then to indict the offendours, of whom great part bee folke of the ſame countrey, oꝛ at the leaſt if the offendours be of

Fresh ſuit
Shiriffes
Arreſt
Franchiſes
Refuſe
Fine
Franchiſes
Bailife
Impꝛiſon
Fine
Shiriffe
Coꝛoner
Conceale
Attach
Office
Fauour
Impꝛiſon
Fine
Murderers
Felony

bee of an other countrey, ỳ receiuours be of places nere. And they do ỳ same beecause the othe is not put vnto Iurours of the same countrey, where such felonies were done, and to the restitution of dammages hitherto no payne hath bene lymitted for their concealement and latches: Our soueraigne lord the kinge, for to abate the power of felons, hath established a paine in thys case, so that frombenceforth, for feare of the paine more then for feare of any othe, they shal not spare any, nor concele any felonies. And frombenceforth eries shalbe made in al counties, hundreds, markets, faires, and al other places, where great resort of people is, so that none shall excuse him selfe by ignorance, that frombenceforth euerie countrie be so well kept, ỳ immediatly vppon such robberies and felonies cõmitted, fresh suit be made frõ Towne to towne, & frõ countrey to countrey. Like wise when neede requireth, inquests shalbe made in townes by him that is Lord of the Towne, and after in the hundred, and after in the fraunchyse, and in the Countie, & sometime in two, three, or fower Countyes, in case where felonies bee committed in the marches of shires, so that the trespassours may bee attainted. And if ỳ countrey will not aunswere for the bodies of such trespassours, the pain shal bee such that is to witte, that the people dwellinge in the countrey shalbee aunswerable for the robberies doone, and also the dammages, so ỳ the hole hundred, where the robbery happeneth to bee done, or the fraunchises, being within the precinct of the same hundred, shalbe aunswerable for the robberies done. And if the robbery chaunce to be done in the diuision of ij. hundreds, in such case both hundreds and the frãchises, which also bee within the precincts of them, shalbee aunswerable. And after that the felony or robbery is done, the countrey shal haue no lõger space the halfe a yeare, within which halfe yere it shal behoue them to agree for the robbery or the trespas, or elle ỳ they will aunswere for the bodies of ỳ offendors. And for as much as ỳ king will not that his people should bee so dainly impouerished by reason of this penaltie that semeth very hard to many, the king graunteth that they shal not incurre it immediatly, but it shalbe respited vntill the Easter next following, within which time the kinge may see how the countrey will order themselues, and whether such felonies and robberies do cease. After which terme let them all bee assured, that the foresaid penaltie shall renne generally, ỳ is to witte, that the people of the countrey shalbee aunswerable for felonies and robberies done among them.

And for the more suerty of ỳ countrey, ỳ king hath commaunded, ỳ in great Townes beinge walled, the gates shalbe closed from the somme resynge vntil the somme rysinge, and ỳ no man do lodge in suburbes, nor in any place out of the Towne from ix. of ỳ clocke vntil daie, without hys hoste wyll aunswere for him, & the bailifes of townes euery weeke, or at the least euery xv. day, shal make inquiry of al persones beeinge lodged in the suburbes or places of the townes. And if they do find any that haue lodged or receyued any straungers or suspicious persounes against the peace, the Bayliffes shall do right therein. And the kyng commaũdeth, that frombenceforth all townes be kept as it hath beene vsed in tymes passed, that is to wit from the feast of Ascencion, vnto Mighelmas, in euery Citie vi. men shal kepe at euery gate, in euery borough iii. men, euery townes vi. or viii. according to the number of inhabitaunts of the towne, & shal watch the towne al night from the sonne resting vnto the somme rising. And if any straunger do passe by them, he shal bee arrested vnto morninge. And if no suspition be found, he shal go quite. and if the find cause of suspition, they shall

Iurours
Counties Hundreds Markets Faires
Freth suit
Inquests
Hoste Bailife
Enquiry
Marches
Towns
Damages Hundreth Fraunches
Watch
Arrest
Shirife
Halfe yere

Shirife

shall forthwith deliuer him to the sheriffe, and the sherife may receiue him wt out damage, and shall kepe him safely vntill hee bee acquited in due manner, And if they will not obey the arrest, they shal leuie hue and crie vpon them,

hue & crie

and such as kepe the towne shal follow with hew and cry with al the towne & the townes nere, and so from town to towne, vntill that they be taken and deliuered to the sherife, as before is sayd and for the arrestments of such straungers none shalbe punished.

¶ And further it is commaunded, that

High waies

high ways, leadyng from one market towne to another, shalbee from henceforth inlarged, where as bushes, woods

Woods

or dykes be, so ỳ there be neyther dyke, tree, nor bush, whereby any trespassour

200. foote

may escape within CC. foote of eche syde the way, so that this statute shall not extend vnto ashes nor vnto great trees, for that it shalbee vnderstanden clerely out of this. And if by the default

Dike Vnderwood

of the lord, that will not auoid the dyke vnderwoode, or bushes in the manner aforesayed, any robberies be done therin, the lord shalbe aunswerable for the

Lord

felony. And if murder bee done, the lord shal make a fine at the kinges pleasure, And if the lord be not able to fell the vnderwoodes, the countrey shall aide him therin. And the king willeth, that in his

Demeanz waies

demeane landes & woodes within hys forest and without, the waies shalbe enlarged (as before is sayd) And if percase

Parke

a parke be taken from the high way, it is requisite that the lorde shall sett hys parke the space of CC. foote from the

200. foote

high wayes, as before is said, or that he make such a wall, dyke or hedge, that ỳ euyll doers may not passe ne retourne for to do euill.

¶ And further it is commaunded, that

Harneis

euery man haue in his house harneis for to kepe the peace after the auncient assise, ỳ is for to say, euery man betwirt

Othe

fyftene yeres of age and xl. yeres shall

Lands Goods

be assessed & sworn to armour, according to the quantitie of theyr lands & goods, that is to wytt, from fyftene li. lands and goodes vnto xl. markes, that is to

Armour

witte an hawberke brest plate of yron a sworde, a knyfe, and an horse. And frō tenne pound of landes and xx. markes goods, a hawberke, a brest plate of yron & sworde & a knyfe, and from v. li. lāds a doublet, a brest plate of yron, a sworde, & a knyfe, and from xl. s. land and more vnto C. s. of land, a sworde, a bowe and arrowes, and a knyfe. And he that hath lesse then xl. s. yerely, shal be sworne to kepe gisarmes, knyues, and other lesse weapōs. And he that hath lesse then xx. markes in goodes, shall haue swordes knyues and other lesse weapons, and al other that may shal haue bowes and ar

Bowes Arrowes

rows out of the forest, and in the forest

View

bowes and bolts. And that view of armour be made euery yeare two times And in al hundredes & fraunchises two

Hundreds

constables shalbee chosen to make the

Constables

view of armour, and the constables aforesaid shal present before Justices assigned, such defaultes as they doe see in the countrey about armour, and of the

Justices

suites of townes and of high waies, & also shal present al such as do lodge straū

Present

gers in vplandish townes, for whom they wil not aunswer, and the Justices shal present also at euery parliamēt vn

Parliamēt

to the king such defaultes as they haue found, and the king shall prouide remedy therin. And from henceforth let the

Shirifes Bailifes

shirifes take good hede, and bailiffes with in their franchises and without, be they higher or lower, that haue any bayliwike or forestry in fee or otherwise, ỳ they shal follow the cry with the countrey, and after as they are bounden to kepe horses and armour, so to doe. And if there be any, that do not, the defaults

Defaults

shalbe presēted to ỳ Justices assigned, and after by them to the kynge, as beefore is saied, and the kyng shall prouide remedy. And the kinge commaundeth and forbiddeth, that from henceforth neither faires nor markettes bee kept in

Faires Markets

Churchyardes, for the honour of the

Church-yardes

Church. Geuen at Westminster the

viii. day of October the xiij. yere of king Edwardes reigne. An. 13. E. 1. Statut de wynton.

Enquire 3 ¶ The maner of enquiring vpon the statut of Wincheſter when it is obſerued and when not, and of ſuch as haue obſerued ẏ ſaid ſtatut, & of ſuch as haue not ſuffered the contentes thereof to be obſerued. Of felonies and robberies cõmitted after Eaſter the xiii. yere of ẏ raigne of kinge Edward, and in what maner ſuch felonies were done, where, and by whom, by inqueſtes, accordyng to the tenour of the ſtatuts made there vpon afterward. And if ẏ cheriffe haue anſwered for the bodies of ſuch offendours or not. Alſo if the gates of the cities or great townes were ſhutt from the time of the ſonne going downe vntill the ſonne ryſing. And if any ſtrangers were lodged in the ſuburbes or in the outparties of the Cittie, for whom their hoſtes will not anſwer. And alſo how bailiffes & other officers of townes haue made inquirie therof. And if watches haue ben kept after as is contayned in the ſaid ſtatute or not, and how the watchmen haue kept their watch. And if the kings high wayes from one marchãt towne to an other be inlarged as well in the kings owne townes as els where accordyng to the ſtatute, and if they be not inlarged to inquire what wayes, and where they bee, and who ought to haue inlarged them. And of ſuch as ſet ſuch inlargementes as well in parkes as in other woods. Alſo if al men betwene the age of xv. and lx. bee ſworne to kepe the peace. Alſo if they haue weapons in theyr houſes accordyng to the quantitie of their lands & goodes for maintenaunce of the peace accordyng to the ſtatute. And alſo if conſtables do make view of armour in du maner and of other thinges belonging to their office or not. Alſo if cheriffes hũdredors, bayliffes of liberties, and folters come at huy and cry leuied, and if they make purſuit for keping the kings peace accordinge to the ſtatute or not.

Felonies

Shiriffes

Cities Townes

Strangers

Hoſts

Bailifes

Watches

High wayes

Othe Armour

Conſtables

Shiriffes Bailifes Hundredors

Articles vppon the ſtatut of wynton. Anno. E. 1.

4 ¶ As in the ſtatut made at weſtminſter, in the time of king Edward graūd father to the king that now is, it is contened, that if any ſtraunger paſſe by ẏ coũtrey in the night of whom any hath ſuſpection, he ſhal be arreſted and delyuered to the cheriffe & remaine in ward till he be duely deliuered. And becauſe there hath ben diuers manſlaughters, felonies, and robberies done in times paſt, by people that bee called roberdeſmen, waſtes, and Dzawlatches: It is accorded that if any man haue any euill ſuſpectiõ of ſuch, be it by day or by night they ſhalbe incontinently arreſted by ẏ conſtables of the townes. And if they be arreſted within franchiſes, they ſhal be deliuered to the bailiffes of the fraunchiſe. And if in the guildable, they ſhall be deliuered to the cheriffs, and kept in priſon till the coming downe of ẏ Juſtices of the gayole delyuery and in the meane tyme the cheriffes and bailiffes of the fraunchiſes ſhall enquyre of ſuch arreſtes, and at the commyng of the Juſtices, retourne their enqueſtes beefore them, with that ẏ they haue found, and the cauſe of the takynges with the bodies, and that the Juſtices, ſhall procede to the deliuerance of ſuch perſones arreſted after the law. And in caſe that the cheriffes or bailiffes of the fraunchiſes haue not enquired of ſuch arreſtes, they ſhal be amerced, and neuertheleſſe the iuſtices ſhal make enquire & further procede to ẏ deliuerãce as before is ſaid. An. 5. E. 3. ca. 14.

Nightwalkers Arreſt Shirife Impriſon

Roberdsmen Dzawlatches

Conſtables Fraunchys

Guildable Shiriffs

Bailifes Enquire

Inqueſts

Juſt. of p

Amerce

5 ¶ Becauſe that great claymour and greuous complaintes bee made aſwell by aliens as by denizens that merchãts & other paſſing through the Realme of England with their merchandiſes and other goodes, bee ſlayne and robbed, & namely now more the they were wõt whereof remedy hath not ben made to the complaynauntes: Our Soueraigne Lord the kynge conſyderyng the profitt whych may come to the layed Realme by

Perch

Procla tion.

Freſh ſu

Enquet

Hundre Fraunc

40. Date

by comming and abyding of merchãts aliens in the same realme, and the damage and mischief, which to them and other is done dayly by such manslaughters and robberies, & willing to prouyde for the surety and indempnitie of marchauntes and other aforesaied, hath ordeined and stablished, by the assent of al his parliament, to the intent ẏ merchauntes aliens shall haue the greater will and courage to come into the sayd realme of england & that remedy from hẽceforth be spedely made to such merchants and other robbed according to ẏ fourme contained in ẏ statut late made at Westminster, that is to say, that solempne crye be made in al counties hũdredes, and markettes, faires and all other places, where solempne assemble of the people shalbe, so that none by ignorauncẽ shall excuse him, that euery countrey from hencefoorth be so kept, ẏ immedyatly after felonies and robberies done, fresh suit to be made fro towne to towne, and fro countrey to country and enquestes if nede be, shall be also taken in the townes by hym which is soueraigne of the towne, and after in hũdredes, fraunchyses, and in the county, and sometyme in .ii. iii. or .iiii. counties, in case when felonies shalbee done in the marches of the counties, so that the offendours may bee attainted, And if the countrey do not answer of such maner offenders, the pain shalbe such, that euery coũtrey, that is to say, the people dwelling in the countrey, shal answer of the robberies, done, and of the damages, so that all the hundred, where the robbery shalbe done, or the fraunchises which be within the precinct of ẏ same hundred, shall answer of the robbery done. And if the robbery be done in the confines of .ii. hundredes, both hundredes shall answer, lykewise in the fraunchises. And longer terme, shall not the countrey haue after the robbery or felony done, then .xl. dayes wythin which them behoueth to make gree of ẏ robbery, or of ẏ offence, or ẏ they answer of the bodies of the offenders. An. 28. E. 3. ca. 11.

Merchants

Proclamation.

Fresh suit

Enquestes

Hundred Fraunches

40. Dales

¶ *Rochester.*

ALL writtes to bee purchased by the wardẽs of the new bridge of Rochester & their successors, or by other against them to bee purchased, shalbee maintened & sustained by the law of England. And although that the sayed wardens or any of them bee removed or expulsed from their said office, or doe die, hanging the said writts, neuertheless the same writs shall stand and bee good and effectuall in the law for euer. An. 2. H. 5. ca. 12.

writts

wardens

¶ *Royston.*

WHere the Towne of Roiston was in fiue seuerall Parishes, after by An. 32. H. 8. ca. 44. the Church of the late priorie in Royston is made the parish Church of Royston, & a vicar perpetuall made for the same Parish, and the king made patron of the vicarage and the vicarage made vnder the Diocesse of the Bishoppe of London, and the Tithes of the Corne, Hey, woll, Lambe, & Calfe, appointed to the parsons of the fiue parishes, as before this act, and the vicar of Roiston to haue other tithes, offeringes, oblations, obuẽcions, and other ecclesiasticall cuttes & rights, and the fiue parsons to haue like remedy for their Tithes of Corne, the woll, and Lambe, and Calfe, as before this Statut.

Vicar perpetuall

K. Patron

B. of London

Tithes Oblations

¶ *Roome.*

WHere the Kinges humble and obedient subiects, the Clergie of this Realme of England, haue not onely knowledged, according to the truth, that the conuocations of the same clergie is, alwaies hath bene, and ought to bee assembled onely by the kings writ but also submittinge them selues to the kinges Maiestie, hath promysed In verbo Sacerdotij, that they will neuer from hẽceforth presume to attempt

Clergie

Conuocation

K. Writ.

alleage, claime, or put in vre, or enact promulge, or execute, any newe cannons constitutions, ordinances prouinciall, or other, or by whatsoeuer other name they shalbe called in the conuocation, vnlesse ẏ kings most royall assent and licence may to them bee had, to make, promulge, and execute the same, and ẏ his Maiestie do geue his most roial assent and auctoritie in that behalfe.

Licence

Assent

And where diuers constitutions, ordinances, and cannons prouinciall, or Synodal, which heretofore hath ben enacted, & bee thought not only to be much preiudiciall to the kinges prerogatiue roiall and repugnant to the lawes and statutes of this Realme, but also ouer much oncrous to his highnes and hys subiects, the said Clergy hath most hũbly besought the kings highnes, that ẏ said constitutiõs and cannons, may bee committed to the examination & iudgement of his highnes, and of xxxij. persons of the kings subiects, whereof xvj. to be of the vpper and neyther house of the parliament, of the temporaltie, and other xvj. to bee of the clergie of thys Realme. And all the said two & thirty persons to bee chosen and appointed by the kinges maiestie. And that such of ẏ said constitutions & cannons as shalbee thought & determined by the said two and thirty persons, or the more part of them worthy to bee abrogated and annulled, shalbe abolished and made of no value accordingly, And such other of ẏ same constitutions and canons, as by the said xxxii. or the more part of them shallbe approued to stand with ẏ lawes of God, and consonant to the lawes of this realme, shall stande in theyr full strength and power, the kings most roial assent first hadde and obtained to the same. Be it therefore now enacted, by auctoritie of this preſẽt parliament, according to the said submission & petition of ẏ said clergy, that they nor any of thẽ from henceforth shal presume to attẽpt alleage, claime or put in vre any constitutions or ordinaunces prouinciall, or Synodals or any other canõs, nor shall enact, promulge, or execute any such canons, constitutions, or ordinaunce prouinciall, by whatsoeuer name or names they may be called in their conuocatiõs in time comming, which alway shalbe assembled by auctority of the kynges writt: vnlesse ẏ same clergy may haue the kings most roial assent & licence to make, promulge & execute such cannõs constitutions & ordinaunces prouincial or Synodal, vpon paine of euery one of the said clergy, doyng contrary to thys act, and beeing thereof conuict, to suffer imprisonment & make fine at ẏ kinges will. And for as much as such cannons constitutions, & ordinaunce as heretofore hath ben made by ẏ clergy of thys realme can not now at ẏ session of this present parlyament, by reason of shortnes of time, be viewed, examined, & determined & xxxij. persons to bee chosen & appointed, according to ẏ petition of ẏ said clergy, in forme aboue rehersed: Be it therefore enacted by auctority afore said, that the kinges highnes shall haue power and auctority to nominate and assigne at his pleasure ẏ said xxxii. persons of his subiects, whereof xvi. to be of the clergy & xvi. to be of the temporalty of the vpper & neither house of the parliament. And if any of ẏ said xxxij. persons so chosen, shall happe to die before their full determination, then his highnesse to nominate other from time to time of the said two houses of the parliament to supply the number of ẏ said xxxij. And that the same 32. by his highnes so to be named, shall haue power & auctoritie to view, serch, & examyne the said canons, constitutions, & ordynance prouinciall & synodall, heretofore made, & such of them as ẏ kinges highnes and the said xxxii. or the more part of thẽ, shall deeme and iudge worthy to be continued, kept, & obeyed, shalbee from thencefoorth kept, obeyed, & executed wtin this Realme, so that the kings most roiall assent vnder his great seale be first had to the same. And the residue of the

Connocation

Impriſon Fine

32. Persons

Auctority

Clergie

of the said canons, constitutions, & ordinances prouinciall, which the king and the said .xxxii. persons, or the more part of them, shall not approue, or deeme & iudge wrythy to be abolite, abrogate, & made frustrate, shall from henceforth be void & of none effect, & neuer be put in execution within this realme.

Lloyd

Prouided alwaie, that no canons, constitutions or ordinances, shalbee made or put in execution within this realme by auctority of the conuocation of the Clergie, which shalbee contrariant or repugnant to the kynges prerogatiue royall, or ỳ customes lawes or statutes of this realme. Any thing conteined in this act to the contrary hereof notwithstanding. And be it further enacted by auctority aforesaid, that from the feaſt of Easter, which shalbe in the yere of our lord God. 1534. no manner of appeales shalbee had, prosecuted, or made out of this realme, or out of any the kinges dominions to the bishop of Rome, nor to the see of Rome, in any cause or matters happning to be in contention, & hauing their commencement and beginning in any of the courtes within thys realme, or within any the kings dominions, of what nature condition, or qualitie so euer they be of, but that all manner of appeales, of what nature, or condicion soeuer they bee of, or what cause or matters soeuer they concerne, shall be made and hadde by the parties greeued, or hauinge cause of appeale, after such maner, fourme & condition as is hymitted for appeales to be had & prosecuted within this realme in causes of matrimony, tithes, oblations, & obuencions, by a statut thereof made & established sithen the beginning of this present parliament, and according to the fourme & effect of ỳ said statut, any thing, custome, prescripcio, or any thig or things to the contrary hereof notwithstanding.

R. prerogatiue

Appeales

Pope

Iustice Courtes

And for lacke of Iustice at or in any the courtes of the Archbishoppes of this Realme, or in any the kings dominions it shalbe lawfull to the parties greeued to appeale to the kinges court of Chancerie. And that vpon euery such appeale a commission shalbe directed vnder the great Seale to such personnes as shall be named by the kinges highnes, hys heirs or succeſſours, like as in case of appeale from the Admiral court to heare and diffinitiuely determine such appeales, and the causes concerning the same, Which commissioners, so by the kings highnes his heires or succeſſours to bee named or appointed, shall haue full power & auctority to heare, & diffinitiuely determyne euery such appeale, with the causes and al circumstances concerning the same. And that such iudgement and sentence as the said commissioners shal make and decree in and vpon any such appeale, shalbe good and effectuall and also diffinitiue. And no further appeales to be had or made from the saied commissioners for ỳ same.

Chaumcery

Oier & ter.

Commissioners

Iudgemẽt

And if any person or persons, at any time after the said feaſt of Easter, prosecute or sue any manner of appeales, of what nature or condicio soeuer they be of, to the saied bishoppe of Rome, or to the see of Rome, or do procure or procute any manner of proces from the see of Rome, or by auctority thereof, to ỳ derogation or let of the due execution of this act, or contrary to the same: that then euery such person or persons so doing, their aidours counsailours and abbettours, shall incurre and run into the dangers paines and penalties cõtained and limitted in the act of prouision and premunire, made in the xvi. yere of the kings most noble progenitour, king Richard the second, against such as sue to ỳ court of Rome, against ỳ kings crown & prerogatiue royall.

Premunire

Prouided alwaies, that al manner prohibicions and appeales hereafter to be had, made, or taken, from the iurisdictions of any abbots priours, or other heades, any gouernours of monasteries, abbeis, priories, & other houses and places exempt in such cases as they were wont or mought afore ỳ making of this

act by reason of graunts or liberties of such places exempt, to haue or make immediatly any appeale or prouocations from the bishop of Roome, otherwise called the Pope, or to ẏ See of Rome that in al these cases euery persone or persons hauing cause of appeale or prouocation, shall and may take and make their appeales and prouocations immediatly to the kinges maiestie of this realme into ẏ court of Chauncery, in like manner and fourme as they vsed afore to do to the See of Roome, which appeales and prouocations so made, shall be diffinitiuely determined by auctharity of the kinges commission, in such manner and fourme as in this act is aboue mencioned. So that no archbishop nor bishop of this realme, shall entermitte or modo with any such appeales otherwise or in any other maner, then they might haue done before the making of this act, any thing in this act to ẏ contrary thereof notwithstanding.

Chauncery

Archbishop Bishop

Prouided also, that such cannons, constitutions, ordinances, and sinodals prouincial, being alredy made, which be not contrariant nor repugnaunt to the lawes, statutes, and customes of this realme, nor to the damages or hurt of the kings prerogatiue Royal, shal now stil be vsed & executed as they were afore the making of this act, till such time as they bee viewed, searched or otherwise ordered or determined by ẏ said 32. persons, or the more part of them, according to the tenour fourme and effect of this present act. An. 25. H. 8. cap. 19. This act is repealed by 1. & 2. P. & M. & reuiued by An. 1. El. ca. 1.

Cannons

Repugnāt

Prerogatiue

2 ¶ Where sithen ẏ beginning of this present Parliament for repelle of ẏ exaction of annates & first frutes of archbishoprickes & bishoprikes of this realme wrongfully taue by ẏ bishop of Rome otherwise called the Pope & the See of Rome: It is ordeined & established by an act amongst other things that ẏ payments of ẏ annats of first frutes, & all maner contributiõs for ẏ same, for any such archbishoprik or bishoprick, or for any bulls to be obtained from the See of Rome, to or for ẏ said purpose or intent, should vtterly cesse, & no such to be paied for any archbishoprik or bishoprick within this realme otherwise thẽ in the same act is expressed.

Annats First frutes Archbishops Bishops

Bulls

And that no maner of person or persons to be named, elected, presented, or postulated to any archbishoprick or bishoprick within this realme, should pay ẏ said annates or first fruits, nor any other maner of sũme or summes of money, pencions, or annuities for ẏ same, or for any other like exactiõ or cause, vpõ paine to forfait to our soueraigne lord the king, his heirs & successours, al maner his goods & cattals for euer, & al the temporall lands & possessions of ẏ said Archebyshoprick or bishoprick, during ẏ time ẏ he or they ẏ should offend contrary to the said act, should haue, possesse and enioy the said Archbishoprick or bishoprick.

Forf.

And it was further enacted, that if any persõ named or presented to ẏ See of Rome by the kinges highnes, or his heires or successours to be Bishop of any see or diocs within this Realme, should happen to be letted, delayed, or deferred at the see of Rome, from any such bishoprick wherunto he should be so presented by meane of restraint of bulles of ẏ said byshop of Rome, otherwise called the Pope, & other things requisite to the same, or should be denied at the See of Rome vpon conuenient suit made for any bulles requisite for any such cause: that then euery person so presented mought or should be consecrated here in england by ẏ Archbishop, in whose prouince the said bishoprick shalbe: so alwaies ẏ the same persõ should be named and presented by the king for ẏ time being, to ẏ said archbishop. And if any person being named & presented as is afore said, to any Archebishoprick of this realme, making conuenient suit as is afore said, should happen to be letted, delayed, deferred, or otherwise disturbed

turbed from the said Archebishoprick, for lacke of palle bulle, or other thinges to him requisite to be obtained at ỳ see of Roome, ỳ then euery such perſõ so named & prefected to bee archbishop, mought & should be cõsecrated and inuested after presentation made as is aforesaid by any other two bishops wỉn this realme, whõ ỳ kinges highnes, or any his heires or successours kings of Englãde would appoint & assigne for ỳ same, according, & after like maner as diuers archebishops & bishops haue bene heretofore in auncíẽt time, by simonỳ ỳ kings most noble progenitours made consecrated & inuested wỉn this Realme.

Archbishop cõsecrated

And it was further enacted by ỳ said act, ỳ euery archbishop & bishop beeing named & presented by ỳ kings highnes his heires & successours kings of England, & beeing consecrated & inuested as is aforesaid, shalbe installed accordingly & should be accepted, taken & reputed, vsed, & obeyed, as an archbishop or bishop of ỳ dignitie, see, or place, whereunto he shalbe so named, presented & cõsecrated as other like prelates of the prouince, see, or dioces haue ben vsed, accepted, taken, and obeied, which haue had and obtained completely their bulles & other thinges requisite in that behalfe from ỳ see of Rome, & also should fully & entierly haue & enioy al the spiritualties and temporalties of ỳ said archbishoprick, or Wilshoprick, in as large, ample, & beneficial maner, as any of his or their predecessours had or enioyed in the said archbishoprick or bishoprick, satisfying & yeldinge vnto ỳ kinges highnes, & to his heires and successours al such duties rightes & inuestes, as before time hath ben accustomed to be paid for any such archebishoprick or bishoprick according to the auncient lawes and customes of this realme, and the kynges prerogatiue Royal, as in the saied act amongst other thynges is more at large mencioned. And albeyt the saied Bysshop of Roome, otherwise called the Pope, hath bene informed and certified of the effectual contents of the said act, to the intent that by some gentle waies the said exactions might haue bene redressed & reformed: yet neuertheless ỳ said Bishop of Roome hitherto, hath made none answere of his mind therein to the kings highnes, nor deuised or required any reasonable waies to & wỉ our said soueraigne Lord for ỳ same, where fore his most excellent goodnes, for the writh and profit of this his Realme, & subiects of the same, hath not only put his most gratious and rotall assent to the foresaid act, but also hath ratified & confirmed the same, & euery clause and article therein contained as by his letters patents vnder his great seale enrolled in ỳ parliament rolle of this present parliament more at large is conteined. And for as much as in the said act it is not plainly & certainly expressed, in what maner & fashion Archbishops, & Bishops shalbe elected, prefẽted, inuested, & consecrated within this Realme, & in all other the kings dominions: Be it now therefore enacted, by ỳ king our soueraigne lord, by thassent of the Lords spiritual and temporal, & the commons in this present parliament assẽbled, & by authoritie of the same, ỳ the said act, & euery thing therein contained, shalbe & stand in strength vertue and effect, except only ỳ no person or persons hereafter shalbe presented, nominated or commended to the said Bishop of Rome, otherwise called the Pope, or to the See of Rome, to or for the dignitie or office of any Archbishop or bishop wỉn this Realme, or in any other the kings dominions, nor shall sed nor procure therefore any maner of bulls, braues, palles, or other things requisite for an archbishop or bishop, nor shal pay any sũmes of money for annats, first frutes, or otherwise for expedicio of any such bulls, breues, or palles, but that by thauthority of this act such presẽting, nominating or cõmẽding to ỳ said Bishop of Rome, or to ỳ See of Rome, and such bulles, breues, palles

L. patents

First fruites

annates, firſt fruites, and euery other ſummes of money heretofore limitted accuſtomed or vſed to be paied at ẏ ſaid Sée of Rome, for procuration or expeditiõ of any ſuch bulls, breues, or palles or other thinge concerning the ſame, ſhall vtterly ceaſe, & no longer be vſed within this Realme, or within any ẏ kinges dominions, any thing conteyned in the ſaid act afore mencioned, or any vſe, cuſtome, or preſcripcion to the contrary thereof notwithſtanding.

And furthermore be it ordeined & eſtabliſhed by the auctoritie aforeſaid, ẏ at euery ordinance of any Archbiſhoppriche or biſhoppricke within this Realme, or in any other the kinges Dominions: the king our ſouereigne lord his heires and ſucceſſours may graunt the priour and conuent, or the Deane and Chapiter of the Cathedrall Churches or Monaſteries, where the Sée of ſuch Archbiſhoppriche or Biſhoppricke ſhall happen to be void, a licence vnder the great ſeale, as of old time hath ben accuſtomed, to proceede to eleccion of any archbiſhop or biſhopp of ẏ ſee ſo being void wᵗ a letter miſſiue, conteminge the name of the perſon which they ſhal elect and chooſe: By vertue of which lycence the ſaid deane and chapter, or priour & conuent to whom any ſuch licence & letters miſſiues ſhalbe directed, ſhall with all ſpeede & celeritie in due forme elect, & chooſe the ſaid perſon named in the ſaid letters miſſiues to the dignity & office of the Archbiſhoppricke ſo beinge void and none other. And if they doe or differre or delay their electiõ aboue xij. daies next after ſuch licence and letters miſſiues to them delyuered, that thẽ for euery ſuch default the kynges highneſſe his heires and ſucceſſours, at their libertie & pleaſure, ſhall nominate and preſent by their letters patents vnder their great ſeale, ſuch perſon to the ſaid office and dignitie, ſo being void, as they ſhall think able and conuenient for the ſame. And that euery ſuch nomination and preſentment to bee made by the kinges highnes his heires and ſucceſſours, if it be to the office and dignitie of a biſhopp ſhalbe made to the archebiſhoppe and Archbishop
Metropolitã of the prouince where the ſee of the ſãe biſhoppricke is void, if the ſee of the ſaid archebiſhop bee then full and not void: & if it be voide, then to be made to ſuch archbiſhop or Metropolitane within this realme, or in any the kings dominions as ſhal pleaſe ẏ kings highneſſe, his heires or ſucceſſours. And if any ſuch nomination or preſentment ſhal happẽ to be made for default of ſuch elections to the dignity or office of any archebiſhop, then the kings highnes his heires and ſucceſſours, by his letters pa L. patents
tents vnder his great ſeale ſhall nominate & preſent ſuch perſon as they will depoſe to haue ẏ ſaid office & dignitie of ẏ archbiſhoppick being void, to one ſuch archbiſhop, and two ſuch biſhoppes, or els to fower ſuch biſhops in this realm or in any the kings dominions, as ſhal be aſſigned by our ſaid ſouereigne Lord his heires or ſucceſſours. And be it enacted by the auctoritie aforeſaid, ẏ when ſoeuer any ſuch preſentment or nomynation ſhall be made by the kings highneſſe, his heires or ſucceſſours, by vertue & auctoritie of this act, & according to the tenour of the ſame, ẏ then euery archbiſhop and biſhop, to whoſe hands any ſuch preſentment and nomination ſhalbe directed, ſhall with all ſpede and celeritie, inueſt, and conſecrate the perſonne nominate and preſented by the Conſecrate
kings highnes his heires or ſucceſſours to the office and dignitie that ſuch perſon ſhalbe ſo preſented vnto, and geeue and vſe to him pall and all other benedictions, ceremonies & things requiſite for the ſame, without ſuing, procuring, or obteining hereafter any bulles or o Bulles
ther thinges at the ſee of Rome, for any ſuch office or dignity in any behalfe. And if the ſaid deane and chapiter, or Deane
priour and conuent, after ſuch licence & Priour
letters miſſiues to them directed within the ſaid twelue daies, do elect & chooſe ẏ ſaid perſon nõmeic ned in ẏ ſaid letters miſſiues

Deans

Licence

Letters miſſiue

Delay 12. Daies

Default

L. patents

Archbishop

L. patents

Conſecrate

Bulles

Deane Priour

missiues, according to the request of ỹ kings highnesse his heirs & successours thereof to be made by the letters missiues in that behalfe: then their election shal stand good and effectual to all intents, and that the person so elected after certification made of the same election vnder the common and conuent seale of the electours, to ỹ kings highnesse, his heires or successours, shalbee reputed and taken by the name of lord elected of the said dignitie and office, that he shalbee elected vnto. And then Othe Fealtie making such othe and fealtie onely to the kinges maiestie, his heires and successours as shalbee appointed for the same the kinges highnesse by hys letters patents vnder his great seale shal signifie the said election, if it bee to the dignitie of a Bishoppe, to the Archbyshoppe and Metropolitane of the Prouince where the see of the saied bishopriche was void, if the see of ỹ said archbishoppe be ful & not void, and if it bee void, then to any other Archebyshopp within this Realme, or in any other the kinges dominions requiring and commanding such archebyshop, to whom any such signification shalbee made, to Confirme confirme the sayd election, and to inuest and consecrate the sayed persone so elected to ỹ office and dignitie that hee is elected vnto, and to geeue and ble to him all such benedictions, ceremonies and other thinges requisit for the same without any suing, procuring and obtayninge any bulles, letters, or other thynges from the see of Roome for the same in any behalfe. And if the persone be elected to the office & dignitie of an Archbishopp, according to the tenour of thys act, then after such election certified to ỹ kings highnesse in forme aforesaid, the same persone so elected to the office and dignytie of an archbishopp, shalbee reputed Lords elect and taken lord elect to the sayd office and dignitie of archbishop, whereunto hee shalbe so elected. And then after Othe Fealtie hee hath made such othe and fealtie onely to the kynges maiestie his heirs and successours, as shalbee limitted for the same, the kinges highnesse by hys letters patents vnder his great seals, L. patents shall signifie the saied election to one archbishop and ii. other bishops, or else to iiii. bishops within this Realme, or within any other the kinges dominions, to be assigned to the kinges highnes, his heires or successours requiring & commaunding the said archebishopp and bishoppes with al spede and celeritie to confirme the said election, and to inuest and consecrate the saied person so elected to the office and dignitie that he is elected vnto, and to geue and ble to him such palle, beneditions, ceremonies, and all other thinges requisite for the same without suing, procuringe, or obtayning, any bulles, briefs, or other thinges at ỹ said see of Rome or by the authoritie therof in any behalfe. And be it further enacted by authoritie aforesaid, that euery persone and persons being hereafter chosen, elected, nominate, presented, inuested, and consecrate, to the dygnitie or office of any Archbishoppe, or Bishop, within this Realme, or within any other the kinges dominions according to the forme, tenure and effect, of thys present act, and suynge their temporalties out of ỹ kinges hands his heires or successours, as hath ben accustomed and making a corporal oth to ỹ kings highnesse, & to none other, in forme as is afore rehearsed, shal & may from henceforth bee troubled or installed as the cale shal require, & shall haue and take their onely restitution, out of the kinges hands, of all the possessions & profits spiritual and temporall belonginge to the saied Archebishopriche or bishopriche, whereunto they shalbe so elected or presented, and shalbe obeyed in al maner of thynges, according to the name, title, degree, & dignitie that they shalbe so chosen or presented vnto, and doo & execute in euery thyng and things touching the same, as any

Archbishop

Archbishop, or Bishoppe of thys Realme, without offending of the prerogative Royal of the Crowne, and the lawes and Customes of this Realme mought at any time heretofore be do.

Priour Deane

And be it further enacted by the authoritie aforesaid, that if the Priour and couent of any monastcrie, or Deane and Chapiter of any Cathedrall church where the See of any Archebishoppe or Bishoppe is, within any the kinges dominions, after such licence as is afore rehearsed shalbee deliuered to thē, procede not to election, and signify the same accordynge to the tenour of this act, within the space of twenty daies next after such lycence shal cōe to their handes, or else if any Archbishoppe or Bishop within any the kinges dominions, after ante such election nomination or presentation shalbe signified vnto thē by the kings letters patents, shal refuse and do not confirme, inuest & consecrate with al due circumstance as is aforesaid, euery such persoune as shalbe so elected nominate or presented, and to them signified, as is aboue mencioned, within xx daies next after the kings letters patents or such signification or presentation shall come to their handes, or else if any of them or any other person or personnes, admitt, maintaine, allow, obey, vse, or execute any censures, excommunication, interdictyons, inhibitions or any other proces or act of what nature name or qualitie soeuer it bee to the contrary or lett of due execution of this act, & then euerie priour and particuler personne of hys couent, & euery Deane and particuler persone of the chapter, and euery Archebishoppe and Bishop and all other personnes so offendynge and doynge contrary to thys act or any part thereof, and their aiders, counsaillours and abbettours, shall runne in the daungers paines and penalties of the estatut of the prouision and premunire made in the fiue and twenty yeare of the raigne of kynge Edward the third, and in the sixteene yeare of kynge Richard the second. Anno. 25. H. 8. cap. 20. Thys act was repealed by Anno. 1. & 2. P. & M. and reuiued by 1. El. cap. 1.

Excōmunication

Archbishop Bishop

Premunire

Pension

Pope

Refuse

20. Daies Licence

20. Daies L. patents

Archbishop of Canterbury

Licences

Sue Pope

3 ¶ That no personne or persons of this your Realme, or of any other your dominions shall fromhenceforth pay any pencion, censes, porcion, peter pence, or any other impositions, to the vse of the said Bishoppe of the see of Roome, like as heretofore they haue vsed by vsurpation of the said Bishop of Roome and his predecessours, & sufferaunce of your highnesse and your most noble progenitours to doo, but ỳ all such pencions, censes, porcions, and peterpence, whych the said bishoppe of Roome, otherwise called ỳ pope, hath heretofore taken and perceiued, or caused to be taken & perceiued to hys vse, and hys Chambers whych hee calleth Apostolike, by vsurpation and sufferaunce, as is aboue sayed within thys your Realme, or any other dominions shall fromhenceforth clerely surcesse, and neuermore be leuied, taken, receiued nor payd, to any perso or persones in any maner of wise, any constitution, vse, prescripcion, or custome to the contrary therof notwithstanding. And be it further enacted by the authoritie aforesayed, that neither your highnesse, your heires, nor successours kings of this Realme, nor of any your subiectes of thys Realme, nor of any other your dominions, shal fromhence forthsue to the sayd bishop of Roome called the Pope, or to the see of Roome or to any person or persons, hauynge, or pretendinge any authoritie by the same, for licences, dispensations, impositions, faculties, grants, reseriptes, delegacies, or any other instrumētes, or writinges, of what kind, name nature, or qualitie soeuer they be of, for any cause or matter, for ỳ which any licence, dispensation, cōpositiō, facultie graunt, rescript, delegacie, instrumēt, or other writing, heretofore hath beene vsed

vsed and accustomed to be had and obtained at ẏ see of Roome, or by auctho-
ritie therof, or of any Prelat of thys
Realme, nor for any maner of other li-
cences, dispensations, cõpositions, fa-
culties, graũts, rescripts, delegacies, or
any other instruments, or writinges
ẏ in causes of necessitie may lawfully
be graunted without offending of holy
scripture & lawes of god: But that from
henceforth euery such licence, dispensa
tion, cõposition, facultie, graunt, res-
cript delegacie, instrumẽt, & other wry
ting afore named & mencioned neces-
sary for your highnesse, your heires or
successours, & your & their people & sub-
iects, vpon the due examination of the
causes & qualities of the persons procu-
ring such dispensations, licẽces, compo
sitions, faculties, grauntes, rescriptes,
delegacies, instruments or other wry-
tings shalbee graunted, hadde, and ob-
tained from time to tyme, within this
your Realme, and other your domini-
ons, & not else where in manner and
fourme following & none other wise: ẏ
Archbishop of Canterbury is to say, the Archebishoppe of Caun-
terbury for the tyme beeing, and hys
successours, shal haue power & auctho-
rity from time to time, by their discre-
tions, to geue, graunt, & dispose, by an
instrument vnder the seale of the said
Archbishop vnto your maiestie, and to
your heirs & successours, kings of thys
Licences realme, as wel al maner such lycences,
dispensations, compositions, faculties,
graunts, rescriptes, delegacies, instru-
ments and al other writings, for cau-
ses not being contrary nor repugnant
to the holy scriptures and lawes of god
as heretofore hath been vsed & accusto-
med to bee had and obteyned by your
highnesse or anie your most noble pro-
genitours or any of yours or their sub-
iects at the see of Rome or anie person
or persons by auctoritie of the same:
& all other lycences, dispensatyons, fa-
culties, compositions, graũts, rescripts
delegacies, instruments, & other wry-
tings, in, for and vpon al such causes &
matters as shalbe conuenyent and ne-
cessarie to be had, for the honour & secu-
tie of your highnesse, your heires and
successours, and the wealth and profyt
of this your realme: So that the sayd
archebishop, or any his successours, in
no maner wise shal graũt any dispen-
sation, lycence, rescrypt, or any other
writting afore rehearsed, for ante cause
or matter repugnant to the lawe of al-
mighty god. Be it also enacted by auc-
thority aforesayd that ẏ said archbishop
and his successoures after good and due
examination by them had, of the cau-
ses and qualities of the persons procu-
ring for licences, dispensations, compo
sicions, faculties, delegacies, rescripts,
instrumentes or other writinges shall
haue full power & auctoritie by them
selfe or by their sufficient & substanciall
cõmissary or deputy by their discretiõs
from time to time to graunt & dyspose
by an instrument vnder the name and
seale of the said archebishop, as well to
any of your subiects, as to the subiects
of your heires and successors, al maner
licẽces, dispensations, faculties, cõpo-
sitiõs, delegacies, rescripts, instrumẽts
or other writinges for anie such cause
or matter, whereof hertofore such ly-
cences, dispensations, compositiõs, fa-
culties, delegacies, rescripts, instrumẽ-
tes, or wrytings haue ben accustomed
to be had at the see of Rome, or by auc
thoritie therof, or of any prelate of this
realme. And that the sayd Archebishop
and his commissarie shall not graunt
any other licence, dispensation, compo-
sition, facultie, writinge or instrument
in causes vnwont and not accustomed
to bee had or obtayned at the Court of
Rome, nor by auctoritie thereof, nor
by any prelate of this Realme, vntill
your grace, your heires or successors, or
your or their counsaile shal first bee ad-
uertysed thereof, and determine whe-
ther such lycences, dispensations, com-
positions, faculties, or other writings,
in such causes vnwõt & not accustomed
to bee dispensed withall, or obtayned

shall

shall commonly passe as other dispensations, faculties, or other writinges, shall or no, vpon paine that the graunters of every such licence, dispensation, or writing in such cause vnwont contrary to this act, shal make fine at the will and pleasure of your grace, your heires & successors. And if it be thought and determined by your grace, your heires or successours, or your or their Counsaile, that dispensations, faculties licences, or other writtings, in any such cause vnwont, shall passe, then the sayd Archbishop or his commissary, hauing licences of your highnes, your heires or successors for the same by your or their bill assigned, shall dispence with them, accordingely. Prouided alwaies that no manner of dispensations, licences, faculties, or other rescriptes, or writtinges, hereafter to bee graunted to any persone or persones by vertue or authoritie of this act by ỹ said archbishoppe or hys commissarie, beeynge of such importaunce, that the tare for the expedycion thereof at Roome extended to the summe of fower pounds or aboue, shall in any wyse bee put in execution, till the same licence dyspensation, facultie, rescript, or other writtinge, of what name or nature soeuer it be of, be first confirmed by your highnelle, your heires or successours, kings of this Realme vnder the great seale, and inrolled in your Chaunceris in a rolle by a Clarke to bee appointed for the same. And that this act shalbee sufficient warranty to the Chauncelor of England for the time beeing, or to him whom your grace, your heires or successours shall depute to be the Keeper of the great seale, to confirme in your name, your heires, or successoures, the forsayed writinges passed vnder the said archebishoppes Seale, by letters patents in due forme therof to be made vnder your great seale, remittinge as well the said writinge vnder the archbishops seale, as the said confirmation vnder the great seale, to the partyes from time to time, procurynge for the same. And that al such licences dispensations, faculties, and other rescriptes and writings, for the expedytion of the which, the sayed tares to bee payed at Rome, was vnder fower poũd, which bee matters of no great importaunce, shall passe only by the archebishoppes Seale, and shall not of anie necessytie be confirmed by the great seale, vnlesse the procurers of such lycence, facultie, or dispensation, desire to haue them so confyrmed: In which case they shall pay for the sayed great Seale, to the vse of your highnesse, your heires, and successours fiue shillinges sterlynge, & not aboue, ouer and beside such tare as shalbee hereafter lymitted for the making writing, registring, confirmyng and inrollinge of such lycence, confirmations, and writings, vnder ỹ sayd tare of fower pounds. And that euery such licence, dispensation, compositiõ, facultie, rescript, and writing, of what name or nature so euer it bee, for such causes as the tare was wont to be. iiii. li. or aboue so graunted by the Archbishop, and confirmed vnder the great seale, and al other licences, dispensatyons, faculties, rescripts, and wrytynge hereafter to bee graunted by the archebishop by vertue and authority of this act, whereunto the great seale is not lymytted of necessitie to bee put to by reason that the tare of them is vnder fower pound shalbe accepted, approued, allowed and admitted good & effectual in the lawe, in al places, courtes, & iurisdictions, aswell spirituall as temporall within this realme, & elle where within your dominions. and as beneficial to the persons obteining ỹ same, as they should haue beene, if they had been obteyned wyth all thinges requisite of the See of Roome, or of anie other person by authoritie thereof without anie reuocation or repeale hereafter to bee had of any such lycences, dispensations, faculties, rescript, or writings, of what nature so euer they bee:

And

Fine

Licence

iiij. li.

Warrant

Seale

v.s.

Register

Clarke

Children And that all children procreated after solempnisation of any mariages to be had or done by vertue of such licences or dispensations, shalbe admitted, re-
Legitimate puted, & take legittimat in all courtes, as well spirituall as temporall, and in al other places, and inherit the inheritaunce of their parentes and auncestours within this your Realme, and all other your dominions, according to the lawes and customes of the same and all actes to be done had, or executed accordinge to the tenour of such licences, dispensations, faculties, writings, or other instrumēts to be made or grāted by aucthority of this act shal be firme, permanent, and remayne in force, any forein lawes, constitutions, decrees, canons, decretalles, inhibicyons, vse, custome, prescripcion or anie other thing had or hereafter to be made to the contrary not withstanding. And be it further enacted, that the said archbishoppe and his successours shall have power and aucthoritie to ordain make and constitute, a clerke whych shall
Register writte and register euery such licence dispensation, faculte writing or other instrument to bee graunted by ỳ saied archbishopp, and shal find parchment, ware, and siluer laces conuenyent for the same, and shal take for hys paines such summes of money as shalbe here after in this present act to him limitted in that beehalfe for the same. And that likewise your grace, your heyres and successours, shal by your letters patentes vnder your great seale ordayne
depute and constitute one suffycyent
Clerke clerke beeinge learned in the course of the Chauncery whych alwaies shalbe attendaunt vppon the said lord Chancellour or the Lord keper of the great seale, for ỳ time being, and shal make, writte, and enrolle the confirmatyons of all such licences dispensations, instrumentes and other writinges, as shalbe thither brought vnder the archbishoppes seale there to bee confirmed and enrolled. And shall also entitle in his bookes, and enrolle of record such other writigs as thither shalbe brought vnder the archbishops seale not to bee confirmed, taking for his paines such reasonable summes of money as here after by thys act to hym shalbe limitted for the same. And that aswell the said Clerke appointed by the said archbishops, as the said clerke to be appointed by your highnesse, your heyres or successours shall subscribe their name to euery such licence, dispensation, faculte, or other writinge that shall cōe to their handes to bee writen, made, graunted, sealed, confirmed, registred, and enrolled by aucthoritie of this act, in fourme as is beefore rehearsed. And for asmuch as the charges of obtayning the saied licences, dispensations, faculties, and other rescripts or writyngs afore named, at ỳ court of Rome by the losses and exchaunges, and in conductinge of currours, and wageing solicitours to sue for any such licences, dispensations, faculties, instruments, and other rescripts or writinges, haue beene greeuous and excessiue to your people, and many times greater sūms haue beene demaunded for the speedie expedition in the court of Roome, then bee expressed in the olde taxe, limytted to bee paied for the saied expeditions, wherby your people haue ben brought to an incertaintie vppon ỳ payment for expedicions of such thynges, and by reason thereof haue bene constrained to pay more then they were wont to doo, to the great impouerishynge of this realme, as is aforesaid. And some time the speading of such dispensatiōs, faculties, licences and other writyngs at Roome, haue beene so longe differred, that the partyes labouringe for ỳ same haue suffered great incommodyties and losse for lacke of quicke speede which hereafter may bee had within this your realm, to the great commodite of your people. Whereby ỳ charges of making exchanges conducting of currours and solicitours for the sayd dispensations,

dispensations, shalbe abated, and your people so much relieued and eased, to ỹ entent that all ambiguitie & incertaintie of paymentes for dispensations, faculties, licences, and other rescripts, & writings may be taken away, that no fraud nor exaccion shalbe exercised vpon your people by such officers as shall be appointed by this act, to take paines in speding such dispensations, faculties and licences, but that your people may be sure & certaine what they be appointed to pay for the same: Be it enacted by this present parliament, and by auctoritie of the same, that there shalbee two bookes drawen, and made of one tenour, in which shalbee contened the tares of all customable dispensations, faculties, licences, and other writings wont to bee spedde at Roome, whych bookes & euery leafe of those bookes & both sides of euery leafe, shalbe subscribed by the Archbishop of Canterburie, the Lord Chauncelor of England, the Lord Treasorer of England, and the two chiefe Justices of both Benches for the time being, to the which bookes all suters for dispensations, faculties, licences and other writings, afore rehearsed shall haue recourse, if they require it. And one of ỹ said bookes shall remaine in the hands of him, whych shallbee appointed to bee register and scribe of the said dispensatiõ, faculties, and licences vnder the saied Archebyshoppe of Caunterburie, in fourme as is beefore sayed: And that other booke shall remaine wyth the Clerke of the Chauncery which by your grace, your heires or successours shallbee appoynted as is beefore rehearsed. Whych Clerke of the Chauncery shal also intitle and note particularly and dayely in his booke, ordained for that purpose the number and qualitie of the dispensations, faculties, licences, and other rescriptes, and writinges, whych shall bee sealed onely wyth the seale of the said Archbishopp, and also whych shal bee sealed with the sayd seale and confirmed with the great seale, in fourme as is beefore sayd, and that all fraud & concealement in thys behalfe may bee auoyded. And bee it enacted by thys present parliament, & by thauctoryte of the same that no man suyng for dispensations, faculties, licences, or other escript or writinges whych were wont to be spedde at Roome, shal pay any more for their dispensations, licences or rescriptes then shalbe contained tared, and limitted in the said duplycat bookes of tares, onely composityons excepted, of which beeinge arbitrarie no tare canne bee made. Wherefore the tare thereof shalbes sett and limitted by the discretion of the said Archebishoppe of Caunterbury, and the lord Chauncellour of England or the Lord keeper of the great Seale for ỹ tyme beeinge. And that such as shall exacte or receiue of anie suyter more for anie dispensation, faculte, or lycence then shallbee contayned in the said bookes of tares, shal forfayt tenne tymes so much, as hee shal so extorcionsly exact & receiue: The one halfe of the which forfayture to bee to the vse of your grace, your heires or successours and the other halfe thereof to bee to such of your subiectes as will sue for the same by accyon, byll, or playnt, in anie of your graces courtes wherein the defendaunt shall haue none essoine nor protectyon allowed, neyther shallbee admitted to wage hys lawe. Wee it also enacted by thys parlyament and auctoritie of the same, that ỹ tare or summe appointed to bee payed for euerie such dispensation, licence, faculte, instrument, rescript, or other writinge to bee graunted by auctoryte of this act, shallbee employed, and ordered, as hereafter enlueth that is to say: If the tare extend to fower li. or aboue, by reason whereof the dispẽsation, lycence, faculte, rescrypt or writinge whych shall passe by the said Archebyshoppes seale, must bee confirmed by thappenciõ of ỹ great seale, then

Bookes Tares

Subscribed

Clerke

Faculties

Archbishop

Chancelor, L. Keeper

Exact

Forf.

Moitie

iij li.

then the sayed tare so extendynge to fower pounde or above shalbee deuided into three partes, whereof two shalbe receiued by the sayed clerke of ỳ Chaũcery, to bee appointed as is aforesayd, to the vse of your highnesse, your heirs and successours, and to the vse of the Lord Chauncellour or the keeper of ỳ great seale for the tyme beinge, and to the vse of the saied Clerke in such wise as hereafter shalbee declared, and that the third part shallbee taken by the said clerke of ỳ Archbishop, to the vse of the said Archbishoppe and his commissarie and his said clerk and register in such wise as hereafter shalbee ordered and limitted by thys act, that is to say. The said two partes shalbee deuided in fower partes, of which three partes shalbee taken to the onely vse of your highnesse, your heires and successours, and the fowerth part shalbe deuided in three partes, whereof the Chauncellour of England, or lord keeper of the great Seale for the time beinge, shal haue two partes, and the sayd Clerke of the Chauncerie ỳ third part for hys paynes, trauaile and labours, that hee is limitted to writ & do by vertue of this act. And the said third part of the whole tare appointed to the said Archbishoppe and his officers (as is aforesaid) shalbee deuided into three partes, whereof the Archebishop shall haue to his vse two partes, and his officers shall haue the third part thereof, of which third part to bee deuided into two partes the said clerke or regyster which shal find parchment, ware, and silke, and shal deuise and writ the said dispensations, licences, faculties, rescriptes, or other writtings, & register ỳ same, shal haue for his said labour, and for receiuing & repaying of the sumes of money, that shal come to his hands for dispensations, faculties, licences, & other rescripts, aforesaid, the one mottie therof, & the commissary of the said Archbishopp, appointed to seale ỳ sayd dispensations, faculties, lycences, and other escripts, shal haue ỳ other part. And if ỳ tare be vnder iiii.li. & not vnder xl.s. then the said tare shalbee deuided into three partes, as is aforesayd, whereof the kings highnesse his heirs & successours shal haue ii. parts thereof, abating iii.s. iiii.d. which shalbee to the said clerke of ỳ Chauncery for subscribinge entitlinge and enrolling the said dispensations, licences, faculyes, rescripts, & other writinges aforesaid, & receiuing of ỳ kings money so tared: And the archbishop & his officers shall haue the third part, which third part shalbe deuided into two parts, whereof the Archbishoppe shal haue the one entierly to him selfe, hys scrybe and commissary shall haue the other part thereof, egally to bee deuyded amongst them for their costes and paynes in that behalfe. And if the tare bee vnder forty shillinges, and not vnder fyue and twenty shillings eight pence, the same tare shallbee deuided into two partes, whereof the one part shalbe to your grace your heires, and successors, deductinge thereof two shillinges for the Clerke of the Chauncerie for hys paines as is aforesaid: And the other part shalbe to the said Archbyshop and hys officers, whych other part shalbe deuided into two partes, whereof the Archebishop shal haue the one and his commissary and scribe shal haue the other part egally deuyded amongst thẽ. And if the tare be vnder fyue and twenty shillinges eight pence and not vnder twenty shillinges, the same shall bee deuided into two partes, whereof your grace, your heirs and successours, shall haue the one part entyerly abating two shillings thereof to the sayd clerke of the Chauncery, & the Archebishopp and his officers shall haue the other part and the same other part shalbe deuided into three parts, whereof ỳ Archbishopp shall haue one, hys commyssarie the second, and his scribe or register the thyrd. And in case the tare

Deuided

xl.s.

Deuided

xxbi.s. viij.d.

xx.s.

tare de vnder twenty shillings ỳ same shalbee perceiued to the vse of the said cõmissarie clerk of the said archbishop, & clerke of the Chauncery, to be egally doubled a mongst them for their paine and labours by them to be sustayned by auctoritie of this act, as is afore said. Prouided alwaies ỳ this act shall not be prejudicial to the Archbishop of Yorke or to any Bishop or Prelat of this realme, but that they may lawfully (notwithstandinge thys act) dispẽse in all cases, in which they were wont to dispẽce by the common law or customs of this realme afore the makyng of this act. Prouided also & be it enacted by auctoritie aforesaid, that if it happẽ the See of the archbishoprick of Canterbury to bee void, that then all such maner licences, dispensatiõs, facultie instruments, rescripts, and other writtings which may be graunted by vertue and auctoritie of this act, shal (during the vacation of the same See) bee had done and graũted vnder the name and seale of the gardian of the spiritualties of the said archbishoprick for the time beinge, according to the tenour & fourme of this act, and shalbee of like force value and effect, as if they hadde be graũted vnder the name and Seale of the Archbishop for the time beeing. And be it further enacted, that if the aforesaid archbishoppe of Caunterbury for the time being, or the said gardian of the spiritualties for the time being, hereafter refuse or deny to graunt any licences dispensatiõs, facultie, instruments, or other writtings, which they be auctorised to do by vertue & auctoritie of thys act, in such maner & forme as is afore remembred, to any persone or persones, that ought of a good, iust and reasonable cause to haue the same by reason whereof this present act by their wilfulnes, negligence or default should take none effect, the the Chauncellour of England, or the Lord keeper of the great seale for the time being, vppon any complaint therof made shall direct the kings writt to the sayed Archbishop or gardian, denying or refusinge to graunt such licences, dispensations, faculties, or other writtynges enioining him by the said writ, vppon a certaine paine therin to bee limitted by the discretion of the saied Chauncellour, or keeper of the great Seale, that hee shall in due fourme graunt such licence, dyspensatyon, facultie, or other writtinge, according to the request of the procurers of the same, or else signifie vnto your highnesse, your heires or successours in the court of Chauncery, at a certaine day for what occasion or cause hee refused and denied to graunt such licences, faculties, or dyspensatyons. And if it shal appeare to the sayd Chauncellour, or Lord keeper of the great Seale, vpon such certificat, that the cause of refusall or denyall of graũting such licences, facultie, or dispensation, was reasonable iust, and good, that then so beeing proued by due serch and examination of the said Chauncellour, or Lord keeper of the great seale to be admitted and allowed. And if it shal appere vppon the saied certyficat, that the said Archbishppe or gardyan of the spiritualties for the time being, of wilfulnes in contempninge the due execution of this act without a iust and reasonable cause, refused or denyed to graunt such licence, facultie, or dyspensation, that then your highnesse, your heires and successours, beinge thereof informed, after due examination had that such licences, faculties, or dyspensations, may be graunted without offending the holy Scriptures, & lawes of God, shal haue power and auctoritie in euery such case, for the default, negligence and wilfulnesse of the sayd Archbishopp, or gardian to send your writte of Iniunction, vnder your great seale, out of your said court of Chauncery, commaundinge the Archbyshop or gardian, that so shall deny or refuse to graunt such licence, faculty, or dispẽsation to make sufficient graũt therof, according

Archbishop of Yorke

Mr boyd

Gardian

Refuse

Chauncellor

Iniunction

according to the tenour & effect of this act, by a certaine day, and vnder a certain paine in the said writ to be contained, and to be limitted by your highnes your heires and successours, kinges of this realme. And if the said archbishop or gardian after the receipt of the said writ, refuse or denie to graunt such licences faculties, or dispẽsations as shal be enioyned him by vertue of ỹ said writ & shewe & proue before your maiestie, your heires, or successours no iust or reasonable cause why they should so do then the saied archbishop or gardian ỹ so shall refuse to put this act in executiõ according to ỹ said writ of Iniunctiõ shal suffer lose & forf. to your highnes your heirs & successours, such pain & penaltie as shalbe limitted & expressed in the said writ of Iniunctiõ. And ouer that it shal be lawful to your highnes, your heirs & successors, for euery such default & wilfulnesse of ỹ said archbishop or gardian for ỹ time being, to geue power & authoritie by cõmission, vnder your great seale to such two spirituall prelates, or persons to be named by your highnesse your heires or successours, as vnto doe and graunt such licences, faculties, and dispensations, refused or denied to bee graunted by the said archbishop or gardian, in contempt of this act. And be it further enacted by the authority afore said, that the said two spirituall prelates or persons, to whom in such cases, any such commission shalbe directed, shall haue power & authoritie to graunt euery such licence, facultie, dispẽsation, instrument, & other writinges so refused to be graunted by ỹ said Archbishop or gardian for ỹ time being, by an instrument vnder the seales, taking like fees & charges for the same, as is afore rehearsed, & not aboue vnder the paine afore remembred. And that euery such licence, facultie, & dispensation so graũted for any causes or matters, wherunto any confirmation vnder the kinges great seale is appointed by this act, to be had in maner and forme aboue declared, shalbe had & obteined according ly. And such licences and confirmatiõs shall be had for like fees and charges, as they are aboue specified, & not aboue vnder the paine aboue mencioned, and that euery such licence, facultie, dispensation and other writing to bee graunted by the said prelats or persons to be assigned by the kinges highnes, his heires & successours as is aforesaid, shalbe of as good value strength, & effect, & as beneficiall and profitable to the persons procuring the same, as if they hadd beene made graunted and obteined vnder the name & seale of the said archbishop. Prouided alwaies ỹ this act nor any thing or things therein contained shalbe herafter enterpreted or expounded ỹ your grace, your nobles, and subiects entend by the same to decline or varye from the congregation of Christes church in any thinges concerning the very articles of the Catholike faith of Christen dome, or in any other thinges declared by holy scripture and the word of God necessary for your and their saluatiõs, but onely to make an ordinaunce by policies necessary & conuenient to represse vice, & for good conseruation of this realme in peace, vnity, and tranquilitie from ruin and spoile, enuinge much the old auncient customes of this realme in ỹ behalfe: Not minding to seeke for any reliefs, successours, or remedies for any worldly thinges & humaine lawes in any cause of necessity, but within this realme, at the handes of your highnesse, your heires and successours kinges of this realme which haue and ought to haue an imperial power & authority in ỹ cãe, & not obliged in any worldly causes to any other superiour.

Prouided alway that the said archebishop of Cãterbury, or any other person or persones, shall haue no power or authority by reason of this act, to visits or vexe any monasteries, abbeis, priores, colledges, hospitals, houses, or other places religious which be or were exempt before the making of this act,

Refuse

Forf.

Cõmission

any thinge in this act to the contrary
therof notwithstandinge, but that re-
dzesse, visitation, and confirmatiõ shall
be made by the kinges highnesse, his
heires and successours, by commission
vnder the great seale, to bee directed to
such persons, as shalbe appointed requi-
site for the same, in such monasteries,
colledges, hospitals, priories, houses, &
places religious exempt, So that no vi-
sitation nor confirmatyon shall from
hẽceforth be had nor made, in or at any
such monasteries, colledges, hospitalles
prioses, houses and places religious ex-
empt by the said bishop of Rome nor by
any of his authority, nor by any out of
the kinges dominions. Nor that any
person religious or other resiant in any
the kinges dominions, shal from hence
forth depart out of the kinges domyny-
ons, to or for any visitation, congrega-
tion, or assemble for religion, but that al
such visitations, congregation and as-
semblies shalbe within the kynges do-
mynions.

Visitation

Pope

Prouided also, that this present act or
any thing therin cõtained, or any licẽce
or dispensation hereafter to be made by
vertue and authority there of, shal not
extend to the repeale or derogation of ỹ
late act made sith the beginning of this
present parliament for reformation of
pluralities of benefices, and for non re-
sidentes of Spirituall persones vppon
their dignities or benefices, nor to any
thinges contained or mencioned in the
said act. Nor ỹ this act, nor any thinge
to be done by authority thereof, shall
not be taken, expounded, nor enterpre-
ted, to geue licence to any person or per
sons to haue any more number of bene
fices thẽ is limitted in the said act. And
that the same act for pluralyties & non
residents of benefices, and euery thing
therein contained, shal stand good and
effectuall to al intents according to the
true meaning thereof any thing in this
present act, or any licence or dispensati-
on to be had by authority thereof in a-
ny wise notwithstãding. And be it fur-
ther enacted by authority aforesaid, ỹ
if any person or persons, subiect or resi-
ant within this realme, or within any
the kings dominions, at any time here
after sue to ỹ court of Rome or ỹ see of
Rome, or to any persõ claimig to haue
his authority by ỹ same, for any licẽce
faculty, dispẽsatiõ, or other thig or thin-
ges cõtrary to this act, or put in execu-
cion, any licẽce, faculty, or dispensation
or any other thing or thinges hereafter
to be obtained from Rome or ỹ see of
Rome, or from any claiming authori-
tye by the same, for any of the causes
aboue mencioned in this act, or for any
other causes that may bee graunted by
authoritie of this act, or attempt or do
any thinge or thinges contrary to this
act, or maintaine, allowe, admit, or o-
bey any manner of censures, excommu-
nications, intredictions, or any other
procelle from Rome, of what name or
nature soeuer it be, to the derogation or
let of the execution of this act, or of any
thing or things to be done by reason of
the said act, that then euery such person
or persons so doing, offending, and bee-
ing thereof conuict, their aydours, coun
sellours, and abbettours, shall incurre &
runne into the paine, losse and penaltie
comprised and specified in the act of pro
uision & premunire, made in ỹ xvi. yere
of your most noble progenitour kynge
Richard ỹ second, against such as sue to
the court of Rome against your crowne
& dignitie royal. Prouided alway that
this act or any thing therein contained
shal not hereafter be taken nor expoun-
ded to the derogation or takinge away
of any grãts or confirmatyons of any
liberties, priuiledges, or iurisdiction of a
ny monasteries abbeis, prioses or other
houses or places exempt, which hereto-
fore the making of this act hath beene
obtained at the see of Rome, or by auc
thoritie thereof, but that euery such grãt
and confirmation shalbe of the same va
lue force and effect as they were afore
the making of this act, and as if this act
had neuer ben made. Prouided alwaies
that

Pluralities

Premunire

that ỹ abbots, priours and other chiefe rulers and gouernours of such monasteries, abbeis, & other houses and places exempt, shal not hereafter pay any pen tion, porcion, or other seruise to the sed of Roome, nor admitt or accept any visitation nor any confirmation from or by the saied see of Roome, or by auctoritie therof, of or for any person to be elect, named or presented, to be heades of any such monasteries, abbeis, priories, places or houses exempt, nor shall make any corporall oth to ỹ Bishop of Roome otherwise called the Pope, vppon the peines limitted in this act. But that euery such visitacyon and confyrmation of such heads elect in any such monasteries, abbeis, priories, houses or places exẽpt, where after their electiõ they were bounden to haue & obtaine any confirmation of their electiõ or of ỹ person named, presented or elect, shalbe frõ henceforth had, made and done wỹin this realme, at & wỹin euery such abbeis monasteries, priories, & other houses & places exempt by such person & persõs as shalbe appointed by auctoritie of ỹ kings commission from tyme to tyme as the case shal require, & not by the See of Roome, nor by auctoritie therof, any thing in this next proviso aboue specified to ỹ contrary therof notwithstanding.

Prouided alwaies, that in such monasteries, abbeis, priories, & houses exempt where after electiõ, presentation, or nominatiõ of their heads, no such cõfirmatiõ is requisite to be had, nor hath ben vsed to be taken by reaſõ of such priuileges as they haue concerning the same ỹ in euery such monasteries, abbeis, priories, & places exempt, they shal not bee bounden to obtaine, haue or take any cõfirmatiõ for ỹ same wỹin this realm, by auctoritie of this act, but vse their priuileges therein as they haue don before ỹ making of this act, any thing in this act, or any ỹ provisoes next aboue rehersed, to ỹ contrary therof notwithstanding. Prouided also and ordeyned and enacted, that this act, or any thing or thinges, word or wordes therein, or in the preamble therof mencioned or contained, is not intended or ment, or shalbee expounded nor interpreted, that any dispẽsations, licences, or confirmations for marriages graunted to any the kinges subiects borne vnder his obeisance, at any time before ỹ twelfe day of March in ỹ yere of our lord God, M.D.xxviij. shalbee appared or of any lesse value, strength, force, or effect then they were at the said xij. day of March. Nor that this act, or any thing therein contained shall not extend to the derogation, apparing, or adnullation of any licences, dispensations, confirmations, faculties or indulgences, at any time before the said xij. day of March, in the yere of our Lord God, M.D.xxviij. had or obtayned at the see of Roome, or by auctoritie therof to or for any subiects borne in this Realme, or in any the kings dominions, or to or for the hospitall of the priour of Saint Jones Jerusalem in England, or any cõmaundries, or mẽbers therof, or to or for any other cathedrall Churches, hospitals, monasteries, abbeis, priories, colledges, conuentual churches, parochiall churches, chapells, fraternities, brotherheds, or bodies politike wỹin this realm, or in any other ỹ kigs dominiõs, but ỹ euery such licence dispensatiõ, confirmatiõ, faculty & indulgence, granted before ỹ said xij. day of March to any such subiect or to the saied hospitall of the priour of saint Jones Jerusalem in Englãd, & cõmaũdries or mẽbers therof, or to any other Cathedrall church, hospital, monastery, abbey, priory, colledge, church cõuẽtual, parochial churches chappel, fraternitie, brotherhed, or body politike, or to theyr predecessours or ancessours wỹin thys realme, or in any other the kinges dominions, shal be of ỹ same force strẽgth value & effect, & may bee from tyme to time put in execution at all times hereafter by & to thẽ ỹ will vse, & haue ỹ same as they mought haue bẽ before ỹ making

of this act and as if thys act had neuer ben had ne made, any thing in the said act to the contrary hereof notwithstanding. Prouided alwaies, that such licenues, dispensations, confirmations of facultics, heretofore obtained at the see of Rome or by auctority thereof contrary to the expresse prouisions of ỳ lawes and statutes of this realme here tofore made, shall not at any time hereafter be vsed or put in execution in any case to the derogation or cõtrary to the said lawes and statutes of this realme and ỳ prouisions of ỳ same, any thing in this prouiso to the contrary thereof notwithstanding. And be it enacted by auctoritie of this present parliament, that ỳ king our soueraign lord, by thaduice of his honorable cõsaile shal haue power & auctority from time to tyme for the ordering, redresse and reformation of al manner of Indulgences and priuileges thereof within this realme or within any the kings dominiõs here tofore obtained at the see of Roome, or by auctority thereof, and of the abuses of such Indulgences & priuileges therof, as shall seme good, holesome, & reasonable for the honour of God & weale of this people. And that such order & redresse as shalbe takẽ by hys highnes in ỳ behalf, shalbe obserued & firmely kept vpon the paines limitted in this act for the offending of the contents of the sãe An. 25. H. 8. ca. 21. This act was repealed by 1. & 2. P. & M. and reuiued by 1. El. cap. 1.

4 ¶ Anno 28. H. 8. ca. 10. an act was made against thauctority of the see of Rome, wherein some offences were made offences of premunire, and some made treason, & othes appointed to bee geuen against ỳ see of Rome to iudges & officers & diuers other degrees. But it is repealed by 1. & 2. P. & M. ca. 8.

5 ¶ Where in the parliament begonne & holden at westm. in the xxi. yere of ỳ reigne of the late king of most famous memory king H. 8. (ca. 13. which is in Residence. 2.) one act was then & there made, against pluralities of benefices, for taking of fermes by spiritual mẽ, & for non residẽce, in ỳ which act amõgst other things it was ordeined & enacted ỳ if any person or persons at any tyme after ỳ first day of aprill, in the yere of our lord god 1530. contrary to ỳ same act, should procure & obtain at the court of Roome or els where, any licẽce or licences, vnion, tolleratiõ dispẽsation to receiue & take any more benefices with cure, thẽ was limitted & appoited by ỳ same act, or els at any time after the said day, should put in execution any such licẽce, tolleration, or dispẽsation before that time obtained, contrary to the said act, that then euery such person or persons so after the said day, suing for him selfe, or receiuing and taking such benefice by force of such licence, or licences, vnion, tolleration, or dispensation that is to say, ỳ same person or persons onely, & no other, should for euery such default incurre the daunger paine and penaltie of xx. li. sterling, and should also lose the whole profits of euery such benefice or benefices as hee receiueth, or taketh by force of any such licence or licẽces, vnion, tolleration or dispensatiõ. And where also in the said act it was ordeined and enacted, that if any person or persons did procure or obtaine at the court of Roome, or els where any maner of licence or dispensation to bee non resident at their dignities, prebẽd or benefices cõtrary to ỳ said act, ỳ thẽ euery such person or persõs putting in execution any such dispẽsation or licẽce for him selfe from ỳ said first day of Aprill in the said yere of our lord God M. D. xxx. should run and incurre in ỳ penaltie damage and paine of xx. li. sterling for euery time so doing, to be foreiayted & recouered, as by the said act is declared. And yet such licence or dispensatiõ so procured or to be put in execution, to bee void & of none effect, as by the same act more plainly it doth & may appeare Bee it &c. that asmuch onely of ỳ saied act concerneth the articles & clauses aforesaid

Pluralities

Non residence

Roome

Fees.

Lloyd

King

Indulgences

Premunire
Treason

foresaid & al and euery the wordes and sentences, contained in the said act concerning the said articles and clauses, & euery of them, shal from henceforth be repealed annulled, reuoked adnihilated & vtterly made void for euer: Any thinge in the said act to ỳ contrary in any wise notwithstanding: And where also at ỳ session of the same parliament, holden vpon prorogation in the three & twenty yere of the raign of the said late king Herry ỳ eight (ca. 9. which is in citation 2.) one act intituled the act that no person shal be cited out of ỳ diocesse where he or she dwelleth, except in certain cases: And where also at the said parliament in the session holden at Westm. vpon prorogation in the lower & twenty yere of the raign of the said late king Henry the eight, one act was made ỳ appeals in such cases as hath bē vsed to be pursued to ỳ see of Rome, should not from thencefoorth be hadd nor vsed but within this realme: And where also at ỳ said parliament holden at Westm. in the xxi. yere of the raigne of the said late king Henry the eight, & there cōtinued by diuers prorogations vntill the xiiii. day of Aprill in the xxvii. yere of hys raigne, an act was made concerninge restreintes of payments of annates & first fruits of Archbishoprickes & bishoprickes to the see of Rome: And where at a session of the said parliament holden in the xxv. yeare of the raigne of the said late king, there was also made one act entituled, the submission of the clergy to ỳ kings maiestie. And one other act entituled one act restraining ỳ said payments of annates or first fruites to ỳ bishop of Rome, & of the electing and consecrating of ỳ archbishopes and bishops within this Realme: And one other act was then and there made entituled, an act concerning the exoneration of the kings subiectes from exactions, and impositions before the tyme paied to the see of Rome, & for hauinge licence and dispensations, within this Realme, without suing further for the same. Be it &c. that the said seuerall acts made for the restraints of the paiment of the saied annates & first fruites, and al other ỳ said acts made in ỳ said xxv. yere & twenty & fiue & twenty yeares of the raigne of the said late kinge, & euery of them, and al & euery clāch, article, matter & sentence in them and euery of thē contained, shalbee by the auctority of this present parliament frō henceforth vtterly voide and frustrate, & repealed, to al intents constructions & purpoles. And be it further &c. ỳ al & euery these actes following, that is to say, one act made at the session of the saied parliament holden vpon prorogation at westminster in the xxi & twenty yeare of the raigne of the said late king Henry ỳ eight (cap. 1.) entituled an act concerning the kinges highnes to be supreme head of the Church of England, and to haue auctority to reforme & redresse al errours heresies & abuses in ỳ same. And one other act made in ỳ same session of the same parliament (.s.an. 26. H.8. ca. 14.) entituled an act for nomination and consecratiōs of Suffragās within this realme. And one other act made in the xxvi & twenty yere of the raigne of the said late king Henry the eight (ca. 15.) entituled an act wher by ỳ kyng should haue power to nominate xxxiii. persons of his clergy and lay see for making of Ecclesiasticall lawes, & also one other act made at the parliamēt holdē at Westminster in ỳ xxviii. yere of the raigne of the said late kinge Henry the eight (cap. 10.) entituled, an act extinguishing the auctority of the bysshoppe of Rome. And one other act made in the same Parliament (s. An. 28. H. 8. ca. 16.) entituled an act for the release of such as then had obteined pretended lycences, and dispensations frō the See of Rome. And also al that part of the act made in the said xxviii. yeare of the said kyng (capitulo. 7.) entituled an act for the establishement of the succession of the imperiall Crowne of the realme, that conteyneth a prohibition

Repealed

Exation.

Appeales

Supreme head

Suffragans.

Annats Frst fruits

Ecclesiasticall lawes

Clergie

Pope.

Consecrating of arthbishops

Dispensations

Impositions

Succession.

to mary within the degrees expressed in ỳ said act. And also one other act made at the parliament holdē at Westminster, in the xxxi. yere of the raigne of the said late king Henry the eight (capitulo 9.) entituled, an act authorisinge the kinges highnesse to make Bysshoppes by his letters patēts. And one other act made in the session of the same parliamēt, begunne in the said one and thirty yere holdē vppon prorogation the said two & thirty yere of ỳ raigne of the said king Henry the eight (ca. 38.) entytuled, an act concerning precontractes of mariages, and touching degrees of consanguinitie, & one other act made in ỳ parliament holden at Westm. in the xxxvi. yere of the raigne of the said late kyng Henry the eight (capitulo 3.) entituled an act for the ratification of the kinges maiesties stile, shal frōhenceforth be repealed, made frustrate void and of none effect: And where also at the said parliament holdē at Westminster in ỳ xxxv. yere of the raigne of the said late kynge Henry the eight (capitulo 1.) one other act was made, entituled, an act concerning the establishement of the succession of the said king in ỳ imperiall Crowne of this realm: In the which act there is a fourme of a corporal othe deuised and set forth, that euery subiect of this realme should be bound to take against ỳ power, authority and iurisdicciō of the see of Rome: Be it &c. that so much of the said act as toucheth the saied oth against the Supremacie, and all othes thereupon had, made, and geuen, shall be from henceforth vtterly void, repealed and of none effect. And where also one other act was made in the xxxvii. yere of the raigne of the said late kinge Henry the eight (ca. 17.) entituled an act that doctors of ciuil law beeing maryed, might exercise ecclesiastical iurisdictiō. Be it &c. that the said act last before mencioned, & al & euery branch article, sentence and matter contained in the same shall from henceforth bee repealed and vtterly made voide and of none effect. And where one other act was made at the first session of the parliament holden at Westminster in the first yere of the raigne of king Edward the first cap. 12. entituled an act for the repeale of certain statutes concerning treasons, felonies &c. In the which act amongst other thinges there is contayned certaine prouisions, paines, penalties, and forfaitures, for and against such as should by open preachinges expresse wordes, sayinges, writinge, printing ouert deede or act, affirme, or set forth that the king of this realme for ỳ time being is not or ought not to be supreme head in earth, of the Churches of England and Irelande, ne of any of them, or that the bishop of Rome, or any other person or persons other then the king of England for the time being is or ought to bee supreme head of the same Churches or any of them, as in ỳ same act last before rehersed, more at large is contained, and may appeare: Be it &c. that these clauses before rehersed and other of the said act concerning the supremacie, and al and euery branch article wordes, & sentence in the same sounding or tending to the derogation of the supremacie of the Popes holines or of the See of Rome, and al paynes, penalties and forfaitures made against them, that should by any meanes sett forth or extol the said supremacie, shalbe from henceforth vtterly void & of none effect. And be it &c. that al clauses, sentences, and articles of euery other statut, or act of parliament made sithence the said xxv. yere of the raigne of kynge Henry the eight against ỳ supreme authoritie of the Popes holines, or See apostolike of Rome, or cōtayning any other matter of the same effect onely that is repealed in any of the statuts aforesaid, shalbe also by authority hereof frō hēceforth vtterly void frustrate & of nōe effect. And where we your most humble subiects, the lordes spirituall, & tēporal, & cōmons in this present parliament assembled, haue exhibited to your ma-

Bishops

Pcontracts

Stile Repealed

Succession

Civilians

Repealed

Treasons Felonies

Supreme head

Void

Void

maiesties one other supplicatiō in forme following. And conformably hereunto the Bishoppes and clergy of the province of Caunterbury haue presented to your maiesties a supplication, in this tenor that followeth.

Lord legate

¶ For almuch as the said most reuerend Father the Lord legate, at the intercession of your maiesties hath by the authority of the see apostolyke, sufficiently dispensed in ỳ matters specified in the saied seuerall supplications, as in his saied letters of dispensation is contained more at large. The tenour whereof ensueth.

¶ We the said lordes spirituall and temporall, & commons in this present parliament assembled, rendring most humble thanks to your maiesties, by whose intercession and meanes we haue obtained the said dispēsations of the Popes holines by the said most reuerend Father in god, his legate, most humbly beseechyng ỳ same that it may be ordained as followeth.

Dispensations

And it is ꝛc. that all and singuler articles and clauses contained in the saied dispensation, aswell touching the establyshement of Bishoppickes, and Cathedrall Churches, as also the confirmation of mariages in degree, prohybited by the Canons of the Church; the legytimation of chyldren and ratyfication of processe, and of sentences in matters Ecclesiasticall, touching the nullitie of them for want of iurisdiction, and the institutions and destitutions of and in benefices and promotions Ecclesiasticall, dispensatyons, and graces geuen by such order, as the publike lawes of the realme then approued, and al other thinges before contained in the saied letters of dispensation, shall remaine and bee reputed & taken to all intents & constructions in ỳ lawes of this Realme, lawfull god & effectuall to be alleaged and pleded in al courts ecclesiasticall and temporall for good and sufficiēt matter, either for the plaintife or defendant, without any allegatiō or

Bishoppickes Cathedrall churches Mariages Legitimation

Dispensations

Lawfull

obiection to be made against the validitie of them by prētece of any generall counsaile, cannon or decree to the contrary made, or to be made in ỳ behalfe.

Monasteries

And whereas diuers & sundrie late monasteries, priories, commaūdries, nunries, deanries, prebends, colledges, hospitalls, & houses of friers, chauntries, & other religious and ecclesiasticall houses & places, & ỳ manors, grāges, measuages, landes, tenementes, rectories, tithes, pencions, portions, vicarages, churches, chappels, aduowsōs, nominations, patronages, annuities, rents, reuersions, seruices, & their possessions, & hereditamēts to the said late monasteries, priories, nunries, commaūdries, deanries, chauntries, prebēds, houses of friers, colledges, hospitals, and other religious & ecclesiasticall houses & places, and to sundry archbishoprickes and bishoprickes within this Realme, late appertaining & belonging, came as wel to the hāds & possession of the said king of famous memorie Henry the eight, father vnto your maiestie, our said soueraigne Lady by dissolution, gift, graūt, surrender, attainder or otherwise, as also to the hands & possession of diuers & sundry other persons & bodies politike & corporate, by sundry meanes, conueyances, & assurāces, according to ỳ order of the lawes & statuts of this Realme.

Archbishoprickes Bishoprickes

Landes

And where also diuers manours, lāds tenements and hereditamenis, parcel of the possessions of archbishoprickes, & bishoprickes, & many and sundry late deanries, colledges, chauntries, rectories, prebends, free chappels, guyldes, and fraternities, manours, granges, lands, tenements, rentes, seruices, and other ecclesiasticall possessions, and hereditaments, goodes and cattell, to the said archbishoprickes, bishoprickes, deanries, colleges, chauntries, free chappels, rectories, guildes, & fraternities, late appertaining and belonging or appointed, to & for the finding of priestes, obytes, lightes, or other like purpose, came aswell to the handes & possession

of the late noble kynge Edwarde the
firt, brother vnto your maieſtie, ſoue-
raigne lady, by vertue of an act of par-
liament thereof made, or otherwiſe, as
alſo to the hands and poſſeſſion of dy-
uers & ſundry other perſones, & bodies
politike and corporat, by ſúdry means
conueyances, & aſſurances, accordinge
to the order of the law of this Realme,
a great number of which ſaid late mo-
naſteries, priories, nunries, commaũ-
dries, deanries, colledges, hoſpitalles,
prebendes, chauntries, free chappels,
guilds, & fraternities, and the manours
graũges, meaſuages, lands, tenemẽts,
rents, reuerſions, ſeruices, tithes, pen-
cions, porcions, vicarages, churches,
chapels, aduowſons, nominations, pa-
tronages, annuities, and hereditamẽts
goods & cattels to the ſaid monaſteries
priories, nunries, commaundries, de-
anries, colledges, hoſpitals, chauntries
free chappels, guildes, fraternities, and
other eccleſiaſticall houſes, Archbiſho-
prickes and Biſhoprickes belonging,
as well for great ſummes of money,
as for other good and reaſonable cauſes
and conſideracions haue bene conueied
and aſſured to diuers the ſubiects and
bodies politike of this Realme, as wel
by the ſaid king Henry the eight, the
ſaid king Edward the firt, and by your
highnes our ſoueraigne Lady, & ioint-
ly by both your Maieſties, as alſo by
diuers the owners of the ſaid Eccleſi-
aſticall poſſeſſions, which ſaid conuey-
ances and aſſurances by their ſundrie
letters patentes, and other writinges
more plainely do and may appeare:
For as much as the ſaid moſt reuerẽd
father, hath alſo by the ſaid diſpenſati-
on, remoued and take away all maner
of empechment, trouble and daunger,
which by occaſion of any generall coũ-
ſel cãnon or decree eccleſiaſtical, might
touch and diſquiet the poſſeſſiõs of ſuch
goodes, mouables, landes, tenements,
poſſeſſions, and hereditamentes, as
were of late belonging to any of ý ſaid
archbiſhoprickes, biſhoprickes, monaſ-
teries, priories, nunries, commaũdries
deanries, colledges, chaũtries, prebẽds,
rectories, hoſpitals, houſes of friers, or
other religious and eccleſiaſticall hou-
ſes and places, of what nature, name,
kind, or qualitie ſo euer they be of: Yet
for ý the title of all landes, poſſeſſions
and hereditamentes in this your ma-
ieſties Realmes & dominions is groũ-
ded in the lawes, ſtatutes & cuſtomes
of the ſame, and by your high iuriſdic-
cion, auctority roiall, and crowne im-
periall, and in your Courtes onely to
be empleded, ordered, tried and iudged
and none otherwiſe and vnderſtanding
that the whole, full and moſt gratious
intent, mynd and determinatyon of
your moſt excellent maieſties, be, that
al & euery perſon and perſons bodies po
litike and corporate, their heires, ſucceſ-
ſours and aſſignes, and euerie of them
ſhall haue, kéepe retaine & enioy all and
euery their eſtates, rightes, poſſeſſions
and intereſtes, that they and euery of
thé now hath or hereafter ſhall haue of
and in al and euery the manours graũ-
ges, meſuages, lands, tenements, ty-
thes penſions porcions aduowſons, no-
minations, patronages, annuities, rẽts
reuerſions, ſeruices, hundredes, wapen
takes, liberties, fraunchiſes, and other
the poſſeſſions and hereditaments, of ý
ſaid monaſteries abbeis, priories, nun-
neries, commaundries, deanries collo-
ges prebẽds hoſpitales, houſes of friers
chauntryes rectories, vicarages, chur-
ches, chappels archbiſhoprikes and biſh-
oprikes and other religions & eccleſiaſti
cal houſes & places or any of them wiin
this realme or the dominions of ý ſame
by ſuch lawes and ſtatutes as were in
force before the firſt day of this preſent
parliament, & by other lawfull conuey-
ances to them thereof made:
That it may be thereof enacted by the
auctority of this &c. ý aſwel your ma-
ieſtie our ſoueraigne lady, your heires &
ſucceſſours, as alſo al & euery other per
ſon & perſõs, bodies politike & corporate
their heires, ſucceſſours and aſſygnes
nowe

Title of lands

Lands

Enioy

now hauing, or that hereafter shal haue hold and enioy any of the sites, of the said late monasteries, and other the religions or ecclesiastical houses or places, and al the said manors graunges, Lands
messuages, landes, tenements, tythes, pencions, portions, glebe landes, aduowsons, nominations, patronages, annuities, rents, reuersions, seruyces, hundreds, wapentakes, liberties, fraunchises, profits, cõmodities, & other the possessions, & hereditaments, of ỳ sayd late monasteries, abbeis, priories, nunries, commaũdries, Deanries, Colledges Prebendes, hospitalles, & houses of friers, rectories, vicarages, chauntries churches chappells, Archbishoprickes, Bishoprickes and other religious and ecclesiastical houses & places, or any of thẽ, of what name nature or kind soeuer they be, shal haue hold possesse, reteine, kepe and enioy, al and euery the said sites, mannours, graunges, messuages, landes, tenements, possessyons profits, commodities and other hereditamentes, according to such interest and estates, as they and euerie of them now haue or hold, or hereafter shal haue or hold, of in ỳ same by ỳ due order and course of the lawes and statutes of this Realme, which now be or were standing in force before ỳ first day of this present parliament in maner & forme as they should haue done, if this act had neuer ben hadd ne made: This act or any thynge therein contained to the contrary in any wise notwithstanding. Sauing to your said soueraigne Lady, your heires and successours, & euery of them, & to al and euery other personne and persons subiects of this realme, & bodies politike and corporat, and to their heyres and successours and to the heires & successours of al and euery of thẽ other then such whole right, title or interest as bound or taken away, vndone, or extinct by any act of parlyament heretofore made or otherwise al such right title, claime, possession, interest, rents, annuities, commodities, commõs, offices, fees, leases, liueries, lainges, pẽsions, porcions, debts, duties, & other profits, which they or any of thẽ lawfully haue or of right ought to haue or might haue had, in, of, or to any of the premisses or in, of, or to, any part or parcel therof, in such like maner forme & condition, to all intentes, respectes constructyons and purposes as if this act had neuer bene had ne made. And that it may be further enacted by authoritie aforesaid that al and euery article, clause, sentence and prouiso contained or specified in any act or acts of parliament, concerning or touching ỳ assurance or conueiance of any ỳ sayd monasteries, priories, nunries, commaũdries, dearies, prebẽdes, colledges chauntries, hospitals, houses of friers, rectories, vicarages, churches, chapels Archbishoprickes and Bishoprickes, & other religious and ecclesiasticall houses and places or any of thẽ, or in anie wise concerning any manours, landes, tenements, profits commodities, hereditaments, or other the thinges before specified to the said king Henry ỳ viii. or kinge Edward the first or either of them, or any other person or persons or bodies politike or corporat & euerie of them, & al and euery writing, deede, & instrument concerning ỳ assurance of any of the same, shal stand, remaine & be in as good force, effect, & strength & shalbe pleded & taken aduauntage of, to al intents, constructions, & purposes as ỳ same should might or could haue ben by the lawes & statutes of this Realme in case this present act had neuer ben had ne made. And ỳ al feoffmẽts, fines, surrenders, forfaitures, assurances, conueiances, estates and interests in anie wise conueied, hadd or made to our said late soueraigne lord king Henry ỳ eight, or to our said late soueraign lord king Edward ỳ first, or either of thẽ, or to any other person or persons bodies

bodies politike or corporat, or to anie of the by deade or deades, act or acts of parliament or other wise of anie the estates, manours, landes, tenements, possessions, profites, commodities, or hereditamentes of anie the saied archebishoprickes, bishoprickes, late monasteries, priories, nunneries, commanderies, deanries, houses of friers, colledges, chauntries, hospitals, prebendes, free chappels, or of any manours, landes, tenementes, reuersions, reuenues, tithes, pensions, portions, annuities, or of any other hereditamentes, of, by, or from any ecclesiastycall or spirituall person or persones, or by or from anie spirituall or ecclesiasticall corporation, or bodie politike, shalbee as good and auailable in the lawe, to all entents constructions, and purpoles, as they were by the lawes and statutes of this realme standing in force before the first day of this present parliament. And that the same may and shalbee pleaded, alleaged, and taken aduantage of, in such sort and to such effect as they should could or might haue been by the lawes and statutes of this realme, standyng in force before the said first date of this present parliament. And that all and euery thinge and article of anything contayned in all and euery the sayd actes and statutes, shall stand remaine and be in such force, strength and effect, as they were before the sayd first date of this present parliament, anie thynge conteyned in this present act to the contrary in anie wise notwithstanding. And that from the first daie of Maie next ensuyng all processe pleas and plaintes debated and determined in any ecclesiasticall court within this realme or without, or by spirituall iurisdiction, or otherwise concerning matters testamentarie, or matrimoniall, or of right of tithes, or for any of the said manours landes tenementes, hereditamentes or thynges above specified, contrarie to the lawes, statutes and ordi-

Good

Process

ning of this act, shal incurre the daunger of the act of præmunire, made in the xvi. yeere of king Richard the second (cap. 5. which is in Promotion 140) and shal lose and incurre the forfaitures and paines contained in the same. Prouided alwaye that it shal and may be lawefull for any person or persones, body politike and corporat, to sue in any spirituall or ecclesiasticall court within this realme, for tithes rights and duties that they or any of them shall pretende to haue, of or out of any the said manours landes tenementes and other the premisses, and to haue full and perfit remedy for the same in such manner and forme as they or any of them might or ought to haue done or hadde by the lawes statutes of this realme before the making of this act and as though this act had neuer bene had or made. And that it may be &c. that albeit the title or stile of supremacy or supreme hed of the church of England and of Ireland or either of them, neuer was nor could be lawfully or lawfully attributed or alleged to any king, or soueraigne gouernour of this realm, nor in any wise could or might rightfully, lawfully, or lawefully by any king or soueraigne gouernour of the same realme be claimed, challenged or vsed. Yet for asmuch as the said title and stile, hath the third day of November in the fyre and twentie yere of the raigne of the said king Henry the eight, lineally and contayned in diuers statutes, writtes, letters patentes, recordes, exemplifications, court rolles, charters, deedes, euidences, bookes and writinges, it shalbe lawfull alwayes vnto and for your maiesties, and your soueraigne heires and successours, as to and for euery other person and persons, bodies politike and corporat, from time to time hereafter to haue retaine and keepe the said writs, letters patents records, exemplifications court rolles, charters, deedes instruments

Præmunire

Sue

Tythes

Supremacie

euidences

euidences bookes, and writings, & the to shew, exhibit, vse, allcage and plead in all times & places requisit or needfull without any daunger, penaltie losse forfaiture, trouble, vexation, or impeachment for the same. Any thing in this act, or in any other act or actes to the contrary thereof in any wise notwithstanding. And where your highnesse our soueraign lady, since your cōming to the crowne of this realme, of a good & thirstien conscience, omitted to write the said stile of supremacy, specified in one act made in the parliament holde at Westminster by prorogation, in the 35. yere of ỳ raigne of your late father king Henry the eight cap. 3. aswell in gifts, grants, letters patents, as in cōmissions, & other writings & also other haue in their writinges done ỳ same aswel in your time as before. And for asmuch as not withstanding any lawe made concerning the said stile of supremacy it was in ỳ free choise, libertie, & pleasure of the king of this Realme, & of your highnesse, whether ye would expresse the same in ỳ said stile or not: Wee it therefore &c. that all grauntes, letters patents, commissions, indytements, records and writings made in your our soueraigne ladies name or in the names of your our soueraigne lord and Lady, or any other wherein the said stile of supremacy is omitted, is and shalbee, to all intentes and purposes, as good & effectuall, as if ỳ same had beene therein expressed, and may bee detayned, kept, pleaded and alleged, without any daunger, paine, penaltie, or forfaiture to ensue to any persone or personnes, or body politike, for, or concerning the omission of the same stile, or any part thereof in any such writinges, and that no personne or personnes, shalbee impeched, molested, or daimnified, for or by reason of any such omission.

Grants Letters patents

And where in an act of parliament made since the sayed xx. yeares of king Henry ỳ viii. (s. An. 23. H. 8. ca. 6.) all bulls, dispensations, & writings which were before that time obtained fro the See of Rome, should bee void abolished and extinguished, with a clause, neuertheless, that the matter of them by vertue of letters patents from the kynge shen bevnge, should and might be alleged, plaied, and allowed, as if the same had not beene so abolished, or extinguished. Forasmuch as ỳ sayd act is here before amongest other repealed and made void: Bee it therefore enacted &c. that all bulles dispensations & priuiledges obtained before the sayed xx. yeares, or at any time sithence, or which shall hereafter bee obtained of ỳ sea of Rome, not cōtayninge matter contrary or prejudicial to the auctoritie, dignitie, or preeminence royall or imperiall of the realme, or to ỳ lawes of this realme now being in force, and not in this parliament repealed, may bee putt in execution, plaid, & alleged in any court within this Realme, or elsewhere, whether the same remaine yet whole or can appere to haue beene cancelled, in as valiable and effectuall manner to all intents and purposes, as if the said act had neuer beene had or made; Any objection by pretence of extinguishment, or cancellinge of ỳ sayd bulles, dispensations, or priuileges, or of any other matter or cause, by pretence of the lawes of this realm, whatsoeuer in any wise notwithstanding.

Bulls

Bulls Dispensations

And whereas by dissolutio of monasteries & other religious houses, certaine parish churches and chappels, which were before exempt from the iurisdiction of the Archbishop and Bishop of the diocesse, and by special exemption & priuiledge from Rome, were vnder ỳ gouernment & order of the Abbottes and priours of those religious houses, which sayed Churches by colour of the said exemptions be now of speciall graunt from kynge Henry, and kynge Edward, vnder the rule and

Monasteries

Parish churches

gouernment,

gouernment, & iurisdiccion of ye myo-
ral and lay me, to ye end no moze en-
ioy ꝯ supremacy ouer thole particular
Churches, then the kynge might ouer
the wholo Realme? Bee it therefore
ꝛc. that all Archbyshoppes and By-
shoppes, in their diocelle, and al other
spirituall persone & personnes hauing
iurisdictiō, and their ministers and of-
ficers & no lay person oz persones in e-
uery churche & place, lōin the preemet of
the same being exempt, oz not exempt
may freely and without impediment
execute their spirituall iurisdicyon in
all pointes and articles, as though no
such exemcyon oz graunt had neuer
bene made. Prouyded alway and bee
it ꝛc. that this act extend not to take
away oz dymynish the pryuiledge of ꝯ
vniuersities of Oxford & Cambzidge,
the pryuiledges oz peerogatiues gran-
ted heretofore to the churches of Weſt-
minster, and Windlozs, ne the Tower
of London, ne pertenyall to such tem-
pozal Lozdes & possessions in this Re-
alme, as by auncient custome haue en-
ioyed probate of testamentes, of their
tenauntes oz other. And foz asmuch as
after this reconciliation, and vnitie of
this noble realme, to the body of chris-
ten Church, it is to bee trusted that by
the aboundance of goddes mercy and
grace, deuotyon shall encrease & grow
in the hartes of many subiects of this
realme, lothy desire to geue & bestowe
the wozldy possessions foz the reuiuify-
ing of almes, pulpet, and example
of good life in this realme, to thintent
such Godly motyons and purpoles
should bee aduaunced: Bee it there-
fore ꝛc. that it shalbe lawfull to such
as shalbe lefte of any manoles landes
tenementes cetteinages, tithes, pen-
cions, portions, oz other hereditamēts
whatsoeuer in fee simple, in possession
reuersion oz remainder, in their owne
ryghtes, not beinge copyhold, may
thereof make leaſe tenementes, grantes,
oz any other alienauntes, oz by hys
last wyll and testament in wrytinge,
may bequeth and geue in fee simple
all and euery the sayed mannoures,
landes, tenementes, Peterages,
tythes, pencyons, portions, oz other
hereditamentes to any spirytual body
polytike, oz corporat in thys Realme
oz dominions of the same, nowe erec-
ted oz founded, oz hereafter to bee e-
rected oz founded without any licence
of moztmains therin to be obtained, oz
any writt of Ad quod dampnum to be
sued out of the same, the actes de ter-
ris ad manum moztuam non ponen-
dis, oz any other act oz statut hereto-
fore had oz made in any wise notwith-
standinge.

Will
Fee simple
Licence of moztuary
Ad quod dampnum

Hauing to the lozds of the fee, al rents
seruices, due oz going out of any of the
said lands tenements oz hereditamēts
so to be amoztised as is afozesaid.

Prouided alwaie that this clause of
thys act foz geuing the lybertie of, oz
foz the amoztising of landes oz tene-
mentes, shal continue foz and during
the space of twenty yeares next & im-
mediatly folowing, & no longer.

20. Yeres

And foz as much as wee your maies-
ties humble and obedient subiects the
Lozdes spirituall and tempozall, and
commons in this present parlyament
assembled, neyther by the makyng oz
deliuerynge of either the supplicatyons
afozesaied, noz by any clause article oz
sentence therof, oz of any other clause
article oz sentence of this oz any other
statute of ante of the preambles of the
same, made oz agreed vppon in thys
session of this present parlyament by a-
ny maner of interpretation, construc-
cion, implication oz other wyse entend
to derogate, empaire oz dymynish any
of the pzerogatiues, liberties, fraun-
chises, preeminences, oz iurisdiccions
of your royalme imperial of this realm
and other the dominyons of the same
belonging, we do most humbly beseech
your maiestie that it may bee declar-
ed & ozdained. And bee it ꝛc. ꝯ neither

the

Archbi-
shops
Bishops

Oxford
Cambridge
Westminst.
Windsor
Tower of
London

Probate of
testamēts

Probate &
Graunt

the makinge, exhibitinge or inserringe in this present statut or in the preambles of the same, of the supplications or promise aforesaid or either of them, nor any other thing or things wordes, sentences, clauses or articles in the preambles or body of ỹ act aforesaid, shalbee construed understanded or expounded to derogat, diminish or take away any the liberties preuiledges, prerogatues, præeminences auctho[r]ities or iurisdiccions, or any part or parcell thereof which were in your imperiall crowne of this Realme or did belong to your said imperiall crowne the xx. yeare of the raigne of your ỹ Queenes maiesties most noble father or any other your most noble progenitours, before the saied twenty yeares. And the popes holynesse, and see Apostolike to be restored, and to haue and enioy such auctho[r]itie præeminence and iurisdiccion as his holynesse vsed and exercised or might lawfully haue vsed & exercised by thauctho[r]ity of his supremacy, the saied twenty yeare of the raigne of the king your father wythin thys your Realme of England, and other your dominions without diminution, or enlargement of the same & none other. And the Ecclesiasticall iurisdiccion of the Archbyshoppes, Byshops, & ordinaries to bee in the same state for preceelle of suites, punishment of crimes and execution of censures of the church wyth knowledge of causes belonginge to the same, and as large in these points as the sayd iurisdiccyon was the saied xx. yeare. Prouyded alwaies and bee it &c. that in and vppon euery such gyftes and demyses to bee made to such spirituall corporatyons or persons as is aforesaied, the donour feoffour or demysour thereof may reserue to him and to hys heires for euer a tenure in franke almoygne, or a tenure by bodyne seruice. And to haue all remedies and accyons for and vpon the saied gifts or deuises and tenures in like maner & fourme as was vsed before the estatut of Westmister 3. commonly called Quia emptores terrarū. The saied estatut or anie other lawe or statute nowe being to the contrary in any wise notwithstanding.

Prouided alwaies and bee it &c. that all and euery persoune and persounes, and bodies politike and corporat which nowe haue or hereafter shall haue anie estate of inheritaunce free hold, tenure or interest, of, in or to any porcyon, pension, tithes, glebelandes or other ecclesiastical or spirituall profit which by this act and the letters of dispensation rehearsed in the same bee permitted and suffered to remaine and continue in lay mennes possessions, shall and may haue like remedy for the recoueries of the same and euery part therof, as they & euery of them might haue had before the first day of thys present parliament: Any thing in this act contained to the contrary in any wise notwithstanding. An. 1. & 2. P. & M. cap. 8. This act is for the most part repealed by 1. of Queene Elizabeth ca. 1. which is in Crowne 6.

6 ¶ Be it enacted that if any person or persons after the first day of July nert comming, shall vse or putt in vre in any place within this Realme, or in any the Queenes dominions, any such bull, writinge, or instrument written or printed, of ablolution, or reconciliation at any time heretofore obtained and gotten, or at any time hereafter to be obtained or gotten from the said Bishop of Rome, or any his successours, or from any other persoune or persons auctho[r]ized, or clayming auctho[r]itie by or from the said Bishoppe of Rome, his predecessours, or successours, or See of Rome: Or if any person or persons after the said first day of July, shall take vppon him or them by colour of any such bull, writting, instrument, or auctho[r]itie to absolue or reconcile any person or persounes, or to graunt or promise to any persoune or persounes within this Realme, or any other

Pope Holyes

Iurisdiccion

Bull

Pope

Absolue

other the Queenes maiesties dominions, anie such absolution or reconciliation, by any speach, preachynge, teachynge, writynge, or any other open deede: Or if any persone or persones within this Realme, or any y Queens dominions, after the sayed first date of July, shall willingly receyue and take anie such absolution or reconciliation: Or else if any persone or persones haue obtained or gotten since the last day of the Parliament holde in the first yere of the Queenes maiesties reigne, or after the said first date of July, shall obtaine or gett from the sayed Bysshoppe of Roome or anie his sayd Sea of Roome, anie manner of bull, writing or instrument, written or printed, containyng any thynge, matter or cause whatsoeuer: or shall publishe, or by any wayes or meanes vse in vse anie such bull, writing or instrument: That then all and euery such act and actes, offence and offences shall bee deemed and adiudged by the auctoritie of this act to be high treason, and the offendour and offendours therein, their procurers, abbettours, and counsellours to the fact and committing of the said offece or offences, shall bee deemed and adiudged high traytours to the Queene and the Realme: and being thereof lawfully indicted and attainted, according to the course of the lawes of this realme, shall suffer paines of death, and also lose and forfait al their landes, tenementes, hereditaments, goodes and cattels, as in cases of high treason by the lawes of this realme ought to bee lost and forfaited.

Speech
Writing

Receaue

Writt
Written
Printed

Treason.

Fact.

And bee it further enacted by the auctoritie aforesaid, that all and euery aydours, comforters, or maintayners of any the said offendour or offendours, after the committinge of anie the sayed actes or offences, to the intent to sett foorth, vphold or allowe the doing or execution of the said vsurped power, iurisdiction, or auctoritie,

Aydours

touching or concerning the premisses, or any part thereof, shall incurre the paines and penalties contayned in the statute of premunire, made in the xvi. yeare of the raygne of kynge Richard the second capitulo 5. Praemunire facias. Premunire. 14.

Premunire

Prouided alwaies, and bee it further enacted by the auctoritie aforesayed that if any persone or persones to whom any such absolution, reconeyliation, bull, writynge or instrument, as is aforesaied, shall after the sayed first day of July, bee offered, moued, or perswaded to bee vsed, put in vre, or executed, shal conceale the same offer, motyon or persuasion, and not disclose and signifie the same by writing or otherwise, within fiue weekes then next following, to some of the Queenes maiesties priue counsell, or else to the nexte of kynne of y Queenes maiesties Counsell resiaunt in the North parties, or in the Marches of Walis, for the time being: that then the same persone or persones so concealing, and not disclosing, or not signifying the said offer, motion or perswasiō, shall incurre the losse, daunger, penaltie and forfaiture of misprision of high treason. And that no persone or persones shall at any time hereafter be impeached, molested, or troubled, in or for misprision of treason, for any offence or offences made treason by this act, other then such as by this act are before declared to be in case of misprision of high treason.

Bull

Conceale

Counsell

Misprision

And be it further enacted by the auctoritie aforesaid, that if any persone or persons shal at any tyme after the said first day of July, bringe into thys Realme of England, or any the dominions of the same, any token or tokens thinge or thinges, called or named by y name of an Agnus dei, or any crosses, pictures, beades, or such like vayne and superticious things, from y Bysshop or see of Roome, or frō any person or persons auctorized, or claiming

Wring in

Token

Agnus dei
Crosses
Pictures
Beades

auctoritie

auctoritie by or from the said Bishop
or see of Rome, to consecrate or hal-
low the same: Which said Agnus dei
is vsed to be specially hallowed and co
secrated, as it is termed, by the sayed
Bishop in his owne person, & the sayd
rosles, pictures, beades, and such like
superstitious thinges, bene also hallo-
wed either by the same Bishop, or by
others hauing power, or pretendynge
to haue power for the same, by or from
him, or his sated see, and vnders pay-
dones, immunities, and exemptyons
graunted by the auctoritie of the sayd
see to such as shall receyue and vse the
same:) and that if the same persons or
persons so bringing in, as is aforesayd
such Agnus dei, & other like thynges
as beene before specified, shall deli-
uer or cause, or offer to bee delyuered
the same or any of them, to any sub-
iect of this Realme, or of any domy-
nions of the same, to be worne or vsed
in any wise: that then as well the same
person and persones so doing, as also
all and euery other person or persons
which shal receiue and take the same,
to the intent to vse or weare the same
beeing thereof lawfully conuicted and
attainted by the order of the common
lawes of this realme, shal incurre into
the daungers penalties, paines & for-
faitures, ordained and pounded by the
Statut of premunire and prouision,
made in the sixteenth yere of the raign
of king Richard the second capit. quin-
to. Prouision & Premunire desuper
quarto
Pounded neuertheless, and bee it
further enacted by the auctoritie a-
foresaid, that if any persons or per-
sonnes to whom anie such Agnus dei
or other the thinges aforesayd, shalbee
tendred and offered to bee delyuered,
shall apprehend the party so offeringe
the same, and bringe him to the next
Iustice of peace of that Shire where
such tender shalbee made, if he shalbee
of power and able so to do, or for lacke
of such ability, shall within the space
of three dayes next after such offer
made as is aforesayd, disclose & name
and names of such person or persones
as so shal make the same offer, and
the dwelling place or places of resort
of the same person or persones (which
he shall endeuour by him selfe to know
by all the ways and meanes he can)
to the Ordinary of that diocesse, or to
any Iustyce of peace of that Shire,
where such persone or persones to
whom such offer shalbee made, as is
aforesaid, shalbee resiaunt: and also if
such persone or persones, to whom
such offer shalbe made, shal happen to
receyue any such Agnus dei, or other
thing above remembred, and shal with
the space of one day next after such
receipt, deliuer the same to any iustice
of peace within the same shire where
the partie so receyuing shallbee then
resiant, or shall happen to bee: & then
euery such person or persones doyng
any the actes or thinges in this pra-
misse above mencioned, in forme above
declared, shal not by force of this statut
incurre any daūger or penaltie appoin-
ted by this statut, or any other paine or
penaltie: this act or any thing therein
contained to the contrary in any wise
notwithstanding.

And be it further enacted by the au-
thority aforesaid, that all and euery
person & persones, which at any time
since the beginning of the first yeare of
the Queenes maiesties raigne that now is
haue brought or caused to be brought in
to this realme, any such bulls, writings,
or instruments of reconciliation, onely
as are above mencioned, and now haue
any of the same bulls, writings, or in-
struments in his or their hands or cus-
todie, & shall and doe within the space
of three moneths next after the end
of any session or dissolution of this pre-
sent parliament, bring and deliuer all
such bulles, writings, and instrumēts,
which they or any of them now haue
in his or their custodie, to the Bishop
of the Diocesse where such absolution
hath

3. Dayes
Make
Ordinary
Iust. of p.
Receiue
One day
Iust. of p.
Bulles
3. Moneths
Deliuer
Bishop

hath beene geuen and receiued, to the intent that the same bulles, writtings or instruments may be cancelled and defaced: and shall openly, and publikely before such Bishoppe confesse and acknowledge his or their offece therein, and humbly desire to bee receyued, restored, and admitted to the Church of England, shal stand and be clearely pardoned and discharged of all and euery offence and offences done or committed in any matter or cause concerninge any of the said bulles, writtings, or instrumentes, for or touching such absolution or reconciliation onely.

Confesse

Pardoned

And that all and euery person and persones, which haue receyued or taken any absolution from the said Bishopp of Roome, or his said see of Roome, of any reconciliation vnto the sayed Bishoppe of Roome, or to the sayed see of Roome, sithence the sayed first yeare of the raigne of our said Soueraigne Lady the Queene, and shall within the saied space of three monethes next after any session or dissolution of this present parliament, come before the bishopp of the diocese of such place where such absolution or reconciliation was hadde or made, and shall publikely and openly before the same Bishoppe confesse and acknowledge hys or their offence therein, and humbly desire to be receyued, restored, & admitted to the church of England, shall likewise stand and be clerely pardoned and discharged of al and euery offence & offences, done or committed in anie matter or cause concerninge the sayed bulles, writtinges, or instruments, for or touching onely receiuing of such absolution or reconciliation, and for and concerning al absolution or reconciliation hadd or receyued by colour of any of the sayed bulles, writtings or instruments onely.

Reconcilia-tion

Confesse

Bulles

Prouided also, & bee it further enacted by the auctoritie aforesayed, that if any Justice of peace, to whom any matter or offence bee fore mencioned, shalbe offered, shewed, or declared, as is aforesaid, doo not within the space of fourteene dayes next after it shalbee to him shewed or offered, signifie or declare the same to some one of the Queenes maiesties priuie Counsell, that then y same Justice of peace shal incurre the daunger, paine and forfaitures prouided by the said statute made in the said fifteenth yeare of king Richard the second cap. 5. Prouision and Premunire. 4.

Just. of p.

14. Dais

Counsell

Premunire

Prouided also and bee it further enacted by the auctoritie aforesaid, that if anie noble man being a Pere of this Realme, shall at any time hereafter happen to bee indicted for any the offence or offences aforesaid: that then euery such noble man & Pere of this Realme, shall haue hys tryall by hys peeres, as in cases of high treason and misprision of treason hath heretofore ben accustomed or vsed.

Peere

Triall

Sauinge to all and euery personne and persons, bodyes politike and corporat, their heires and successours, and the heirs & successours of euery of them, other then the saied offendours and their heires, claiminge only as heire or heires to any such offendours and such personne and personnes as claime to any their vses, al such rights titles, interestes, possessions, leases, rents, reuersions, remainders, offices fees, and all other profits, commodyties, and hereditaments, as they or any of them shall haue at the day of the committinge of such offence or offences, or any time before, in as large & ample maner to al intents & purposes as if this act had neuer beene had nor made: any thing herein contained to y contrary thereof notwithstanding. An. 13. El. ca. 2.

Rights

Enrolled Chauncery

*Clause condit.*

WHich and hath commaunded by the auctoritie aforesaid, to the keepers of his great and priuie seale, that they shall not suffer such clause Vidimus to be put

L. Keeper

Vidimus

Enemies

Enrolled Chauncery

bee put in any safeconduite frombence-forth to be graunted, vnlesse it so be, ỹ some great or notable cause or matter move the same our saier aigne Lord ỹ king to graunt the same in such wise. And will also that in all safeconduittes, to be graunted from henceforth to any person or persons, the names of them of the ships & of the masters, and the number of the mariners with the portage of the ships shalbe expressed. An. 15. H. 6. ca. 3.

Ships
Mariners
Master

Merchãts

¶ The said marchantes aliens at their pleasure may charge such shippes and vessels of Spaine, & of other parties aduersaries and enemies of ỹ king if the masters, owners, or marchants of such vessels and ships, having letters patents of the king and of his safeconduite, sturtie or safegard for such shippes or vessels and marchandises, makinge mencion of the names of the shipps or vessels, & of the name of the same master of the ships and vessels as the manner is, and if any such ships or vessels charged with any marchãdises of such marchants aforesaid, be taken vpon the sea by the kinges liege people, not hauing the kinges letters patents, as afore is said, within ỹ borde of such ships or vessels, at the day of the taking, nor that such letters patents at the day of the taking be in the kinges Chauncery enrolled of record, that then the takers possessing of the goodes and marchandises so taken, may enioy and hold the same, any statut or ordinãce made to the contrary notwithstanding. An. 18. H. 6. cap. 8.

L. patents

Ships
Master

Enrolled
Chauncery

Enemies

Enrolled
Chauncery

¶ All letters of safe cõduit to be graũted to the kinges enemies and aduersaries, or any other people, shalbe enrolled in the Chauncery of our saied soueraigne lord the kinge of record, beefore that any such letters shalbe in any wise delinered to them, to whom the same letters shalbee graunted. And that all such letters of saferõduit hereafter to bee graũted, not inrolled of record in ỹ said chauncery, before ỹ delinery to thẽ, to be made in ỹ maner as is said, shalbe void & of no force nor effect. And moreouer, if hereafter any goods or merchandises be taken by ỹ said subiects of our soueraigne Lorde ỹ kynge vpon the sea, or the costes of the same, charged in any shippe or other vessell, which is belonging to the enemies or aduersaries of our soueraigne Lorde the king for the time being, not hauing sufficient letters of saferõduits enrolled in ỹ forme aforesaid, that they that so shall take ỹ same goods and merchandises shall thẽ enioy without any restitution thereof to be made in any wise, to what soeuer person the same goods & merchandises so taken at the time of the taking of the same or before were belonging. Prouided alwaies, that if the subiects of our soueraigne lord the kinge, taking such shipps charged with merchandises not hauing nor shewing such letters of safe conduit within the same shippes at the time of ỹ saied taking, & bringing them by force to a certaine port or place within the said realme, that not be endamaged in their persõ nor goods for such taking if they be ready to make full restitution of the same shippes and merchandises within reasonable time after that the full knowlenge is made to them of the letters of safeconduit, fulfilling for the same shippes & merchandises, enrolled in the said chauncery of record before the taking of them. Prouided also that this ordinaunce shall begin to hold his force at ỹ feast of saint Michaell the archangell next comming. Anno. 28. H. 6. cap. 1.

Enioy

Moyl

¶ *Sacramentum iusticiariorum.*

An. 8. Ric. 2. cap. 3. an othe is for the Justices, but it is repealed.

¶ *Sainct Johns.*

Anno. 32. H. 8. cap. 24. an act was made whereby the corporation of Sainct Johns Jerusalem in England, and Irelande was dissolued, and that none of the priores & confreres shoulde

weare the marke &c. And that the king
should haue their houses, churches, lãds
goodes, cattels and debts and all other
things of theires. And there bee diuers
seuerall pencions appointed seuerally
to the priours, chappleines and confre-
res of the Religion. And that all of the
order to be discharged of their obedience
for their religion and to bee enabled to
sue and take and haue libertie as other
religious persons were enabled by the
act made An. 31. H. 8. cap. 6.

Enabled
Sue

Sanctua-
ries
Churches
Church-
yards

And their places of Sanctuaries to be
void saving the common priuiledge of
Churches and churchardes, & the lands
to be in the survey of the augmentati-
ons, and the conferers out of England
to returne before Mychell. 1541. or
else to leese their pencions appointed to
them. An. 32. H. 8. ca. 24. See Tem-
plers. 1. concerning ye beginning of the
order of saincte Johns.

¶ Sanctuaries.

Traytors

NOne offendour in any kyndes of
high treasons whatsoeuer they bee
theyr aydors, consenters, counsellers,
nor abbettoures shall bee admitted to
haue ye benefite or priuiledge of any ma-
ner of sanctuary considering that mat-
ters of treason toucheth so nigh both ye
suertie of the king our soueraigne lords
person & his heires & successours. An.
26. H. 8. ca. 13.

2 ¶ All and singuler person or persõs
which now bee, or at any time hereaf-
ter shalbee priuileged in any sanctuary
within any of the kinges dominions,
for murder or felony from the first day
of May next comming shall daily, whẽ
soeuer he or they bee without the house
or mansion wherein they haue their lod
ging, weare a badge or cognisance, by ye
gouernour of euery sanctuary to be as-
signed and appointed, openly vpon their
vpper garment of ye compasse in length
& bredth of v. inches, vppon paine that
they and euery of them whensoeuer &
as often as any of them being out of ye
said house or mansion, wherein he hath
his said lodging, shalbe founden and ta-
ken without the like badge or cognisãce, Fort.
dewly to lose & forfait his or theyr pri-
uiledge and aduantage of sanctuary.
And that it shalbe lawfull to all & sin- Apprehend
guler the kinges subiects to apprehend
& take euery such offender or offenders
being without his badge or cognisãce, as
aforesaid and him to bring out of the Gaole
sanctuary into the next gaole, there to
remaine vnto the next gaole delivery,
and then to be tried according to ye true
course and order of the lawe, as though
he had neuer ben priuileged in any such
sanctuary. And also be it &c. that no ma
ner of the said priuileged persõs, at any
time hereafter, beare, occupy, or weare
vpon them any manner of weapon, knife Weapon
or other weapõ, other then their meat
knives & the same meat knives, but at
three meales onely vpon paine as is a-
boue reherced,

Furthermore be it &c. that if any of
the said priuileged persons at any time
after the said first May day fortune to
be found apprehended or taken out of Sunne ri-
his or their lodging, before the sunne ri- sing
sing in the morning, or after the sunne
going downe in the euening, the same Sunne
priuileged person so found apprehen- setting
ded or taken, shall at the first tyme, for
his so offending suffer imprysonment Imprison
within the same sanctuary, by ye space
of two daies, and at the seconde tyme to
haue imprisonment by the space of vi.
daies, and at the third time that he shal
be so founden apprehended or taken out
of his said lodging cõtrary to the order
aboue mencioned, and the same being
substantially proued by indifferent pro-
ues thereof to be made before the lord
Chauncellour of England for the time
being, to forfait and lose his or their pri- Fort.
uiledge of sanctuary: Also be it &c. that
if any maner of sanctuary persõ or per
sons of prepensed malice, at any tyme
hereafter doo rescue or resist any of the Resist
gouernours aforesaid or their deputies,
in executing of their office, in taking &

impri-

imprisoning of any of the persons priuiledged, offending contrary to ye tenour of this act: that the he or they that shal fortune to make relieues, shalbe hereafter taken out of sanctuary, and to suffer and bee tryed as felons in euery thing. And ouer ye, be it &c. that all maner of contracts of debt vnder xl. s. trespasses and couenants that at any time hereafter shall happen to bee made or growne within any of the said sanctuaries bet wene any of the said priuileged person or persons, and other inhabitats within any such sanctuary, that the gouernors or theyr deputy of any of the same sanctuaries where any such contract, trespasse, or couenant shal fortune to be made, growne or bee, as is aforesaid, shal haue full power and auctoritie by this present act, to ouer, iudge & determine the same, accordinge as it shalbe duely there proued afore the said gouernor or gouernors. An. 27. H. 8. capit. 19.

¶ No person or persons offending in any the treasons cõtained & limitted by this act, or in any other treasõs, shal in any wise haue and enioy the priuiledge, immunitie of any maner sanctuary, within this Realme or els where within any the kinges dominions, but shal vtterly lose & be excluded of ye same any ble, graũt, custome, prescripcõ, confirmation, or any other thing or things to ye contrarie hereof in any wise notwithstanding. An. 28. H. 8. ca. 7.

¶ All maner of Sanctuaries and places priuileged, which hertofore haue bene vsed, reputed, or taken for any maner of sanctuary, except parish Churches, and their churchyards, cathedrall Churches, hospitals, and Churches collegiate, and archippres dedicated, vsed as parishchurches, & the sanctuaries of them and euery of them belonging, and except such places & territories, as hereafter shall be declared, appointed, & named to bee places of tuition and priuiledge by this present act, shalbe vtterly extinguished annulled, void & of none effect, for any such libertie or priuiledge of sanctuaries, to al purposes & intents. Any lawes, liberties, statuts, customes priuileges prescriptions, allowances, or any other thing or things hertofore vsed or admitted to the contrary notwithstanding. And further more the kinges royall maiestie of his accustomed goodnesse, mercy & benignitie, is pleased & contented, that it be &c. that from hencesforth these places & territories hereafter expressed and declared, that is to say Wellies in the county of Somerset, Westminster, Winchester, Northampton, Norwich, York, Darby & Lancelton, shalbe from hencefoorth admitted allowed & taken to bee places of priuiledge & tuicion for terme of life, of & for al & singuler offendors & malefactors of whatsoeuer qualitie, kinde or nature & al & euery their offences be, for ye which their said offences and crymes, ye paine & punishement of death should ensue by the statut, lawes or customes of this realme, other then such as hereafter by this present act bee excepted & forprised that is to say, that it be &c. ye from hencefoorth the said parish churches or churchyards cathedrall churches, hospitalles, churches collegyate, & al other chapries dedicated vsed as parishchurches, nor any of them nor the cemitories to the or any of them belonginge, nor the said places and territories before in this present act rehearsed and declared for places of refuge and tuition, shall not in anie wise extend to geue any maner tuicion, defence, immunitie, libertie or priuiledge to any maner of persone or persones, which at any time hereafter shall perpetrate, committ or doe any maner of wilful murder, or which shal committ or doe, any treasõn ayenst the kinges person, or which shall committe any maner of burglaries, or which shall committ or doe any maner of robbery in the high waie, prouided that the same or to any persone which shall committ or doe any robbery in any house, putting ye owner, his wife, children, seruantes

or any other persone within the same, in feare of life. And also excepted & for-
Felony pursed all felonies burning of houses or barns with corne, and also al robberies of Churches, Chappels, or other hallowed places. And also forprised and ex-
Abbetters cepted al and singuler abbettours, procurers and counsellers to any of the fore said offences before specified and excepted before the said offences committed and done. And also excepted and forprised all other offenders, committing or perpetrating any offéces where sanctu-
Sanctuary arie or clergy is not allowable by the lawes of this realm, or where sanctuary or clergy is taken away by any former statut or lawe.
Clergie

And be it &c. that if at any time hereafter, any person or persones do take any refuge or sanctuary in any parish
Church Church-yard Church or churchyard cathedral church Hospitall, Church collegiat, or other chappell dedicate, commonly used as parish Churches, or in the country to any of them belonging, for any offence, other thē such as be excepted and forprised by this act: that thē the said person or persons, so taking sactuary & refuge, shal and may abide and remain
40. Daies there by the space of xl. dayes, as hath ben heretofore used, using hym selfe in all pointes according to the lawes and statuts of this Realme, unlesse the Co-
Cozoner roner in the meane tyme repaire unto hym for the taking of his abiuration, in which case upon repaire of the said
Abiure Cozoner, hee shall and may abiure after the lawes and statutes of this Realme, to any of the said territories and priuileged places before named, not being full of the number, as here-
after to every of the said places by this act shalbe appointed there to abide and remaine during his life, using hym selfe in such like order, condition, and fashion in al things and pointes as heretofore hath ben ordered and appointed by the statutes and lawes of this Realme, for any concerning the good order of sanc-
tuary persones to be obserued used and kept within priuileged sanctuaries, or els to lose the benefite of their said priuiledge, and upon the penalties compri-
sed in the said statut. And it is &c. that if the cozoner of ỳ shere or place where
Cozoner any person or persones shall take any refuge or sanctuary in any of the sayed Churches or Churchyardes, cathedrall Churches, Hospitalles, Churches collegiat, Chappelles dedicate, commonly used as parish Churches, or any tenemen-
tes to them or any of them belonging, ỳpō reasonable request made, doe refuse to come in conuenient time unto
Refuse such person being in sanctuary as afore is said, there to take his confession and abiurations according to the lawes of this realme, that then the said cozoner for euery such default shall lose and for-
Forf. fait to our soueraigne lorde the kynge C. shillinges.

And be it &c. that the Chauncellour of
Chauncelly England for the time being within the space of one yere next following, shall haue power and authority by this act to award seuerall commissyons under
Cōmissions the kings great seale of England unto such discreete persons as he shall think meete by his discretion, to make peram-
Perambulations bulations, and to appoint, sett forth & limitt certainly how farre, and where the boundes and limittes of euery of the said priuileged places and territories be-
fore referred shall extend, & that ỳ same boundes and lymittes so by the sayed commissioners to be sette forth, lymit-
ted and appointed, shalbe returned un-
der the Seales of the said commissyo-
ners into the kinges court of Chaun-
cery there to remaine of Record for the certaine knowledge of the boundes and
Bounds lymittes of the saied priuileged places and territories. And that after ỳ same limitacions so to be made and returne-
ed, ỳ said priuileged places appointed by this act shal serue & be allowed only within the same lymittes & bounds as
returned & not els where, without the
reside de ỳ. City or towne where such limittes shalbe appointed.

And

And further be it &c. that in euery of the
said priuileged places and territories, ỳ
Gouernour officer or gouernour of the said priuile-
leged place and territory by the iuges
yerlyes to be appointed & euery of the
for the gouernaunce and ordring of the
same places and territories, shall dayly
cal and cause to be called by him selfe or
his deputie, all and euery of the sayed
priuyleged personnes in euery of the
sayd places and territories by their na-
mes, and if any of the saied priuileged
Default persons do make default at three seuerall
dates together, & do not personally ap-
peare at any of the said three daies, ha-
uinge no lawfull excuse to the contra-
ry, that then euery such priuileged per-
son, making default of his apparaūce,
Forf. as is aforesaid shal lose & forfait the pri-
uilege of all and euery of the said priu-
leged places & territories: Any thing
in this act to the contrary notwith-
standing.

And further it is &c. that if any of ỳ said
Priuiled-ged persons abiured or priuileged persō within the
time hee shal be in any of the said pri-
uileged places or territories, as a pri-
uileged man, fortune to committ, per-
Felonie petrate, or doo any maner of felony or
other offences, for the which the pe-
naltie of death should ensue by ỳ lawes
and statutes of thys Realme, that
then euery such offendour shall for euer
lose the benefite and priuilege as well
of the said place, as of al other priuile-
ged places and sanctuaries before na-
med: any thing in this act to the contra
ry notwithstanding. And it is &c. that
10. priuile-ged persons there shal not be at any one time aboue
the number of twenty of the said priui-
leged personnes hereafter to be admit-
ted and receiued into any one of the said
priuileged places and territories afore-
said. And that if any persō hereafter do
Abiure abiure to any of the said priuileged pla-
ces and territories, according to the pur
uey of this act, the persone so abiuring
Constable shall be led cōducted, conueyed & brou-
ght from constable to constable directly
according to the order of the lawes here



tofore vsed, for the conducting of abiu-
red personz to their portes after their ab
iurations, vntill such tyme as the sayed
persō so abiuring, be brought to ỳ gouer
nour of ỳ said priuileged place, wherun
to he shal so be abiured or to his deputy.
And if at the bringing thither of ỳ saied
abiured person, it shall appeare and bee
truely declared by the Register there
to be kept of the names of the saied pri-
uileged persons, then being in the sayed
priuiledged place, that the said priuile-
ged place is then ful of his said number
of the said priuileged persons being then
there lawfully priuileged according to
the purview of this act: then the said go
uernour of the saied priuileged place or
his deputies shal declare and shewe vn
to ỳ said abiured persō so being brought
thither, and to the said officer that brin-
geth and conducteth him there, that the
said abiured person may not be there re
ceiued for that ỳ said priuileged place is
then already full of his saied number
and thereupon shall commaunde ỳ said
constables or other officer, to conduct,
lead and deliuer the said abiured person
to the constable or other officer or offi-
cers of the next towne, adioyning to ỳ
said priuileged place, leadig directly to-
wards ỳ nert of ỳ said other priuileged
places or territories. And ỳ same abiu-
red person so to be deliuered frō consta-
ble to cōstable, officer or officers of eue-
ry townshyp, tiding toward the same
nert priuileged place vnto such time as
the same person bee thither conducted
& there deliuered to remain, as is afore
said. And that the gouernour of the said Gouernour.
priuiledged place, where such refusall
was had, or his deputy, shal make an en-
tre in the said register of the whole mat
ter, that is to say, what day & yeare the
said abiured persō was brought thither,
vnto him, and by what officer, and for
what cause he did refuse the receiuing of
him, & to which of the other said priui-
leged places ỳ said abiured person was
from thence appointed to be brought &
conueyed, & shal before the departure of

the said abiured person, deliuer to him a
Copie trewe copy of the said entre, to thintent
he may deliuer the same to ẏ gouernor
of the said other priuileged place, to the
which he shalbe conducted & brought or
to his deputie: And that the said gouer-
nour of the same priuileged place if ẏ
same place be not then ful of his num-
ber, as is afore rehersed, shal receiue the
said abiured person vpon ẏ sight of hys
said bill, there to remain during his life
as a priuileged person according to the
purview of this statute. And that like
order and fashion be alwaies obserued
and kept for the conducting & conuey-
ing of al abiured persons from euery of
the said priuileged places, being full of
theyr saied number, at the time of the
bringing thither of any such abiured per
son to the next other of the saied places
vntill such time as the said abiured per-
son be receiued into one of the sayd pri-
uileged places, not hauing his full num
ber according to the purview of this act:
Gouernour And that euery gouernour of ẏ said pri
uileged places being negligẽt and not
doing his duty, according to ẏ purview
Constable of this act: And euery constable and o-
Refuse ther of the kinges officers, refusing to
receiue or to conduct such abiured perſõ
Fort. as is aforesaid, shall forfait and lose to
our soueraign lord the king for euery of
their defaults in that behalfe xl.s. Pro-
uided alwaies ẏ this act nor any thing
therein contained, shall extend or be ta-
ken to minish or apaire or augment or
enforce the priuiledge or libertie which
any person or persons haue already ta-
ken, claimed, or obtained in any place
or places within this realm heretofore
vsed, allowed, or admitted for places of
sanctuary priuiledge or tuition, but the
same to stand for them in lyke force &
effect, neither better nor worse then it
was before the making of this act: any
thing herein contained to the contrary
notwithstanding. An. 32. H. 8. cap. 12.
See next following how the sanctuary
of Manchester is determined, & for that
Westchester appointed.

5 ¶ The said former act of parliamẽt
(s. An. 32. H. 8. ca. 12. before 3.) concer
ning the priuiledge, sanctuary & tuityon
for the said offenders onely within the
said towne of Manchester, shall & may Manchester
be from the feast of the Natiuity of S.
John Baptist now next comming, re-
pealed, adnihillate, & made frustrate. Repealed
And the said towne of manchester from
ẏ said feast of sainct John Baptist, shall
be of like condition, estate, & qualitie, dis
charged of the said sanctuary and priui-
lege, as the said towne was before the
making of ẏ said former act any thing
sentence, clause or article in the said for
mer act, to the contrare, notwithstan-
ding. And that &c. ẏ the City of West- Westchester
chester, in the county of Chester, which
is well inhabited, hauing no such trade
of Marchandise, & hath a strong Gaole
within the same City, for punishement
of malefactours, and also there is in the
same City a Maior, bailiffe, and other
head officers, amongst other townes &
places frõ henceforth may be admitted
allowed, and taken to be sanctuary, and
a place of priuiledge & tuition for terme
of life, of al and singuler offenders and
malefactours, of whatsoeuer qualitie,
kinde & nature al and euery the said of-
fences be, for the which said offences & Chester
crymes, the paines and punishment of
death should ensue by ẏ statuts lawes
and customes of this realm, other then
such as by, and in the said act of parlia-
ment be expressed and forprised. Prouid-
ed alwaies that this act or any thyng
therein contained shal not extend to re-
peal, adnihillate, or make voide the said
former act of parliament, made in the
said xxxij. yeare of our saied soueraigne
lord the king. ca. 12. before 3. concerning
any sanctuary or priuileged places, ly-
mitted in the said former act, other thẽ
onely ẏ said towne of Manchester. And
be it &c. that the constables of the saied Constables
towne of Manchester, for the time bee-
ing, takinge and associating wyth them
twenty of the inhabitantes of the same
towne by their discretions shal haue the
sale

safe conduction, leading, and bringing of all sanctuary men, now and hereafter before the feast of the Natiuitie of saint John Baptist next comming, being in ỳ said town to cõduct, lead & safe bring frõ ỳ said towne of Mãchester, to the forsaid City of Westchester, there to remaine as sanctuary men and to be deliuered to the Maior and sheriffes of the said City of Westchester, by indenture to be made betwene the forsaid constables and the said maior, and sheriffes there for the time being, in which indentures shalbe compriſed and specified the names of all such sanctuary persons, as shalbe so deliuered: and that the said sanctuary persons and euery of thẽ shal be in al places meane betwene Manchester and Westchester, in the tyme of their said conduction, leadyng & bringing from Manchester to Westchester, as they and euery of them had ben and remained sanctuary persons in Manchester aforesaid.

Maior Sheriffs Indenture

Prouided alwaies and bee it ẽ. that if hereafter vppon any reasonable matter or cause, it shal appeare to the kings maiestie by information or otherwise that the sayed Citie of Chester is not meete to be sanctuary nor for a place of priuiledge and tuition for the saied offenders and malefactoures, as beene aboue remẽbred, as for such like of theyr condycions, that then it shalbee lawfull to the kinges highnes by his graces proclamation, to extinct and determine the said sanctuary within the saied Citie of Chester and clerely to discharge the same Citie thereof: and thereupon to appoint, ordeine, and make one other towne or place to bee sanctuary, and a place of priuiledge and tuition for the saied offendoures and malefactours any thing in this act contayned to the contrary notwythstanding. Anno. 33. H. 8. cap. 15.

Chester

Proclamation

¶ *Scarborough.*

An. 37. H. 8. cap. 14. an act is made for the repairing of the Key and pier of Scarborow with diuers clauses concerning that matter.

¶ *Schooles and Schollers.*

An. 14. of Eliz. an act was made for the better assurance of certayne landz and tenementes to the maynte-nance of the free gramer schole of Tunbridge in the county of Kent, which is not published in print.

Cunbridge

¶ *Scotland & Scots.*

From henceforth no person, alien nor denisen, of whatsoeuer estate or condicion that he bee, shall carie nor send, nor doe to be caried nor set by land nor by sea out of the Realme of englande, to any parties of Scotland, prauly nor apertly, any manner of armour, corne malt, or other vitailes, or any other refreshing, vpon paine of forfaiture of ỳ same vitailes, armours, & other things aforesaid together with the shipps, vessels, carts and horses, which shal bring or carry the same, or of ỳ very valour of the same, except so it be that the king do geue his special licence to ỳ cõtrary.

Alien Denizen

Armour Corne Vitaile Fork.

Licence

And to the intent that these ordynances bee duely kept and put in due execution, it is also assented, that hee which after proclamation therof made espie and proue that any hath offended or forfeit in any point against the fourme of this ordinance, shal haue the third part of the said forfeitures wholly to his owne vse. An. 7. R. 2. ca. 16.

iij. part.

2 ¶ It was not his intent at the making of the saied statut, ne yet is, that they that haue caried or taken, or from henceforth shall take or carry vitailes or marchandises to the towne of Berwike vppon Twede, which is the kings towne, and of his ligeance, shal incurre that paine of the said statut ne shal not be bound to pay customes and subsidies graunted to our Soueraigne Lord the king of marchandises ỳ be or shalbe caried out of the Realme. Prouided alway, that they that take any cloth, vitailes, or other marchaundises out of the saied Towne of Berwyke,

Berwike

Customes.

Cloth Vitaile

Customes

Enemies

Auoyd 40. Dayes

Serch Arrest

Goods & Constable

to any parties of the kings frinds, shal pay the subsidies, customes, and other duties therof to our soueraigne Lord the kinge, and if they doe cary to any parties of the kings enemies, they shal incurre the paine of the said statut. An. 15. R. 2. ca. 7.

3 ¶ An. 7. H. 7. ca. 6. it was enacted ẏ all Scottes dwelling within England and Wales should auoid the Realme wythin xl. dayes after proclamatyon made, and after the xl. daies search to be made for Scottes & they to be arrested and their goodes sealed and they to bee conueied from constable to constable, to Scotland, & other articles cõcerning this matter.

¶ *Sea.*

THe sea shalbe open to al manner of merchants to passe with their merchãdises at their pleasure where it shal please them. An. 18. E. 3. ca. 3.

¶ *Seales.*

Writs

THere shal no writ from henceforth that toucheth the common lawe, go forth vnder any of the pety seales. Articuli super cartas. An. 28. E. 1. ca. 6.

Signet Letters

2 ¶ Letters of the signet, nor of the kinges secret seale, shalbe from henceforth sent in damage or prejudice of the realme nor in disturbance of the lawe. An. 11. R. 2. ca. 10.

March

3 ¶ An. 4. H. 7. cap. 14. it is enacted ẏ al graunte and writinges of landes or thinges pertaining to the Erledom of March, shalbe vnder ẏ broad Seale, & not vnder a special Seale.

¶ *Serche and Sercher.*

Sworne

THe sercher in each Port throughout Englãd shalbe charged & sworn that they shal not let to ferme their offices of Sercherie, nether occupy them by deputie. They shall not take from henceforth of any maisters of shippes to do their office of Sercherie, neither siluer nor mony for their welcome, or for their farwell, nor any thing for ẏ same as they haue vsed to take before this time, otherwise then is ordeyned for them by their offices for our lord ẏ king. And that no Sercher be hoist to any merchant or mariner, and in case ẏ any Sercher do cõtrary to this statut and duite proued, the same sercher shall be put out of his office for euer, & make fine and raunsome at the kinges wyll.

Deputie Shipmaisters

Hoist

Fait.

¶ *Sergeants at armes.*

AT the grieuous complaint made by the commons of the kinge in this parliament of excessiue and outragious number of Sergeantes of armes, and of many great extorcions and oppressions done by them to the people: Our soueraigne Lord the kinge therefore wil that they shalbe al discharged & that of them and other there shalbe taken of good & sufficient persons to the number of xxx. and no more from hẽce forth. And moreouer the king defẽdeth ẏ they meddle of any thing ẏ toucheth not their office. And that they do none extorcyon nor oppression to the people vpon paine to lose the office, and to make a fine and raũsome at the kings pleasure, & full gree to the partie. Anno 13. R. 2. ca. 6.

30. Sergeants

¶ *Seruices & sacramentes.*

THat what soeuer person or persons from and after the first day of May nexte comming shal depraue dispise, or contempne the said most blessed Sacrament in contempt therof by any contemptious words or by any wordes of deprauing, dispising or reuyling, or what person or persons shall aduisedly in any other wise contempne, dispise or reuyle the saied most blessed Sacrament contrary to theffects and declaratyon aforesaied, that then hee or they shall suffer imprisonmẽt of his or their bodyes, and make fine and raunsome at the kynges will and pleasure. And for full and effectuall execution of the premisses before deuised, ordeyned, and

Dispise Sacrament

Imprison

and enacted by thys act: Be it further-
more enacted by the authoritie of this
present parlyament that immediatly
after the first day of May next cõming
Just. of p. the Justices of peace or three of them
at the least, whereof one of them to be
Quorum wales of the Quorum in euery shire of thys
Realme and Wales and all other pla-
ces within the kynges dominiõs, shal
haue full power and authoritie by ver
tue of thys act, as well to take infor-
mation and acculation by the othes
and depositions of two hable, ho-
nest and lawefull persõnes at the
least, and after such acculation or infor-
Enquire mation so had, to enquire by the othes
of twelue menne in euery their sower
Quarter sessions quarter Sessions yearely to bee hol-
den, of all and singuler such accusaty-
ons or informations to bee hadde or
made of any of the offences abouesaid
to be committed or done after the sayd
first day of May, within the limits of
their commission, and that vpon euery
such acculation or information, the of-
fendour and offendours shalbee inqui-
red of, and indicted before the said iu-
stices of peace or three of them at the
least, as is aforesaid, of the sayed con-
tempts and offences by the verdict of
twelue honest and indifferent men, if
the matter of the sayd accusatyon and
information shall seeme to ẏ said Ju-
ry, good and true.

And it is also further enacted by ẏ
Just. of p. authoritie aforesaid, that ẏ said Justi-
ces of peace, or three of thẽ at the least
as is aforesaid before whom any such
presentment, information, and accusa
tion shalbee made or taken, as is afore
Examine said, shall examine the accusers what
other witnesse were by and present at
the tyme of doonge and committyng
of the offence, whereof the informaty-
on, accusation, and presentment shall-
Recog. bee made, and howe many other then
the accusours haue knowledge therof,
and shall haue power and authoritie
by their discretions to bind by recog-
nisances to be taken before thẽ, as well
the sayed accusours, as all such other
persons, whom the same accusors shal
declare to haue knowledge of the offen
ces, by them presented and informed,
euery of them in fine poundes to the
king, to appeare before the sayd Justi-
ces of peace before whom ẏ offendour
or offendours, shalbe tried at the day
of tryall and deliuerance of such offen-
dours.

And it is further enacted by the auc- Just. of p.
thoritie aforesaid ẏ the said Justices of
peace or three of them at the least, as
is aforesaid, by vertue of this act, shall
haue full power & authouty, to make
proces against euery persone and Proces
persons so indicted by two capias and Capias
one exigent, and by Capias vtlagatũ, Exigent
aswel within the limits of their com- Capias vt-
missiõn, as into all other shires & pla- lagatum
ces of this Realme, Wales and other Wales
the kings dominions, aswell within ẏ
liberties as without, and ẏ same proce-
sse to bee good and effectuall in the
lawe, to al intentes, constructions and
purposes. And vppon the apparaunce
of anie of the offendours shal haue ful
power & authoritie by vertue of thys
act, and the commission of peace to de-
termine the contemptes and offences
aforesaid, according to ẏ lawes of this
Realme, and effectes of this act, and ẏ
the saied Justices of peace, or three of Just. of p.
them at the least, as is abouesaid, shall
haue full power and authority, to lett
any such person or persons so indicted
vpon sufficient suerties by their discre- Suerties
tions to Baile for their apparaunce, to
be tried, according to the tenor, fourme
and effect of this act,

Prouided alwaies, and bee it enacted, Just. of p.
that the sayd Justices of peace, or three Quarter
of them at ẏ least, at their quarter ses- sessions
sions where any offendor or offendors
shalbe or stand indicted of any of ẏ cõ-
temptes or offences abouesayed, shall
direct and award one writt in ẏ kings writt
name, to the Bishoppe of the diocese Bishop
wherein the sayed offence or offences
are supposed to be committed or done,

willinge

willing & requiring the said Bishopp, to bee in his owne persoune, or by his Chauncelour, or other his sufficient deputy lerned, at the quarter sessyons in the said County to bee holden, when & where the saied offendour shalbee arraigned and tried, appointing to them in the said writt, the day and place of the said arraignement, whych writte shalbe of this fourme.

Rex vic. Episcopo L. salutem, Precipimus tibi quod tu, Cācellarius tuus, vel alius deputatus tuus sufficiēter eruditus, sitis cū sufficiantis nostris ad pacem, in comitatu nostro B. conservand' assignatis apd D. tali die ad sessionem nostram, adtunc et ibidem tenendum, ad dand' consilium et auxiliament' eisdem sufficiantis nostris ad pac', super arraignament & deliberationem' offendenc' contra formam statuti condem. sacro sanctum Sacramentum altaris.

Indict

Prouided alway, and bee it enacted, by thauctoritie aboue said, ỹ no person or persons, shalbee indicted of any the contemptes or offences aboue said but onely of such contempts or offences as shalbee done, or perpetrated, within three monethes next after the said offences, or offence, so committed or done.

iij. moneths

Triall

And bee it further enacted, by thauctoritie aforesayd, that in all trials for any such offendours beefore the saied Justices, as is aforesaid, the persone or persons, being complained on and arraigned, shalbee admitted to purge or trie his or their innocency, by as many or more witnesses, in nimber, and of as good honestly & credence as ỹ wytnesses bee, which deposed against him or them or any of them.

witnesses

And forasmuch as it is more agreable, both to the first institution of the

Sacrament

sayd Sacrament of the most precious body and blood of our Sauiour Jesus Christ, and also more conformable to the common vse and practise, both of ỹ Apostles, and of the primitiue Church by the space of fiue hundreth yeres and more, after Christes Ascencion, that the said blessed sacrament should be ministred to all Christian people, vnder both the kindes of breade and wyne, then vnder the fourme of bread onely: and also it is more agreable to the first institution of Christ and to the vsage of the Apostles, and the primatyue Church, that the people being present should receyue the same with ỹ priest, then that the priest should receyue it alone:

Both kindes

Therefore bee it enacted by our soueraigne lord the king, with the consent of the lordes spirituall and temporall, and the commons in this present parliament assembled and by thauctoritie of the same, that the said most blessed Sacrament, be hereafter commonly deliuered and ministred vnto ỹ people, within thys Church of England and Ireland, and other the kyngs dominions, vnder both the kindes, that is to say: of Bread and Wyne, except necessitie otherwyse require, and also that the priest, whych shall minister the same, shall at the least one day before, exhort all persones, which shalbee present lykewise to resort, and prepare them selues to receiue the same.

Both kindes

And when the day prefixed commeth after a godly exhortation by the ministter made (wherein shalbee further expressed the benefit and comfort promised to them which worthely receiue the saied holy Sacrament: and daunger and indignation of god threatened to them, whych shall presume to receiue the same vnworthely, to the end that euery man may try and examine his owne conscience, beefore hee shall receiue the same) the said ministter shall not without a lawefull cause cease the same to any persone, that will deuoutly and humbly desire it: Any law, statut, ordinance or custome contrary hereunto in any wyse notwithstandinge: Not condemphying hereby the vsage of any church out of ỹ kyngs maiesties dominions.

Minister

Church

Deny

dominions. Anno. 1. Ed. 6. Capitulo primo, thys act was repealed by 1. & 2. P. & M. and reuiued by 1. Eliz. capit. 2.

2 ¶ An. 2. E. 6. cap. 1. was an act made that the seruice and sacraments should bee in English accordynge to a booke thereof made. And dyuers thynges bee in that act concernynge thole matters. And after. An. 5. E. 6. cap. 1. it appeareth that the sayd English Booke was altered and Chaunged in diuers thynges, and that there vnto was added a fourme of making and consecratinge of Bysshoppes and prestes. And in the same act of Anno. 5. Ed. 6. capitulo 1. It was enacted to compel people to come to ỳ Church to the English Seruyce, and punyshment appointed for them that should bee present at anie other seruyce as followeth.

English

3 ¶ Bee it enacted by the kyng our soueraigne lord. with the assent of the Lordes and commons in thys present parliament assembled, & by thauctoritie of the same. that from and after ỳ feast of all Saintes next commyng, all and euery person and persones, inhabitting within this Realme, or anie other the kynges maiesties dominiõs shal diligently, and faithfully, hauinge no lawfull or reasonable excuse to bee absent, endeuour themselues to resort to their parish church, or chappel accustomed, or vppon reasonable let thereof to some vsual place wher cõmõ prayer and such seruice of God shalbe vsed in such tyme of lett, vppon euery Sunday, and other dayes ordained and vsed to be kept as holy dayes, and then & there to abyde orderly, and soberly duringe the time of the common prayer preachinges, or other seruice of god, there to be vsed and ministred vppon payne of punishment, by the censures of the Church.

Church

And for the due execution hereof the kynges most excellent maiestie, the Lordes temporal, and all the commõs in this present parliament assembled doth in Godden name earnestly require & charge al the Archbishops, Bishops & other ordinaries, ỳ they shal endeuor themselues to the vttermost of their knowledges, that the due and true execution hereof may be had throughout their diocesse & charges, as they wyll aūswere before god, for such faults and plauges wherewith almighty God may iustly punish his people for neclecting this good & wholesome law. And for their auctoritie in this behalfe, bee it further likewise enacted by the auctoritie aforesaied, that al and singuler the same Archbishops, Bishops, and all other their officers, exercising ecclesiastical iurisdiction, as wel in place exempt as not exempt within their dioces, shall haue full power & auctoritie by this act, to reforme, correct, & punish by the censures of the Church, all and singuler persones, whych shall offend within any their iurisdictions or dioceses, after the sayd feasts of al saints next commynge against thys act and statut, any other lawe, statut, priuiledge, libertie or prouision heretofore made, had, or suffered, to the contrary notwithstandinge. And because there hath arisen, in the vse and exercyse of the forsayed common seruice in the Church heretofore sett forth, dyuers doubtes for the fashion and maner of ỳ ministration of the same, rather by the curiositie of the ministers, & mistakers, then of any other iuerthy cause: Therefore as well for the more plaine & manifest explanation hereof, as for the more perfection of the said order of seruice in some places where it is necessary to make the same prayers & fashion of Seruice, more earnest and fitt to stirre Christen people to ỳ true honorynge of Almyghty God: The kinges most excellent maiestie to the assent of the Lordes and commons in this present parliamẽt assembled, & by ỳ auctoritie of the same hath ratified ỳ forsaid order as cõmõ seruice intituled

Correct

Archbishops Bishops

The

Booke Common prayer

The booke of common prayer to be faithfully and godly perused, explaned and made fully perfect and by the foresayed auctoritie, hath annexed & ioyned it, so explaned & perfected to this present statut, addinge also a fourme and manner of making and consecrating of Archbishops, bishops, priestes, and deacons to bee of like force, auctoritie and value as ỳ same like aforesaid booke, intituled the booke of common prayer was before, and to be accepted, receiued, vsed, and esteemed, in like sort and maner, and with the lãe clauses & prouisions, & exceptions to all intentes, constructions and purposes, as by the act of parliament made in the second yeare of the kinges maiesties raigne, was prouyded, limitted appoynted, and appointed, for ỳ vniformitie of seruice and administration of the sacramentes throughout the Realme, vppon such seuerall paynes as in the said act of parliament is expressed. And the sayed former act to stand in full force and strength, to all intents and constructions, and to bee applied, practised and put in vre tu[illegible] for the stablishinge of the booke of common praier, now explained and perfected as aforesaid, and also the sayed forme of making of Archebishoppes, Bishoppes, priestes, & Deacons, herevnto annexed as it was for the former booke

Consecrating

And be it further enacted, that if any manner of person or persons, inhabiting & being wtin this realme, or any other the kinges maiesties dominions, shall after the sayed feast of all Saincts, willingly and wittingly, heare and be present at any other manner or fourme of common praier, or minister any sacramentes, or vse any other rites in the Church, &c. or shall vse any other maner of solemnizacion of matrimony, or openly declare before any congregacion, that they may lawfully marry, notwithstanding any degrees prohibited by the lawes of God, to be kept and solemnized in this realme, other then is vsed and set forth in the said booke, or that is contrary to the fourme of sundry prouisions & exceptions therein contained, and prescribed in the foresaid former statut, and shalbe therof conuicted, according to the lawes of this Realme before the Justices of assise, Justices of Oyer and determiner, Justices of peace in their sessiõ, or any of them, by the verdict of twelue men, or by his or their owne confession or otherwise, shall for the first offence suffer imprisonment for sixe monethes, without Bayle or mainprise, and for the second offence, being likewise conuicted, as is aboresaid, imprysonment for one whole yeare, and for the third offence in like maner, imprysonment during his or their liues. And for the more knowledge to bee geuen hereof, and better obseruation of this lawe: Be it enacted by auctoritie aforesaid, that all and singuler Curats, shall vpon one Sonday euery quarter of the yere, during one whole yeare next following the foresaid feast of all Saints next comming, read this present act in the church, at the time of ỳ most assembly, and likewise once in euery yere following at the same time, declaringe vnto the people, by the auctority of ỳ scripture, how we the mercy & goodnesse of God, hath in all ages ben shewed to his people in their necessities & extremities, by meanes of harty & faithfull praiers made to almighty God, especially where people be gathered together with one faith and mynd to offer vpp their harts by praiers, as the best sacrifices that christian men can yelde.

Conuict
Just of assi.
Just of Oier & ter.
Just of p.
Imprizon
Mainprize
Imprizon
Imprizon
Curats
Reade

An. 5. & 6. Edw. 6. This act was repealed An. 1. M. and is reuiued by 1. El. ca. 2. as followeth in this title.

Heare

Common praier

4. ¶ If any person or persons of their owne power and authoritie, at any tymes or tymes, after the twenty day of October next comming doo or shall willingly and of purpose, by open and ouert wourd, fact, act, or deede, maliciously, or contemptuously, molest, lette, disturbe, vexe, or trouble, or by any other vnlawful waies or meanes disquiet, or mysuse any preacher or preachers

willingly
word
Act
Molest
Preacher

preachers that notwithstanding, or that at anie time or times hereafter shalbee licensed, allowed, or authorised, to preach, by the Queenes highnesse, or by anie Archbishoppe or Bishoppe of this realme, or by any other lawfull ordinary, or by any of ỳ vniuersities of Oxford and Cambridge, or otherwise lawfully authorised or charged by reason of his or their cure, benefice, or other spirituall promotion or charge in any of his or their open sermon, preaching or collation, that he or they shal make declare, preach, or pronounce, in anie Church, Chappell, Churchyard, or in any other place or places, vsed, frequented, or appointed, or that hereafter shalbe vsed or appointed to be preached in. Or if any person or personnes after the sayd twenty day of December next commynge, shal maliciously willingely or of purpose, molest, lett, disturbe, vexe, disquiet, or otherwise trouble any Parsonne, Vicar, Parish priest, or curat, or any lawfull priest, repairinge, sayinge, doinge, singinge, ministringe or celebratinge the Masse, or other such diuine seruice, sacramẽts, or sacramentalles, as was most commonly frequented and vsed in the last yeare of the raigne of the late Soueraigne Lord kynge Henry the eight, or that at any time hereafter shallbee allowed sett forth, or authorised by ỳ Queenes maiestie. Or if any persone or personnes, at any tyme or tymes after the saied twenty day of December, shall contemptuously, vnlawfully, or maliciously, of their owne power or authoritie pul downe, deface, spoile, abuse, breake, or otherwise vnreuerently handle, or vse the most blessed, comfortable, and holy Sacrament of the body and bloud of our Sauiour Iesus Christ, commonly called the Sacrament of the Aulter beringe or ỳ shallbee in any Church or Chappell, or any other decent place, or pixe or receptacle, wherein the same Sacrament is or shallbee, vnlawfully, contemptuously, or maliciously, of their owne power and authoritie, to pull downe, deface, spoyle, or otherwise breake any aulter or aulters, or anie Crucifixe, or Crosse, that now, or hereafter shalbee in anie Church, Chappell, or Churchyard: That then euery such offendour and offendours, in any the premisses, his or their aydour, procurour, or abettour, aydours, procurours, or abettours, immediatly and forthwyth after any of the said act or actes, or other the said mildemeanours so cõmitted, done, or made, or at any tyme or times after, shallbee apprehended, arrested, and taken by any Constable or constables, churchwarden, or churchwardens, of the said parish, Town or place, where the said offence or offences shalbee so committed, made or done or by any other officer or officers, or by any other person or persons the being present at the time of the said offence or offences so vnlawfully committed, made, or done. Which persons or personnes so apprehended, taken or arrested, with conuenient speede shallbee brought and caried to any Justyce of peace within the said shire, or within any citie, borough, libertie or towne corporat, wherin Justices of peace be, where the said offence or offences shal bee committed done, and made, and that the sayed Justice of peace, vppon due accusations thereuppon had and made, by the apprehendour or apprehendours, or other personne or personnes of any of the said persone or personnes so offendinge, forthwith shall commit the said personne or personnes so apprehended, arrested, and taken, to safe keping and custody, as by the discretiõ of ỳ said Justice shalbee thought most meete and conuenient, and that within fiue daies next and immediatly after the said accusation so had and made to the said Iustice, with one other Justice of peace in the said shire, cytie, borough, libertie or towne corporat, shal diligently examine the matter or acte offence

Breaks Aulter Crosse

Arrest Constable Churchwarden

Officer

Just. of p.

Examine

offence or offences aforesayed. And if they ỹ said two Justices of peace, shall vppon their said examination, find or perceine the said person or persones so accused, guilty of any of the said offece or offences, wherof he or they shallbe so accused, & that by two sufficiēt witnesses, or by his or their own confessiō or confessions, ỹ then and immediatly with conuenient speede the said two Justices shal cōmit & award the sayed person or persōs so accused, as is aforesayd, to the Gayle, of, or for the sayed shire, City, borough, libertie, or towne corporat, where the said offence or offeces was so cōmitted, made or done, there to remaine wout baile or mainprise, by the space of iii. monethes then next ensuinge, and further to the nert quarter sessions, to bee holden within the said shire, citie, borough, libertie, or towne corporat, nert after the end of the said iii. moneths, at which quarter sessions the sayd person or persons so committed to gayle, as is aforesayd vppon hys or their reconciliation, and repentance in ỹ behalfe, before ỹ sayd Justices of peace at the said Sessions, shallbee deliuered & discharged out of prison & gaile, vppon sufficient suertie of his good abearing & behauiour, to be then and there taken by ỹ said Justices for one whole yere then next ensuing, as by the discretion or discretions of ỹ said Justices then, & there being, or for the more part of them shalbee thought meete and conuenient. And if the sayd person or persones so in gaile as is aforesaid, will not be reconciled and repent at the said quarter sessions, ỹ then the said person or persons immediatly in the time conuenient, shalbe further awarded, and committed to the sayd gaile by the said Justices, or by ỹ more part of them, there to remaine wout baile or mainprise, vntil hee or they so committed & awarded to gaile, as is aforesaid shalbe reconciled & be penitent for his or their said offence or offences. And be it &c. ỹ if any persone or persons at any time or times, after ỹ said xx. day of December, of their owne auctoritie and power willingly, and lawfully do rescue any offender or offenders so apprehended, taken or arrested as is aforesaid, or wil bystourbe hinder or let the said offender or offenders so offending as is aforesayd to be apprehended, taken or arrested, ỹ then euerie one of the said rescuers or bystourbers shall suffer like imprysonment as is aforesaid, and further shall pay, forfeit and loose for a fine, for euery of hys or their said offences fine li. to the Quenes maiestie, her heires & successours. And be it &c. that if any of the offenders aforesaid bee not taken, apprehended or arrested immediatly in tyme conuenient as is aforesaid, but doo escape or goe away, that then the said escape shallbee lawfully presented before the Justices of peace in the said Shire, City, Borough, Libertie, or Towne corporat, the nert quarter sessions to be holden where ỹ said escape was made and suffered, and that inhabitantes of the paryth where the said escape was so suffered shal forfeit and lose to the Quenes maiestie her heires & successours, for euery such escape fine pounds, to be leuied and taken, as other like amerciamentes and fines before this time hath & bene leuied and taken vpon any village, hundred or Towne, for the escape of any murtherer or other felone, for not making pursuit vpon hue and cry, according to the statut of Winchester, and the statut made and prouided in ỹ iii. yeare of the worthy kynge Henry the seuenth.

And be it &c. that all and singuler Justices of peace, Justices of assise, Justices of Oyer & determiner, and all and singuler, Maires, Bailifes, & Justices of peace, within any citie, Borough or towne corporat in any parte within this realme, within the limits of their commission or commissiōs, shall haue full power and auctoritie by hertue of thys

witnesses
Confession
Imprison
Mainprise
Quarter sessions
Reconcile
Deliuer
Good abearing
Refuse
Imprison
Rescue
Imprison
Forf.
Escape
Just. of p.
Quarter sessions
Parish
Forf.
Escape
Just. of p.
Just. of all.
Just. of Oyer & ter.
Maires
Bailifes

this act after the sayed twenty day of December, to enquire of al and singuler the offences and mysdemeanours afozesaid, and to heare and determine ꝑ same, and set the fin and amerciaments of the said offender oꝛ offenders as is afozesaid. Enquire fine & set.

Prouided alwaies, and be it &c. that this act, oꝛ any thinge therein contayned, shall not in any wise extend to abrogate and take away thauctoꝛitie, iurisdiction, power and punishments of the ecclesiasticall lawes notwe standing, & remaining in their foꝛce, of, oꝛ foꝛ the punishmẽt of any the offences and mysdemeanours afozesaid: but the auctoꝛitie, power, iurisdictions, & punishments of ꝑ said ecclesiastical lawes of, and foꝛ any of the offences and misdemeanours afozesaied, shall stand in full power and strength, and to be vsed and exercised in all and euery thing as though this act had neuer ben had and made: Thys present act oꝛ any thynge therein contained to the contrary here of in any wise notwithstandinge. Ecclesiast. lawes

Prouided alwaies, and bee it &c. that whatsoeuer personne offendynge the premisses, shal foꝛ any of the offences afoze recyted, receyue punyshment of the oꝛdinarie, haynge Testimoniall therof, vnder the said oꝛdinaries seale, shall not foꝛ the same offence eftsones bee conuicted befoze the Justice, and in likewyse receyuinge foꝛ the sayed offences punishment by the Justyce, hee shall not foꝛ the same offence eftsones receiue punishment of the Oꝛdinary: Any thing in this act to the contrary notwythstandyng. Anno. 1. M. 1. parlia. cap. 3. part of thys statut is repealed by An. 1. El. ca. 2. Ouerpunished

¶ Bee it enacted by the auctoꝛytie of this preſẽt parliament, that the said estatut of repeale, (2. An. 1. of Quẽne Mary befoze 4.) & euery thing therein contained onely concerninge the saied booke, (s. of cõmon pꝛayer & ꝑ seruice, administratiõ of Sacramentes, rites, & ceremonies, contained oꝛ appointed, in oꝛ by ꝑ said booke) shalbee void and of none effect, from and after ꝑ feast of the Natiuitie of saynt Jhon Baptist next comming.

And that the said booke, with the oꝛder of seruice, and of the administratiõ of Sacraments, rites, and ceremonies with the alteration and addicions there in added and appointed by this estatut shal stand & be frõ & after ꝑ said feast of ꝑ Natiuitie of S. John Baptist, in ful foꝛce & effect, accoꝛding to the tenour & effect of this estatute: any thinge in the foꝛesayd statute of repeale to the contrary not with standing. And further be it enacted &c. ꝑ all and singuler ministers in any Cathedꝛal oꝛ parishe church, oꝛ other place within this reãlme of England, Wales, and the marches of the same, oꝛ other ꝑ quẽns dominions, shall from and after the feast of the Natiuitie of Sainct John Baptist next comming be bounden to vse and say the Mattens, Euensong, Celebration of the loꝛdes supper, and administration of eche of the Sacramentes, & all their common & open pꝛayer, in such oꝛder and foꝛme as is mencioned in the sayd booke so auctoꝛised by parlyament in ꝑ said v. & vi. yere of the raigne of kinge Edward ꝑ first, with one alteration oꝛ addicion of certaine lessons to be vsed on euery Sonday in the yere, & the fourme of ꝑ Letany altred and coꝛrected, and two sẽtences onely added in the delyuery of ꝑ Sacramẽt to ꝑ communicãts, & none other, oꝛ otherwise. Bookes Sacraments Ministers Mattens Euensong Lozds supper Lessons Letany

And that if any maner of Parson, Vicar, oꝛ other whatsoeuer myniſter that ought oꝛ should singe, oꝛ say common pꝛayer, mencyoned in the sayed booke, oꝛ minister the sacraments, frõ & after the feast of the Natiuity of S. John Baptist next comming refuse to vse the said common pꝛaiers, oꝛ to minister the sacramẽts in such cathedꝛal oꝛ parish church, oꝛ other places, as he should vse to minister the same, in such oꝛder & fourme as they be mencioned Ministers Refuse

and

and set forth in the sayd booke, or shal wilfully or obstinatly standinge in the same, vse any other rite, cerimony, or order, forme, or maner of celebrating of the Lords supper, openly or privily, or Mattens Euensong, administratiō of the Sacramēts, or other open prayers then is mentioned and sett forth in the said booke.

Vse other order

(Open prayer in and throughout this act, is ment that prayer vvhich is for other to come vnto, or heare, either in common Churches or priuy Chappels or Oratories, cōmonly called the seruice of the Church) or shal preach, declare, or speake any thing in the derogation or deprauing of the said booke, or any thing therin cōtained, or of any part therof, & shalbe therof lawfully convicted, according to the lawes of this realme, by verdict of xij. men, or by his owne confession, or by ẏ notorious euidence of the fact, shal lose & forfait to ẏ Queenes highnes, her heires & successors for his first offence, ẏ profit of al his spirituall benefices or promotion, comming or arising in one whole yere next after his conuiction. And also ẏ the person so conuicted, shall for ẏ same offence suffer imprisonment by ẏ space of sire moneths, without baile or mainprise. And if any such person once conuict of any offence concerning the premisses, shall after his first conuiction eftsones offend, and be therof in form aforesayed lawfully conuict: that thē the same personne, shall for his second offence suffer imprysonment by the space of one whole yeare, and also shal therefore be depriued, ipso facto of all his spiritual promotions, And that it shalbe lawful to al patrons or donours of all and singuler the same spirituall promotions, or any of them to present or collate to the same, as though ẏ person or persons so offending were dead. And that if any such person or persons after he shalbe twise cōuicted in form aforesaid, shall offend against any of the premisses the third time, & shal be therof in fourme aforesaid lawfully conuicted: That then the persone so offending and conuicted the third tyme shalbe deprived, ipso facto, of all hys spiritual promotions, and also shal suffer imprisonment during his life. And if the personne that shal offend, and be conuict in fourme aforesaid, concerning any of the premisses, shal not be benefised, nor haue any spiritual promotiō: That then the same person so offending & conuict, shall for the first offence suffer imprisonment during one whole yeare next after his said conuiction wout baile or mainprise. And if any such personne not hauing any spiritual promotion after his first conuiction, shal eftsones offend in any thinge concerning ẏ premisses & shal in forme aforesaid be therof lawfully cōuicted: That thē ẏ same person shal for his secōd offence, suffer imprisonment during hys life. And it is ordained & enacted by ẏ authoritie aboue said ẏ if any persō or persons whatsoeuer after the said feast of the Natuity of saint John Baptist next comming, shal in any Enterlude Playes, Songes, Rimes, or by other open wordes, declare or speake anie thing in the derogation, deprauing, or despising of the same booke, or of anie thynge therein conteyned, or any part therof, or shal by opē fact, decde, or by open threatninges compell or cause, or otherwise procure or maynteyne anie person, vicar, or other minister in anie Cathedral or parish church, or in chappel, or in anie other place to sing or say any common and open prayer, or to ministre any Sacrament otherwise, in anie other manner and fourme then is mencioned in the sayd booke, or that by anie of the said meanes shall vnlawfully interrupt or lett anie person, vicar, or other mynister, in anie Cathedrall or parysh church, chappell or any other place to sing or say common and open prayer, or to ministre the Sacraments or any of them, in such manner and fourme, as is mencioned in ẏ sayd booke.

Impriſon
Mainprise

Deprive

Enterlude
Songes
Speake

Threaten
Maintaine

Other maner

Interrupt
Minister

booke: That then euery such person being therof lawfully conuicted in forme aboue saide, shal forfait to the Queene our Soueraigne Lady, her heires and successours, for the first offence a hundreth markes. And if any person or persons being once conuict of any such offence, effiones offend agaynst any of the last recited offences, & shall in forme aforesaied be therof lawfully conuicted: That then the same person so offending and conuict, shal for the second offence forfait to the Queene our Soueraigne Lady her heires and successours, fower hundreth marks. And if any person after he, in forme aforesaid, shall haue ben twise conuict of any offence concerning any of the last recited offences, shal offend the third time and be therof in forme aboue saied lawfully conuict: That then euery person so offending and conuict shall for his third offence, forfait to our Soueraigne Lady the Queene, all hys goodes and cattels, and shall suffer imprisonment during his lyfe. And if any person or persons that for his first offence concerning the premisses, shal bee conuict in forme aforesaid, doo not pay the summe to be paied by vertue of his conuiction, in such maner and fourme as ẏ same ought to be paied, wtin vi. weekes next after his conuiction, that then euery person so conuict, & so not paying ẏ same shal for ẏ same first offence, in steede of ẏ saied summe, suffer imprisonment by the space of vi. monethes, without baile or mainprise. And if any person or persons, that for his seconde offence concerning the premisses, shalbee conuict in fourme aforesaid, do not pay the saied summe to be paied by vertue of his conuiction, and this estatut, in such maner & fourme as the same ought to bee payed within vi. weekes next after the said second conuiction: That then euery person so conuicted and not so paying the same, shall for the same second offence in the stede of the said summe, suffer imprisonment during xii. monethes, without bayle or mainprise. And that from and after the sayd feast of the Natiuitie of S. Iohn Baptist next comming, all and euery person or persons, inhabiting within this Realme, or any other the Quenes Maiesties dominyons, shall diligently and faithfully hauing no lawfull or reasonable excuse to bee absent, endeuour them selues to resort to theyr parish church or chappel accustomed, or vpon reasonable let thereof, to some vsual place where common prayer, and such seruice of God shalbee vsed in such time of let vpō euery sunday, and other dayes ordained and vsed to bee kept as holy daies, And then and there to abide orderly and soberly duryng the tyme of the cōmon prayer, preachinges, or other seruice of God, there to be vsed and ministred, vpon paine of punishement by the censures of the church. And also vpō paine, that euery person so offending, shall forfait for euery such offence xu. s. to bee leuied by the churchwardens of ẏ parish where such offence shalbe done, to the vse of the poore of ẏ same parish, of the goodes, landes and tenementes, of such offenders, by way of distresse. And for due execution hereof ẏ Queens most excellent Maiestie, the Lords temporall, and all the commons in this present Parlyament assembled, doth in Godes name earnestly require & charge all the Arbhebishops, Bishops, & other ordinaries, that they will endeuour thē selues to the vttermost of their knowledges, that the due and trewe executiō hereof may be had throughout their diocesse, and charges, as they will answere before God, for such euils and plagues wherwith almighty God may iustly punish his people, for neglecting this good & holesome law.

And for their authoritie in thys behalfe, be it further enacted by thauctoritie aforesaied, that all and singuler the same Archebishopps, Bishoppes, and all other their officers, exercising ecclesiasticall iurisdiction, as well in place exempt as not exempt within their dioces, shall haue ful power and authority



Conuict Forf.

ij. Offence Forf.

Forf.

Imprison

Do not pay

Imprison

Mainprise

Imprison

Punish

Forf. xu. s.

Churchwardens.

Poore.

Ecclesiastical lawes.

by this act, to reforme, correct & punish by censures of the Church, all and singuler persons which shall offende within any theyr iurisdiction or diocesse, after the saied feast of the Natiuitie of S. John Baptist next comminge agaynst this act and statute. Any other lawe, statute, priuiledge, libertie, or prouision heretofore made, had or suffered to ẏ cõtrary not withstanding.

And it is ordained and enacted by the auctoritie aforesaid, that all and euery Justices of Oyer and determiner or Justices of Assise, shall haue full power & auctoritie in euery of theyr open and generall Sessions, to enquire, heare, and determine all, and all manner of offences that shalbee committed or don contrary to any article contained in this present act, within the lymittes of the commission to them directed, & to make proceese for the execution of the same as they may do against any person beeing endicted before them of trespasse, or lawfully conuicted thereof.

Iust. of Oier & ter. Iust. of all. Enquire Oier & ter. Procets

Prouided alway, and bee it enacted by the auctority aforesaid, that all and euery Archebishoppe, and Bishoppe, shall or may at all tymes and tymes at his libertie and pleasure, ioyne and associat him selfe by vertue of this act, to the said Justices of Oyer and determyner, or to the said Justices of Assyse, at euery of the saied open and generall Sessions, to be holdē in any place within hys Diocesse, for and to the enquiry hearing and determining of the offences aforesaid.

Archbishop Bishop

Prouided also and bee it enacted by the auctority aforesaid, that the bookes concerning the said seruices, shall at the costes and charges of the parishioners of euery parishe & Cathedrall Church bee attayned and gotten before the saied feast of the Natiuity of S. John Baptist next following, and that all such Parishes, and Cathedral churches or other places, where the saied bookes shalbee attayned and gotten before the saied feast of the Natiuitie of S. John Baptyst, shall within three weekes next after the said bookes so attayned & gotten, vse ẏ saied seruice, & put ẏ same in vse according to this act.

Bookes Paroch

And be it further enacted, by thauctoritie aforesaid, ẏ no person or persõs shalbe at any time hereafter empeched or otherwise molested of, or for any of ẏ offences aboue mencyoned, hereafter to bee committed or done contrary to this act, vnlesse he or they so offending bee thereof indited at the next generall Sessions to be holden before any such Justice of Oyer and determyner, or Justyces of assyse, next after any offence committed or done, contrary to the tenour of this act.

Indict Generall sessions

Prouided alwaies, & be it ordained & enacted by the auctority aforesaied, ẏ al & singuler Lords of ẏ parliamẽt, for ẏ third offence aboue mencioned shalbe tried by their Peeres.

Lords of the parliament Peeres

Prouided also and be it ordeyned and enacted by ẏ auctority aforesaid, that the maior of London, & all other Maiors, bailiffes, and other head offycers of all and singuler Cities, Boroughes & townes corporate within this realme Wales, and the marches of the same, to the which iustices of assise do not cõmonly repaire, shall haue full power & auctority by vertue of this act to enquire, heare, & determine ẏ offences aboueiaied, & euery of them yearely within xb. daies after the feast of Easter, and S. Michel ẏ Archaungel, in like maner & fourme as Iustices of assise, & Oyer & determiner may do.

Maior London Bailifes Enquire Oier & ter.

Prouided alwaies, & bee it ordayned and enacted by the auctority aforesaid that all and singuler Archbishopes and Bishoppes, and euery of their Chauncellors, commissaries, Archedeacons, & other ordinaries, hauing any peculiar Ecclesiastical iurisdiction, shall haue full power and auctority by vertue of this act, as well to enquire in their visitation, Sinodes, and els where within their iurisdiction at any other time and place, to take occasions and informa-

Archbishop Bishops Ordinaries Enquire

tions

tions of al and euery the thinges abouemencioned, done, committed, or perpetrated, within the limmitts of their iurysdictions and auctoritie, and punish the same by admonition, communication, sequestration, or deprivation, and other censures & processe in lyke sourme as heretofore hath bene vsed in like cases by the Queenes Ecclesiasticall lawes. Punish

Prouided alwaies, and bee it enacted that what soeuer person offendinge in the premisses, shall for the offence, first receiue punishemẽt of the ordinary, having a testimoniall thereof vnder the said ordynaries Seale, shal not for the same offence eftsones be conuicted beefore the Justices. And lykewise receyuing of the saied first offence, punishement by the Justices, he shall not for ẏ same offence eftsones receiue punishement of the ordinary: Any thing conteined in this act to the contrary notwithstandyng. Once punished

Prouided alwaies and be it enacted that such ornaments of the church, and the ministers thereof, shalbe retained, and be in vse as was in this Church of England, by auctority of parliament in the second yere of the raigne of kyng Edward the first, vntill other order shal be therein taken by the auctority of ẏ Queenes maiestie, with ẏ aduise of her Commissioners, appointed and auctorised vnder the great Seale of Englãd for causes Ecclesiasticall or of the Metropolitane of this realme. And also, ẏ if there shall happen any contempt or irreuerence to be vsed in the ceremonies or rites of the church by the misusinge of the orders appointed in thys booke: The Queenes Maiestie may by the like aduise of the said Commissioners or metropolitane, ordeine & publish such further ceremonies or rites as may be most for the aduancement of Gods glory, the edifying of his Church and the due reuerence of Christes holy misteries & sacramẽts. Ornaments

And be it further enacted by ẏ auctoritie aforesayd, that all lawes, statutes & ordinances, wherein or whereby any other Seruice, administration of Sacraments, or Common prayer, is limited, established, or set forth to be vsed wͭin this realme, or any other ẏ Queenes dominions or country, shal from henceforth bee vtterly void & of none effect. An. 1. El. ca. 2.

¶ *Seuerne.*

NO master or masters, owner & owners of ship or shipps, or of any other boate or vessell, or any other person or persons, doe cast or vnloade their balast or robull, at, or in the said Rode, called kingrode, and Hungrode, ne in any of them, ne in any other place, from the Rode of kingrode vnto the Towne of Bristoll, nor in no part of the hauen thereof, but on the land only aboue the full sea marke, vppon paine that euery such owner, master of the shippe or of other boat or vessell, and euery other person or persons casting and laying their ballast or robull in the streme, at the place or in the riuer aforesaid, to forfait at euery time so offending iiȷ.li. the one halfe thereof to bee to the king, and the other halfe thereof to the partie ẏ will sue &c. by bill, plaint, accion of debt, information, or otherwise, in the which accion the defendant shall not wage his law. And further &c. that no person or persons from henceforth shall enbote or lade, or cause to be enboted or laden, any wheat, malt, beanes, or any other kind of graine or corne, whatsoeuer it shalbe in any Pyeard, boate, or other vessell at any creeke, pill, bankie, or els where vpon the Seuerne streme betweene the key of the City of Gloucester, & ẏ said city or towne of Bristoll by water of Seuerne to the tent to be trãsported into other parts beyond ẏ sea out of the kinges dominion, before ẏ the said owner or lader of ẏ said Pycard boate or other vessel, hath ben wͭ the kings customers of ẏ said towne of Bristoll, & there by himselfe, & one sufficient fermer wͭ him bounde Shipmasters Wheat Malt Beanes Corne. Forf. Moitie.

Customer Bristol

vnto the kings customers of the sayed port and Towne of Bristol aforesaid, in such reasonable summes of money, to the vse of our said soueraigne lord ỳ king, as shall amount to the double value of the saied graine or corne there to be laden, or to be enboted, vpon condicion ỳ the said owner or master of the said Picarde, or boate, or other vessell, shall not repaire or transport the sayd corne or graine, nor no part therof into any vtter partes beyond the sea out of the kinges dominion, before the sayed master or owner thereof shall come & bring the saied graine & corne vnto the key of the said towne of Bristol, & there to be viewed or sene ỳ contents therof & the contents therof to be declared vn to ỳ kings customers, & to the Maior of the said Towne for the time being, if there be any such licẽce or lawfull cause for to cõuey or trãsport graine or corne vnto the parties beyond the sea out of ỳ said kinges dominion there to be measured & mett by the common measure of the said towne. And after the sayed obligation with condition so made, sealed & deliuered vnto the said custome: Then the said Custome shall deliuer a sufficiẽt cocket vnto the party owner or owners, or master so bounden to conuey the saied graine or corne vnto the key of Bristoll, vpon paine that euery Picard boate or other vessell so laden wt graine or other kinde of corne, to bee caried or transported into the vtter parties beyond the sea out of the kinges dominion, to be forfaited, as well the said Corne and graine so laden, as the sayed boate so laden contrary vnto this present act, wherof the king &c. to haue the iij. partes thereof, & the party that will sue &c. the fourth part before ỳ kinges most honorable counsaile according to ỳ kings proclamation in ỳ behalf made and prouided.

Transport

Bristol

Customer Maior

Measure

Cocket

Forf.

And further &c. that if it shall appeare vppon the measuring thereof vnto the Maior of the said towne of Bristol, and to the kings customers then for ỳ time being, that there is more corne or grain loden to be transported into the parties beyond the sea, within any of the sayed vessels, boates, picardes, or trowes, ouer and aboue iiij. quarters, that then it shal be lawfull vnto the sayd Maior and customers, there for ỳ time being to cause the owner or conueyer thereof vnto the saied towne of Bristol, to make sale of such Corne & graine, as shalbe brought ouer and aboue the contents of the said cockettes or licence, and ouer and aboue fower quarters beside ỳ cocket or licẽce according as the prices of such graine & corne are commonly worthy and sold in the open market of the saied towne of Bristoll. The said common meater to haue for the measuring of euery way of corne ij. d. on paine of euery personne being owner of the said graine or corne, or hauing the charge of the same, denying the measuringe of the saied graine at the said key of Bristol, to lose and forfaite for euery time so denying. v. pond. thone halfe thereof to be to the king, and the other halfe thereof to the party that will sue for the same &c. In the which action the defendant shal not wage his law &c. An. 34. H. 8. ca. 9.

4. quarters

Make sale

Meater

Forf. Pointe

¶ *Sewers.*

By. r. yeres next ensuing, seueral cõmissions of sewers shalbe mad to diuers persõs by the Chãcelor of England for the time beeing, to come in al parties of ỳ realme, where shalbe nedful according to the forme as hereafter folowyeth.

2. yeres Cõmissiõs Chauncelor

¶ Henry by the grace of god kinge of England, &c. to his welbeloued and faithful. A. B. C. & D. greting. Knowe ye, that whereas ỳ walles, dytches gutters, sewers, bryges, cawcies, & weares by the coasts of the sea and marsh, within the coastes and limittes of Lindsey, in the county of Lyncolne, by rage of the Sea flowyng, and reflowyng, and trenches of fresh waters &c. An. 6. H. 6. ca. 5.

2 ¶ All such commissioners (S. mencioned in An. 6. of H. 6 cap. 5. before).

Maior Customer

shall

shal haue power to do, ordaine and execut ẏ statutes ordinances & other things to be made accordinge to ẏ effect: & purpoꝛt of ẏ said cõmissiõs. An. 8. H. 6. c. 3.

10. yeres

3 ¶ By tenne yeares next ensuing after this present parliament, seuerall commissions of sewers shalbee made to dyuers persõs by the Chaũcelour of England for the time being to bee named in al the parties of the said Realme where nede shalbee after the fourme & effect of a commission contayned in the said statute, the same firt yeare. And moꝛe ouer he hath ordained and stablyshed by the same aucthoꝛity that all such commissioners haue power to make, ordeine and execute statuts and ordinances and other astayres after the effect and purpoꝛt of the sayed commissions Anno. 18. H. 6. capit. 10. Statute.

Cõmissiõs

Statuts

15. yeres Chaũceloꝛ

4 ¶ During the terme of xv. yeares next ensuing, the Chauncelour of England for the time being shal haue power to make commissions of sewers out of the kinges chauncery, under the kynges great seale, in such fourme as it was graunted to be made by the statut made in ẏ said vi. yere. (S. 6. H. 6. ca. 5.) An. 23. H. 6. ca. 9.

5 ¶ For xv. yeres next ensuing seuerall commissions of Sewers shalbe made to diuers persõs by the Chauncellour of England for the time being, to bee named in al parties of this realme of England and of the aforeland marches (S. of Calleis, Guisnes & Hãmes) where nede is or shalbee, after the fourme and effect of the sated Commyssion contained in the said act made the said vi. yere And moꝛeouer he hath ordained and stablished by ẏ same aucthoꝛitie, that all such commissioners shall haue full power to make ordayne and execute statutes and ordinaunces & other thinges to bee don after the effect and purpoꝛt of the same commissions. Anno. 12. E. 4. cap. 6.

Statuts

25. yeres

6 ¶ For xxv. yeares next commyng, seuerall commissions of sewers be made to diuers persõs by the Chauncellour of England for the time being, to bee named in al parties of this his realme, & of the sated marches, where nede is or shalbe, after ẏ fourme and effect of the sated commission contained in the sated act made in the said vi. yeare cap. 5. (before 1.) and ouer that hath ordained and estabilshed by the said aucthoꝛity that al such commissioners, haue full power to make, ordaine, and execute statutes & ordinances, & other things, do after the effect & purpoꝛt of the same commission. An. 4. H. 7. ca. 1.

Chaũceloꝛ

Statuts

7 ¶ That the said act (s. An. 6. H. 6. ca. 5. before 1. & An 4. H. 7. ca. 1. before 6) and al other acts and aucthoꝛities herto foꝛe made concerning commissioners of sewers and their commissions and aucthoꝛitie (not being before thys tyme repealed) abide and stand from henceforth good and effectuall to endure for euer. And also that the Chauncellour of England for the time being, shall haue from henceforth ful power and aucthoꝛity for euer to graunt commissions of Sewers into euery part of this realme and the said marches, where nede is or shalbee, to certaine persons by the said Chauncellour for the time being, to bee named, accꝛding to the fourme & effect of the said commission and act expressed in the said parliamẽt holden the sayd vi. yeare of the reigne of kynge H. the 6. (ca. 5. before 1.) And ouer that be it &c. that al such commissioners haue & shall haue full power and aucthoꝛity to putt their commission in due execution, and to make and execute statutes and ordinaunces, and all other thinges to doo after the effect and purpoꝛt of their commission. And that al commissions of sewers graunted or made sithẽce the said xxv. yeare determined, and the acts ordinaunces and all executions and other thinges by the commissioners of the sãe concerning the saied commissions, or any of the same commissioners, and euery thing in the same compriſed, bee and shalbe effectual and of like strength as if the said commission had ben made

Cõmissions

Statuts

2. Commissioners

or graunted within the said xxb. yere immediat after the saied parliamẽt holdẽ the said iiii. yere of the raigne of kyng H. 7. ca. before. 6. And also be it &c. that ẏ Chaunceller of Englãd for the time being, shall make no commission to any person or persons for ẏ execution of this act except he haue landes & tenements of estate of free hold to the yerely value of xx. li. at ẏ least, or els be Justices of Quorum learned, within any of the sheres where he shalbee made commissioner. And if any such commission be directed to any person or persones, not hauinge landes & tenementes to the yerely value of xx. li. or not being one of the Justices of Quorum learned as is aforesaid, that euery such cõmission, & al presentments & accusations had & preseted before any such commissioners, and also al & euery fines set by the said commissonr & commissioners, to be vtterly voide & of none effect. This act to endure but for x. yers and fro the ende of the same x. years vnto the next parliament. An. 6. H. 8. cap. 10.

Chaunceller

xx. li. landes Quorum

Voyd

Cõmissiõs

8 ¶ Cõmissions of sewers & other the premisses shalbee directed in all partes within this Realme from time to time where & when neede shal require according to ẏ maner, forme, tenour & effect hereafter ensuing, to such substanciall & indifferent persõs as shalbe named by ẏ lord Chaũceller and Lord Treasorer of England, & the two chefe Justices for the time being, or by iii. of them, where of the Lord Chauncellour to be one, H. the 8. &c. Know ye that for asmuch as ẏ walles ditches, bankes, gutters, sewers gotes, calceys, bridges streams, & other defẽces by the coasts of the sea & marsh ground being & lying within the limittes of A. B. or. C. in ẏ Comty or Coũties of or in the borders or confines of the same, by rage of the sea, flowing and reflowing, and by meane of the trenches of fresh waters discending & hauing course by diuers wayes to the Sea be so dyrupt, lacerat, and broken. And also ẏ cõmon passages of shyppes balengers and boates in the ryuers, stremes and other studdes wythin the limittes of A. B. or C. in the countie or counties of or in the borders or confines of the same by meane of setting vpe, erecting, and making of streames, milnes, bridges, pondes, fishgarthes, mildammes, lockes, hebbing weares, hecches and sludgates, or other like lettes, impedymentes, or annoyaunces, be letted and interupted So that great & inestimable dammage for default of reparation of the said walles, ditches, banks fences sewers gotes gutters, calceis, bridges, and streames. And also by meane of setting vppe, erecting, making, and enlarging of the said fishegarthes, mildammes, lockes, hebbing weares, hecches, sludgate, and other like annoiances in times past hath happened, & yet is to be feared, ẏ farre greater hurt, losse and dammage is like to ensue, vnlesse that spedy remedy bee prouided in that behalfe. Wee therefore for that by reason of our dignity & prerogatiue roiall, wee bee bounde to prouide for the safety and preseruation of our realme of England willing ẏ spedie remedy be had in ẏ premisses, haue assygned you and sire of you, of the which wee wyll that A. B. and C. shall be three, to be our Justices to survey the said walles, streames, ditches, bankes, gutters, sewers, gotes, calceys, brydges, trenches, mylnes, mildammes, sludgates, pondes, lockes hebbynge weares, and other impedimentes, lettes, and annoyaunces aforesaied, and the same cause to be made, corrected, repaired, amended, put downe, or reformed, as cause shall require after your wisedomes and discretions. And therein aswell to ordayne and doe after the fourme, tenour, and effect of all and singuler the estatutes and ordynaunces made before the first day of March the three and twenty years of our raigne, touching the premisses or any of them, as also to enquire by the othes of ẏ honest and lawful men of the said shere or sheres

Chaunceller Treasorer Chiefe iust.

Forme of the cõmissiõ

Survey

Annoiãces

Enquire Othes

sheres, place or places, where such defaultes or annoyaunces be, as well within the liberties as without (by whom the trouth may the rather be knowen) thorough whose default the said hertes & damages haue happened, and who hath or holdeth any landes, or tenementes, or common of pasture or profit of fishing, or hath or may haue any hurt losse or disadvantag by any maner of meanes in the said places, as well nere to ỳ said daungers, lettes, & impedimentes, as inhabiting or dwellinge there about by the saied walles, dytches, banks gutters, gotes, sewers, triches, & other the said impediments and annoyaunces And al those persons and euery of them to take, assesse, charge, distraine, and punish, as well within the metes, limitts and bondes, of old tyme accustomed or otherwise or els where within our realme of England, after the quantitie or their landes, tenementes, and rents by the number of acres and perches, after the rate of euery persons porcion, temure, or profit, or after the quantitie of theyr common of pasture, or profitt of fishing or other commodities there, by such wayes and meanes & in such manner and fourme as to you or fiue of you whereof the sayed A.B. and C. to bee three, shall seme most conuenient to be ordained and done for redresse and reformation to bee had in the premisses. And also to reforme, repayre, and amend the said walles, ditches, bankes, gutters, sewers, gotes, caleeies, bridges, stremes, and other the premisses in al places needefull, and the same as often & where neede shall bee to make newe: And to clense and purge the trenches, sewers and dytches in al places necessarie. And further to reforme, amend ouerthrow all such milles, stremes, pondes, locches, fishgarthes, hebbing weares, and other impedimentes and annoyaunces aforesaid as shalbee found by inquisytyon or by your surueying and discretions to bee

Profit hurt

Taxe Distreine Punish

Amend

Ouerthrow mills

cessine or hurtfull. And also to depute & assigne diligent, faithfull, and true keepers, bayliffes, surueiours, collectors, expenditours, and other ministers and officers, for the safety, conseruation, reparation, and making of the premisses and euery of them, and to heare the accompt of the collectours and other ministers of and for the receipt and laying out of the money that shalbe leuied and paied, in and about the making, repayring reforming and amēding of the said walles, ditches, bankes, gutters, gotes sewers, caleies, bridges, stremes, trenches, milles, pondes, locks, fishgarthes, fludgates, & other impediments, & annoyances aforesaid. And to distraine for the arrerages, of euery such collection, tare, or assesse as often as shalbe expedient, or otherwise to punish the debtors and detainors of ỳ same by fines, amerciamentes, paines, or other like meanes after your good discretions. And also to arrest and take as many cartes, horses oxen, beastes, and other instrumentes necessary & as many workemen and labourers: as for the said works & reperation shall suffice, paying for ỳ same competent wages salary & stipendin that behalf. And also take such & as many trees woodes, vnderwoodes and timber, and other necessaries, as for ỳ sāe workes & reparations shalbe sufficient, at a reasonable price by you or fiue of you, of ỳ which wee will that A.B. and C. shal bee iii. to be assessed or limitted as well wiin ỳ limits & bounds aforesaid, as in any other place wiin the saied countie or counties neare vnto the said places. And to make & ordayne statutes, ordinaunces and prouisions, from time to time, as the case shal require, for ỳ safe garde, conseruation, redresse, correction, & reformation of the premisses and of euery of them, and the parties lying to the same, necessary and behouefull after ỳ lawes & customes of Romney Marsh, in ỳ County of Kent, or otherwise by any waies or meās after your

Deputie

Bailiffes

Officers

Accompt

Distreine

Punish

Cartes Horses Oxen workemen Labourers. Wages Trees. Woodes

Statutes

Romney marsh.

owne wisedomes and discretions. And to heare and determine al and singuler the premisses, aswell at our suit as the suit of any other what soeuer complayning before you, or sire of you, whereof A.B. & C. shalbe three, after the lawes and customes aforesaid, or otherwise by any other waies & meanes after your discretions. And also to make & direct al writtes, precepts, warraunts, or other commaundements, by vertue of these presentes, to al sheriffes, baylifes and al other ministers, officers, & other persons as wel within liberties as without, before you, or sire of you, wherof the said A.B. & C. to be three, at certaine daies termes, and places to be prefixed, to bee returned and receiued. And further to continue the proces of the same, and finally to do al and euery thing & thinges as shall be requisite for the due execution of the premysses by all wayes and meanes after your discretyons. And therefore we commaunde you, that at certein daies and places, when & where you or sire of you, whereof the saied A.B. & C. to be three, shal think expedient ye do survey the said walles, fences, dytches, banks, gutters, gotes, sewers, calceys, pondes, bridges, riuers, streames walcourses, milles, loches, trēches, fishgarts, sludgates, and other the lettes, impediments, and anoiances aforesaid & accomplishe, fulfill, heare, and determine all & singuler the premisses in due forme and to the effect aforesaied after your good discretions. And all such as ye shall find negligent, againe saying, or rebelling in the said workes reparatyons or reformation of the premisses, or negligent in the due execution of this our cōmission that ye do cōpell them by distresse, fines and amerciamentes or by other punishementes wayes or means, which to you or vi. of you, wherof the said A.B. & C. shalbe three, shall seme most expedient for the spedy remedy redresse, and reformation of the premisses, and due executiō of the same. And al such things as by you shal be made void and ordained in this behalfe as well within liberties as without that ye do cause ỳ same firmely to be obserued doing therein as to our Iustices appertained, after ỳ lawes and statutes of thys our Realme and accordynge to your wisedome and discretions. Saued alwaies to vs such fines & amerciaments as to vs thereof shal belong. And we also commaund our sherife or sheriffes of our said cōtie or cōtties of that they shal cause to come before you or sire of you, of the which A.B. & C. shall bee three, at such daies & places as ye shall appoint to the such and as many honest men of his or their bailiwike as wel within the liberties as without, by whō the trouth may best bee knowne, to enquire of the premisses. Commaunding also al other ministers and officers, as well within libertie as without, that they & euery of them shalbe attendaunt to you in and about the due execution of this our commission. In witnes whereof we haue caused these our letters patents to bee made. Witnes our selfe at Westminster the day of in the yeare of our raygne. And it is also &c. ỳ euery such person as shalbe named cōmissioner in ỳ said cōmissiō after he hath knowledg therof, shal effectually putt his diligence & attendaunce in & about the execution of the said commission. And before he shal take vpon hym the execution of the said commission, he shall take a corporall othe before the Lord Chaūceller or before such to whō the said Lord Chaunceller shall direct ỳ kinges writ of Dedimus potestatem, to take the same, or before the Iustices of the peace in the quarter Sessions holden in the shere where such commission shalbe directed: ỳ tenour of which othe hereafter ensueth.

Ye shal sweare, ỳ you to your cunning wit, & power, shal truely & indifferently execute thauctority to you geeuen by this commission of Sewers, wythout any fauour affeccyon corrupcyon dread or

Oier & ter,
Writs
Precepts
Warrants
Shirifes
Bailifes
Survey
Oier & ter.
Negligent
Distresse
Fines
Amerciaments
Shirifes
Enquire
Officers
Diligence
Othe
Dedimus potestatem
Iust. of p.
Othe

or malice to bee borne to any manner persone or personnes: And as ẏ case shall require, yee shall consent & endevour your selfe for your part to ẏ best of your knowledge and power to the makinge of such holesome, iust, equall, and indifferent lawes and ordinaunces, as shalbee made and devysed by the most discreete and indifferent number of your fellowes being in cõmission with you for the tyme requysite, reformation and amendement of al and everie such thynges as are contayned and specified in the sayd commission. And the same lawes and ordinaunces to your cunninge, wit and power, cause to bee put in due execution, wythout favour meede, dread, malice or affectiõs, as God you helpe and all Saintes.

And it is also &c. that all and everie estatut, act and ordinance heretofore made concerning the premisses, or any of them, aswell in the time of our soveraigne lord the king that nowe is, as in the tyme of any of his progenytours kings of this realme of Englãd not being contrary to this present act, nor heretofore repealed, frõhencefoorth shal stand & bee good and effectuall for ever, and to bee put in due execution, according to ẏ true meaning and purports of the same. And over that, be it &c. that the commissioners hereafter to be named in any of ẏ said cõmissions, according to the purport and effect of the same cõmissions, have ful power & authoritie to make, constitut & ordain lawes, ordinaunces, and decrées, and further to do all and every thing mencioned in the said cõmission, according to the purport, effect, wordes, and true meaninge of the same. And the same lawes and ordinaunces so made, to reforme, repeale, and amend, and make newe from time to time, as the cases necessary shal require in that beehalfe. Provided alway, & it is &c. that if any person or persõs being assessed or taxed to any lot or charge for any landes, tenements or hereditamentes within the limitts of any commission hereafter to bee directed, do not pay the said lot & charge, according to ẏ ordinance & assignement of the commissioners having power of the execution of the said commission. By reason whereof it shal happen the said commissioners havynge power of execution of such commission, for lacke of payment of such lott and charge to decree and ordaine the same landes tenementes, & hereditamentes, from the owner or owners thereof, & their heires, and the heires of everie of them, to any person or persons for terme of yeares, terme of life, in fee simple or in taile, for payment of the same lott and charge, that then every such decrée and ordinaunce so by them made, ingrossed in parchement, and certified under their seales into ẏ kinges court of Chauncery, wherin the kings royal assent had to the same, shall bynd all and every personne and personnes that at the makinge of the same decree, had ane interest, in such landes, and tenementes, or hereditamentes, in ble, possession, reuersion, or remaynder, their heires and feoffees, and every of them, and not to be in any wise reformed, unlesse it be by authoritie of parliament hereafter to bee summoned and holden wythin ẏ Realme. And also it is &c. that the same lawes or ordinances and decrées to be made and ordayned by the sayed commissioners or five of them by authoritie of the said commission shal bind as wel the landes, tenementes, and hereditaments, of the king our soveraigne lord, as all and every other person and persons, and their heirs and such their interest as they shall fortune to have, or may have in any lands, tenements or hereditaments, or other casuall profit, admauntage, or commodities what soever they bee, whereunto the saied lawes, ordinaunces, and decrees, shal in any wise extend, accordinge to the true purport, meaninge, and intent, of the

Do not pay

Decree lands

Fee simple

Certifie Chauncery

Heires

Kings lands

Estatut

Effectuall

Lawes

the same lawes. And it is &c. that if any maner of person or persõs of what estate or degree soeuer he or they be of, that fromhencefoorth doth take vppon him or them to sit by vertue of any of the said commissions, not beeing afore sworne in fourme aforesaid, and according to the tenour of the oth afore specified: Or if any person so named and sworne, do sit as is aforesaid, not hauing landes and tenementes, or other hereditaments, in fee simple, fee taile, or for terme of life to the clere yearely value of xl. markes, aboue all charges to his owne vse, except he be resiaunt & free of any cities, borough, or towne corporat, and haue mouable substance of ỹ cleare value of one hundred pounds or else bee learned in the Lawes of this realme in & concerninge the same that is to say, admitted in one of ỹ iiii. principall Innes of Court for an vtter barrester, shall forfait xl. poundes for euerie time that hee shall attempt so to doe. The one halfe thereof to be to the king, and the other halfe thereof to the vse of hym or them that will sue &c. in which actiõ or suit, no wager of lawe &c. And if any actiõ of trespas or other suit shall happen to bee attempted agaynst anie person or persones, for taking of anie distresse, or anie other act doing by authoritie of the sayed commission or by authority of any lawes or ordinaunces made by vertue of the said commission, the defendant or defendants in any such actiõ, shal & may make auowry, cognisance, or iustification, for the taking of the same distresse or other act doing touching ỹ premisses or any of them, alleginge in such auowry cognisance, or iustification, that the said distresse, trespas, or other act, whereof the plaintife complained, was done by authoritie of the cõmission of Sewers for lot or tare assessed by the said commission, or for such other act or cause as the said defendaũt did, by authoritie of the said cõmission and according to the tenour, purport, and effect of this present act made the xviii. yeare of ỹ raygne of our Soueraigne Lord Kinge Henry the eight without any expressinge or rehearsall of any other matter or circumstaunce contayned in this present act, or any commission, lawes, statutes, or ordinaunces thereupon to be made wherupon the plaintife shalbe admitted to reply, that the defendant did take the said distresse, or doo any other act or trespasse supposed in his declaration of his owne wronge without any such cause alleaged by the sayd defendaunt, whereuppon the issue in euery such action shalbe ioyned to be tried by verdict of xii. men, and not otherwise, as is accustomed in other personall accyons. And vpon the triall of that issue ỹ whole matter to be geuen on both parties in euidence, according to the very trueth of the same. And after such issue tried for the defendaunt or nonsuit of the plaintife after apparance, the same defendaunt to recouer treble dammages, by reason of his wrongefull veration in that behalfe, with his costes also in that part sustained, and that to be assessed by the same Jury or writte to enquire of damages, as the same shall require.

And it is &c. that euery of the said commissioners shall haue & receaue xx shillinges for euery day that they shal take pain in ỹ execution of thys commission of Sewers. And one Clarke by them to bee assigned two shillings for euerie day, of the rates, tares, lotts, and wayues that shalbe assessed or lost by authoritie of the sayd commission, and to bee leuied and payd by their discretions. And that the said cõmissioners, or fyue of them, shall haue power and authoritie to lymitte and assigne of the same rates, tares, lotts, and waiues by their discretions, such reasonable summes of money to the sayed Clerke for writing of bookes & proces concerninge the premisses, and to the collectours, expenditours, and such

Gilt

Sworne

Landes

40. markes land

Citizen

C. li. goods

Vtterbarreiter Forf. Moitie

Accion

Iustifie

Reply

Issue

3. Damages Costs

Jury writ

Commissioners 4. s. the day

Clerke 2. s. the day

Officers

such other as shal take paine in the due execution of the said Commission as by the discretions of the said commissioners, or fiue of them shalbe thought reasonable.

Cõmission

Prouided alway, that whensoeuer and as often as such Commission, as is afore limitted, shalbee made and directed to any person or persones, for the reformatyon and amendement of or in anie of the premisses specified in the sayed Commission, wythin the fees, liberties or possession of the Duchy of Lancaster, that then such Commissioners as shall execute anie such commission, shalbe alwaies named & appointed by the discretion of the lord Chauncellour, and Lord Treasorer of England, & the said two chiefe Justyces of either Bench, and the Chauncellor of the said duchy for the time being or three of them, whereof the sayd Lorde Chauncellour, and the Chauncellor of the Duchy to bee two. And ỳ in euery such case two Commissions shalbe awarded and made accordinge to the tenour of the commission above expressed, one thereof vnder the great seale of England, and the other vnder the seale of the same Duchy, as before time haue ben accustomed, anything afore rehearsed in thys present act to the contrary hereof notwithstanding.

Lancaster

Chaūcellor Treasorer Chiefe iust.

Chaūcellor

Seals

Cõmissions

And it is &c. that the said commissions from time to time as the case shal require, shalbee had and obtained wythout any money or other charge to bee payed for the seales or wryting of the same, vnlesse it bee to the king ii.s. vi.d. for the seale of euery cõmission as hath ben accustomed: And for the writing & enrolling of any one commission v.s. & not above. And it is &c. that euerie commission to be made by authoritie of this act shall endure & continue for the terme of three yeres next after the teste of the commissiõ. Neuertheles after any commission made and deliuered out of the kings court of Chauncery, the kings highnesse shall alwaies at his pleasure by his writt of Supersedias, out of his said court of Chauncery, at any tyme discharge as well euery such commission as euery commissioner that shalbe made or named by authoritie of this act. After which discharge the said commissioners shall haue power nor authoritie to proceede in the execution of their Commission nor in any thinge by authority of this act. Prouided alwaies, that such lawes, acts, decrees, and ordinaunces as shall happen to bee made by the sayd commissioners, according to the tenour of their Commission, or by authoritie of this act shal stand godd and effectuall, and bee put in due execution so longe time as their commission endurth & noe longer: Except the said lawes and ordinaunces be made and ingrossed in parchmcent, and certified vnder the Seales of the sayed Commissioners into the kynges court of Chauncerie, and then the kings royal assent be had to the same: Any thinge contayned in this present act to the contrary hereof notwithstandinge. Prouided also ỳ whensoeuer and as often as such commission as is beefore limitted, shalbee made & directed to any persone or persons for the reformation and amendement of, or in any of the premisses specified in the saied commission within the fees liberties, and possessions of the principalitie of Wales, ỳ County palantine of Chester, or within the fees, liberties, and possessions of any other place where there is liberty and iurysdiccion of County Palantine, that in euery such case two commissions shalbee awarded & made accordinge to the tenour of the cõmission aboue expressed, one thereof vnder the great Seale of England, and the other vnder ỳ vsuall seale of the county Palantine in maner and fourme as is above prouided for the Duchy of Lancaster, anie thynge afore rehearsed in thys prest act to the contrary notwithstandinge. And it is &c. that the royall assent

Supersedias

Discharge

Lawes

Royal assent

Seales

Wales Chester

Seale

Royal assent

limitted

limitted to be had vnto the lawes and ordynaunces to be made by the said cõmissioners, as is aboue said, shalbe certified into the sayd court of Chauncerie vnder the kinges prime seale. And that there shal not ame simme of money be payd for the same prime seale, but for the writyng of the same certificat vnder the sayed Prime Seale, shalbe payed to the writer thereof two shillings & not aboue, nor no other, nor greater sume for anie thing touching or concerning the same certificat vnder the same prime seale. Prouided alway that the Chauncellours and such other as shall haue the custodie of the seales of the said principalitie of Wales or the countie Palantine of Chester or within the lee, libertie, and possessiõs of any other place, where there is libertie and iurisdiction of county palantine, vppon reasonable request and vppon the sight of the commission vnder the kings great seale of his Chaũcerie, shall without delay make out another commission vnder the seale of ỹ sayd county palantine according to the tenor of the kinges commission, to thẽ shewed vnder his great seale, And to those commissioners as shalbe named by the Lord Chauncellour, Lord treasorer, & the two chefe Justices, or by three of them, whereof the Lord Chãcellour to bẽ one, except it bee within the fees and liberties of the Duchie of Lancaster, within whych fees and liberties, the commissioners shalbee named, and commissions made, as is afore ordeyned by this act, anie thinge contcined in the said act, or in any proviso thereunto added and annexed to the contrarie thereof notwithstãding. This act to endure for twenty yeres. An. 23. Henrici octaui cap. 5. This act is made perpetual. An. 3. Ed. 6. capitulo. 8. as here following. 10. appeareth altered. 12. by. 13. El. cap. 9.

9 ¶ The act late made for Sewers & the commission therein recited, shalbe extended, vsed, & put in execution, in the townes and marches of Calais, according to the tenour of the same commission in like effect, as it is enacted to be put in execution within this realme, and that no persone shalbee compelled to bee sworne or otherwise bound to sitt or trauaile in execution of any commission of Sewers within this Realme vnlesse that hee bee dwellynge within the Countie whereof he is or shalbee assigned to be Commissioner: And for Calais, and the said marches thereof vnlesse ỹ he be dwelling within the same townes of Calais or marches. And because that diuers persones heretofore assigned to bee commissioners, haue refused to be sworne accordinge to the said former act, whereby diuers commissions heretofore made remaine hitherto wõt effectual execution: Be it &c. that if any person assigned or to bee assigned to be such cõmissioner of Sewers being required hereafter by such persõ or persons as haue or shall haue authority, by the kings writ or otherwise to receiue or accept the othe comprised in the said former act, euery persõne that so refuseth to take the same oth, or vpon the request made doo not receiue the same othe, and that refusal or contempt doone in the Chauncerie or returned into the Chauncery with the sated writ, shall lose and forfait for the same contempt to the kinge our soueraigne Lord fiue markes. And so to lose from time to time v. markes for euery such contempt, as shalbee done or returned into the sayd Chauncery against any such persõne, vnlesse that hee in the same Chauncery doo shewe & alleage in the said terme wherin such returne shalbee made against hym, sufficient and reasonable matter and cause to be allowed by ỹ lord Chauncellour for his excuse & discharge in ỹ behalfe. An. 25. H. 8. ca. 10.

10 ¶ The said act (8. An. 23. H. 8. ca. 5. before 8.) and all clauses, articles, and prouisions, in the same contained, shal continue and endure in their force and

Chauncery

No charge

Chancellor

Lancaster

Calais

Refusal Othe

Forf.

and strength, and to be obserued & kept for euer in such maner and fourme as shall and may stand with the sequell & addicions hereafter mencioned. And bee it &c. that al scotts, lotts, & summes of money hereafter to be rated & tared by vertue of such cõmissiõ of Sewers, vppon any of the landes, tenementes, or hereditamentes, of our Souereaigne Lord the kinge, hys heires or successors, for any maner of thing or things concerning the articles of the said commission of Sewers, shalbee gathered and leuied by distresse or otherwise in like maner and fourme as shal or may bee done in the landes, tenements, and hereditaments, of any other person or persons. And yᵗ al billes of acquitaunce signed with the hand or hands of such collectour or receiuour as shall haue yᵗ collection thereof by thappointment of the said commyssyoners or fyue of them, shalbe a sufficient discharge to yᵗ tenants, fermers and occupiers of the same grounds, so to bee charged for yᵗ said summe wherewith their grounds shalbe so charged, as also a sufficient warrant, to all & euery the receiuours, auditours & other whatsoeuer officer or officers of our sayd souereaigne lord the kinge his heires and successors for the allowance to such tenaunt fermer, or occupier for the same, adding moreouer to this act, by auctoritie of thys present parlyament, that such and like fees and none other nor more shalbee at any commission or commissions, or writtes of Dedimus potestatem, hereafter to bee sued out or obtayned vnder the seale of the duchy, but only such and like fees as bene mencioned in the sayed former act, to bee payed in the Chauncery, for commissions & writts of Dedimus potestatem, to bee obtayned from the same court of Chauncery, addinge moreouer thereunto by the auctoritie aboue said, that euery commission, & commissions hereafter to be awarded for Sewers, shall continue & endure for terme of fiue yeares next after the telle of such commission, vnlesse the same cõmission and commissions, shalbee otherwise discharged, within the said time by Supersedias; any thing or things mencioned or conteyned in the said former act, contrary to the addicions before mencioned or any of thẽ in any wise notwithstanding. An. 3. Ed. 6. capit 8. altered by 13. Eliz. 9. after 12.

Cess

Distresse

Warrant

Dedimus potestatem

Fees

5. yeres

Supersedias

11 ¶ Aswell the said act of Sewers made in the three and twenty yere (8. Anno. 23. H. 8. capi. 5. before. 8.) as al commissions of Sewers hereafter to bee directed, accordynge to the tenour of the saied act may extend and goue auctoritie, that the commissioners therein named for the Countie of Glamorgan, or fiue of them whereof three to be of the Quorum shal by this act and the sayed former act and commission to them directed, haue ful power and auctoritie frõ time to tyme to make such lawes, prouisions, ordynaunces iudgements and decrees, within the said Countie of Glamorgan for the reparelle and saueing the said grouds from hurt or distruction by reason of the said landes, as they might or may doo by the saied former act and commyssyon for the withstandynge and auoyding of the outragious course and rage of the Sea or other waters, anie vsage or Custome to the contrary notwithstanding. An. 1. M. 2. parliamẽto. cap. 11.

Glamorgan Quorum

12 ¶ Forasmuch as no commyssion of Sewers, by the statuts heretofore made, may haue continuaunce aboue the space of fiue yeres: Be it therefore enacted by the Queenes most excellent maiestie, with the assẽt of yᵗ lords spiritual and temporall, and the commons in this present parlyament assembled, & by thauctority of the same, that from henceforth al & euery commission and commissions of Sewers, nowe standing in force, or that hereafter shalbee graunted and made, shal stand & continue in force for the terme of

x. yeres

of x. yeares next ensuing the date of euery such commission, vnlesse the same commission or commissions, be or hereafter shalbe repealed or determined by reason of any newe Commission in ỹ behalfe made, or by Supersedeas: and that all such lawes, ordinances, and constitutions, as bee or shalbee duely made by force of any such Cõmission, accordinge to the tenour and effect, limitted in anie fourmer estatut heretofore made touchinge Commission or commissions of Sewers, and being written in parchment indented, and vnder the seales of the said commissyoners, or fiue of them, wherof the one part shall remaine wyth the Clarke appointed and to be appointed for the Commission of Sewers for the time beeinge, and the other part in such place as the same Commissioners, or fiue of them shall order and appoynt: shall wythout any certyficat thereof to be made into the court of Chaunc-ery, and without the royall assent to the same hadde stand and continue in full force and effect, notwithstanding any determination of anie such commissiõ by Supersedeas, vntil such time as the same lawes, constitutions, & ordinãces shalbe altered, repealed or made voyd, by the commissioners after to be assigned & appointed for Sewers, in those parts where the same lawes, ordinances, & constitutions were made, ordained, and constituted, or by fiue of them.

Jndeturs

Lawes

Lawes

And bee it further enacted, by ỹ authoritie aforesayd, that at all times frõ & after ỹ end & expiration of the terme of x. yers next ensuing the date or teste of any commission of Sewers hereafter to be made, al such lawes, ordinances, & constitutions, as were made by vertue of any such commission, & writ ten in parchment indented, & Sealed as is above mentioned, without certificat therof, or the assent royall to ỹ same had as is aforesayd, shal notwithstanding the determinatiõ of any such cõmissiõ, by ỹ expiration of the terme of x. yeres next ensuinge the date of any such commission of Sewers, likewyse continue in force, for & by the space of one whole yere then next ensuinge: & that the Justices of peace of the shire & shires, where the same lawes, ordynances, & constitutions, are to be executed wythin their seueral commissions, & limits, or fiue of them, whereof two to bee of the Quorum, shall haue power & auctority, by the space of one whole yere next after the expiration of euery such commission, to execute the same lawes, ordinances, and constitutions, and euery of them, as fully & in as ample maner and fourme, as ỹ cõmissioners, or any of them, named & appointed in euery or any commission so expired, might or should haue done, to al intentes & purposes, as if the said commission or commissions had continued in force.

Just. of p.

Cõmission

Just. of p.

Prouided alwaies, & bee it neuertheless enacted, that if any new commission of Sewers shalbee made within the said yeare, that then immedyatly from and after such commission newly made & published, that the power of the said Justices of the peace, & euery of them, in any wise concerninge the execution of any such lawes, ordinances & constitutions of Sewers, shal vtterly cease: any thing or thinges in this act to the contrary expressed in anie wise notwithstanding.

Fermes

And be it further enacted, ỹ no farmer or farmers, for terme of yeres, of any maners, lands, or tenements, lying or being within the precincts or limitts of any such commission of Sewers, which he or hereafter may be ordered & chargable by any lawes, ordinances, or constitutions, made or to be made by vertue of any such commission, wherein he or they shalbe named or appointed commissioner or cõmissioners, not hauinge estate of freehold within the Realme of England or in maners, lands, or tenements,

of

35. H. land

of the yearely value of forty poundes, shall at any time hereafter, haue power to sitte, or in anywise intermeddle wyth the execution of such commission or commissions, during the time he or they shall continue, or bee such farmer or farmers of any such manours, lands, or tenements, and shal not haue estate of freehold, as is aforesayed: but that euery such commission, as hauing respect onely to euery such persone or persones, for such and so long tyme as he or they shall so be and continue farmer or farmers of any such manours lands, or tenements, shallbee deemed & adiudged in lawe to bee as void, and

Void

of none effect: any thinge in the same commission, or any statut or law here tofore made to the contrary, notwithstandinge.

And bee it further enacted by the auctoritie aforesaid, that frombencefoorth the said Commissioners, nor any of

Cõmissioners

them shall not bee compelled nor cõpellable to make anie certyficat or returne of the sayed Commissions, or any of them, or of any their ordinances, lawes, or dooinges, by the auctoritie of any the sayed commissions, nor shall not haue any fine, payne or amerciament, sett vppon them or any of them, or anie waies to bee molested in body, landes, or goodes, for that cause.

And yet neuertheless, to the intent the Quenes Maiestie our soueraigne

Queene

Lady her heires and successours, may bee at all times hereafter truely answered of all such issues, fines, and

Fines

amerciaments, as shall happen growe or bee forfaited by vertue of any such Commission, or by the execution thereof: Be it also enacted, that the Clarke

Clerke

and Clarkes appointed and hereafter to bee appointed, for and in any such commission or cõmissions of Sewers shal yearely truely extreat al the said

Extreat

issues, fines penalties, forfaitures and amerciamentes, that shalbee due and answerable to her highnes, her heires and successours, and the same extreates shall yearelie delyuer into the Court of the Exchequer, at such time and times, and in such manner and fourme, as iustices assygned to and for the conseruatyon of the peace in anie wyse should or ought to doe by vertue of their commission, vppon paine to forfayt to our Soueraygne Ladie the Queene, her heires and successours, for euerie default in that behalfe made, x. poundes.

Exchequer

Fork.

Prouided alwayes, that it shall bee lawfull for any commissioner, beeyng also a farmer, and not haueynge landes and tenementes to the clere yerelie value of fortie pounds of free holde, to sitt by vertue of the sayd commission, & haue his voice and full auctoritie wyth others to make & establish ordynaunces for Sewers according to the tenour of the commission touching & concernyng all landes and tenementes wythin the precynt of euerie suche commyssyon, other thē such lands and tenements as hee or they for the time being hold and enioy as fermour, as he or they myght haue done, beefore the making of thys statut, any thinge therein contained to the contrary notwithstanding. Anno 13. El. cap. 9.

Commissioner

Fermer

## ¶ *Shelton.*

ANno 33. Henrici octaui capitulo vicesimo sexto. An acte was made, whereby certaine estates and couenantes of Sir John Sheltons lands were made voyd.

## ¶ *Sheepe.*

NO maner person of what estate, or condition that hee, from henceforth be suffered to ship within the Realme of England any sheepe fleeced or shorne into the Countrey of Flaunders, or to any other parties beyond the sea, except it be to vitaile the towne of Calets, and the marches thereof. And that euery man that may bee elected, which vnder the colour of vitaillinge of the

Shipping

Flaunders

Vitaile Calets.

same

same Towne and marches of Calcis passeth into any other places then to the same Towne and marches, with any sheepe fleced or shorne except hee haue the kynges licence, shall for sayt to the king the same sheepe or the valour thereof as oftentimes as he shall be found therein defective. Anno. 3. H. 6. cap. 2.

Licence Forf.

2 ¶ No person nor persons from the feast of saint Michaell tharchaungell, which shalbee in the yere of our Lord God M.D.xxvb. shal keepe occupy, or haue in his possession, in his owne proper lands nor in the possession, landes or groundes of any other whych hee shall haue or occupy in ferme, nor otherwise haue of his owne proper cattaile in vse, possession or property by any manner of meanes, fraud, craft, or coune, aboue the number of two thousand sheepe at one time within any part of this Realme, of al sorts & kindes vpon paine to lose and forfayt for euery sheepe that any person or persons shall haue or keepe aboue ye number limitted by this act three shillinges sower pence. The one half to the king &c. & the other halfe to such persone as wil sue &c. in any court of recorde, in which suit ye defendant shall not wage hys lawe &c. Prouided alway, that Lambes shal not bee accompted of ye number of sheepe prohibited by thys act so longe as they bee vnder the age of a yeare and not aboue. Prouided also, that if any persone hauing sheepe of his owne, happen to be made executour, or to bee administratour to anie person, which had sheepe at his death, or happen to be maried to any persone whych shall happen to haue sheepe at the time of ye mariage, by reaso where of the person so being executour or administratour, or being so maried shall happen by such meanes to bee auaunced, and haue aboue the saied number of two thousand: that then in euerie such case the person so auaunced to lose no penalty for hauing aboue ye number of two thousand sheepe by such meanes so that within one yeare next after such auaunsement, the persone so auaunced from time to time as often as anie such case shall happen, doe put to sale, or otherwise dispose so many of the sayed sheepe, so to him auaunced, or els of his owne sheepe that hee had before, so that aboue one yeare he shall not keepe, haue or occupie, by any such meanes, or otherwise by any fraud or couine, any more number of them, thē is before limitted by this act vpon the paine before rehearsed. Prouided also that if any persone by his last will and Testament geue to any child wtin age, any nūber of sheepe & appoint them by hys said will, to be kept by his executours, or by any other persone, vnto such time as the said child shal come to a certaine age, limitted by hys wyll, that then in euery such case after the death of the testatour, ye said sheepe so beeinge in the possession and occupation of the executours, or of any other persone to ye vse of anie such child within age ye her shalbe limitted to haue the sayed sheepe, by ye wyll of the testatour, shall not bee accompted agaynst the sayd executours nor any persone so hauinge the sayd sheepe, for the entent aforesayed, anie of the number of the sheepe prohibited by this act any thynge in this act to ye contrary thereof not withstandynge.

1000. sheepe

Forf.

Moitie

Lambes

Executour

One yere

Request

Iust. of p.

Enquire

Proces

And it is &c. that the Justyces of the peace of euery shire, shall haue power and aucthoritie to enquire of the offenders of thys act, as well by the othes of twelue men, as by information of anie of the kinges Subiectes, and to make such lyke proces vppon euerie presentmēt or information cōcerning this act, as they vse commonly to doo vppon presentimentes beefore them of trespas. And that no persone being convict by confession, or otherwyse, ye hee hath done or attempted contrarie to this act shalbee put to any lesse fine then after the rates of the forfaitures afore

afore limitted by this act. Prouided alwayes that no person shalbe put to any answere or losse of any forfaiture by vertue of this act at the suit of any of the kinges subiects by any originall writte of debt, bill, plaint, or information, except the suit be commenced within one yere next after the offence done or committed contrary to this act: Or that any person shalbe put to answere nor to any losse of any forfeiture by vertue of this act, by reason of any presentment, action, or information at the kinges suit, except the same presentment, accion or information be had and made for the king, within three yeres next after the offence done or committed. Prouided alwaie that al euery person and persons, beeing the kings temporall subiectes of this realme, & borne vnder his obeysance, which at this present time or at any time hereafter shal haue or be seysed of inheritance in possessiō or in vse, or that now hath or hereafter shall haue iointer in vse or in possession, or be or shal bee tenaunt in dower, or by the curtesie of Englād, of or in any manours, landes, tenements, pastures, feedinges, or liberties of folde wythin any part of this realme of England, Wales, or the Marches of the same, that euery such personne and persones hauing any such possession to his owne vse, and euery such person and persones to whose vse any other person or personnes now is or be or hereafter shall be seysed of any such estate as is before rehersed, may at all times hereafter haue, enioy, kepe and maintaine vppon the same their owne demayne landes, and al other their pastures, feedynges, and folde courses which they so haue, as many their owne sheepe and lambes in number to their proper vse profit and beehoufe, as they or any of them of right hadde, or lawfully might haue hadde and kept vppon the same or vppon any part thereof, at any time before the makinge of this present act: This act or any thing therein contayned or specified, to the contrary in any wise notwithstanding. And ouer that bee it &c. by the authoritie aforesaied, that in case any such person or persones hauing any such estate in vse or in possession of or in any maner landes, tenements, pastures, feedynges, or liberties of folde courses as is before expressed, haue or do kepe vpon the same their possessions the number of two thousād sheepe or aboue, the same person or persōs so hauing the number of two thousande sheepe or aboue, shall not in any wise kepe, sustaine or haue any sheepe aboue or beside the said number of two thousande vppon any landes, pastures or feedinges, which the same person or persones haue or hereafter shal haue or take on ferme or otherwise vppon such like paines and forfaitures for ỹ same as bee limmitted in the saied act, that is to say for euery sheepe ouer & aboue the saied number of two thousande, three shillings, solver pence. And in case the said demeane landes, tenementes, pastures, feedinges, and liberties, or folde courses of any person or persones beefore reherced, suffise not for the feeding, pasturyng, and keeping of two thousand sheepe as is beforesaied, that then euery such persō shal or may haue sustaine or feede vppon hys sayed demeane landes, and vppon hys ferme holdes which hee lawfully may haue, to the saied number of two thousande sheepe, and not aboue, vppon payne of forfaiture for euery sheepe aboue that number three shillinges solver pence. Prouided alway and bee it &c. that it shalbee lawfull to euery person or personnes within thys Realme, keeping a houshold, to haue from time to tyme such conuenient number of sheepe, ouer and aboue the number expressed in this act, as shalbee necessary for the onely expences of his houshold to be prouided kept and fedde, in and vppon his owne landes or other landes such as he lawfully can or may haue, or prouide for, one ferme or otherwise: Any thyng in this

Suit
One yere
3 Yeres
Landes
Notes
Demeane lands
1000. sheps
Ferme
Foyl.
Foyl.
Houshold

this p̄sent act contayned to the contrary notwithstandinge. So that the same houshold̄er at no tyme shall haue or kepe for the expences of his household or by colour of ẏ same ouer & aboue the number to him lymitted by this act, any number of sheepe moe then shall suffice for the only expences of his household for one yere without fraude or couin, any thing in this p̄sent act mencioned or expressed to the contrary notwithstāding. Be it ec. that no manner person or persones of what degree soeuer he or they be, being lord or lordes, owner or owners, fermer or fermers, of or in any libertie of fold courses wiñ any towne, tithing, village or hamlet, wythin any of the countyes of Norfolke and Suffolke from and after the feast of the Natiuitie of our Lord God nert comming, shall take in ferme for terme of yeares or otherwise, any quillets of landes or pastures, that is to say any number of acres of land or pasture appertaining to any other person or persons, lying, & being within the lymitt, extent, or p̄cinct of the saied libertie of the said foldecourses, but that they shall permitt and suffer the said persons haing or being for the time owner or owners, lease or leases of the said quillets, to manure and pasture the said quillets, And also to suffer the sheepe of the said owner or owners fermer or fermers of the saied quillets after the rate of the same quillets to go with ẏ flocke of the owner fermer or occupier of the sayed liberty or liberties of ẏ said foldecourses, paying the customary charges for ẏ keping & feeding of ẏ sae after ẏ rate & vse of the countrey there commonly vsed without any interruption therein to be made by the said owner or owners, fermer or fermers, or occupiers of the said lybertyes, vppon payne of forfayture for euery tyme that any such persone hauinge any such quyllet that shall bee so letted or disturbed of feeding, keping or pasturing any of his sheepe so to bee fed and kept after the rate of hys saied quillet, for euery such sheepe three shyllinges foure pence. Prouided alway ẏ this act or braunch conteining quillets, or any thing therein contayned, shall not in any wise bee auailable to any tenant owner or occupier of any such quillet or quillets to claime haue or vse hereafter any such pasture of feedynge of sheepe in, or with any such foldecourses, but onely where the tenauntes owners and occupiers of any such quyllets haue had or mought haue had heretofore of ryght & dutie vsed to haue pasture & feeding in the saied fold courses, by reason of theyr tenure and occupations of the same quyllet or quillettes & none otherwise. And where they haue not vsed, ne ought to haue any sheepe fedde or kept wythin any such foldecourses, by reason of the said tenures, that the owners or occupiers of such foldecourses may take such quyllettes lying within their folde courses in ferme, agreeing with the owners or occupiers of the said quyllettes for the same. And for asmuch as the hundred of sheepe in euery countrey be not like in some countrey the great hundred where fyue score is accōpted for ẏ hundred, and some countrey but onely fiue score, it is ēt declared by this p̄sent act, that the number of two thousande sheepe, lymitted to euery persone by thys act, shall bee accompted terme hundred for euery thousād after ẏ number of the great hundred and not after the lesse hūdred, so that euery thousand shal contayne twelue hundred after the lesse number of the hundred. It is ec. that lambes vnder ẏ age of one whole yeare, and as much as shalbee from the time of the falling of them vnto ẏ feast of the Natiuitie of saint Jhon Baptist in any yere to come, shal not bee auaunged, ne taken for sheepe prohibited by the statut, any thinge in the act to the contrary notwithstanding. It is ec. ẏ no maner person after the said feast of the Natiuitie of our Lord, shall receyue or take to ferme for terme of life, yeres or at will, by endenture, copy or court

rolle

Quillets
Tenant
Foldcourses
Lords
Fermers
Norfolke
Suffolke
Ferme
Leafe
Thousand
Hundred
Lambes
Fork.
Ferme

Houses Tenemēts

rolle or other wise any moe houses & te nemētes of husbandry wherunto any landes are belonging in towne, village hamlet or tithing within this Realme, aboue the number of two such holds or tenements. And that no maner person shall haue or occupy any such holdes so newly taken to the number of two, as is before expressed, except he or they bee dwelling within ỳ sãe parishes where such holdes bee, vppon the paine of forfaiture for euery weeke that he or they shall haue occupy or take any profits of such holdes cõtrary to this act. iii. s. iiii. d. The one moity of which forfaiture to be to the king our soueraigne Lord, and the other moitie to the partie that will sue for the same in any of the kings courtes, by bill, plaint, information or otherwise within one yeare next after such contempt and offence committed and done, in the which none essoine, protection, ne wager of laiwe shall bee admitted or allowed. It is also &c. that the statutes made the fourtith yeare of the noble prynce kynge Henry the seuenth (cap. 19. which is in husbandry 1.) and in the seuenth yere of ỳ raigne of our soueraigne Lord the kynge that nowe is. (cap. 1. which is in husbandry 2.) concerning the decay of Townes and maintenaunce of tillage and husbandry shall bee good and effectuall in euery thinge accordyng to the purporte and intent of the same any thing in this present act to the contrary notwythstandyng.

Forf.

Moitie

Statuts

Tillage Husbandry

Prouided also that it may bee laiwfull to all spirituall personnes and euery of them to kepe such & as many sheepe vpon their owne landes, and after such forme and maner & none other wise as they mought haue done afore ỳ making of this act, any thing mencioned in the same to the contrary not withstanding An. 25. H. 8. ca. 13.

Spirituall persons

See (shipps & shipping 14) where there is an act made in 8. El. ca. 3. against carying ouer the sea of Rammes, Lãbes & other sheepe alwe.

Rammes

¶ *Shippes and Shipping.*

Where as the shippes of diuers people, of the Realme be arrested and holden forfeit, because of a little thinge put in their shipp not customed where of the lords of the same ships be ignorant: It is accorded and assented, that no lord shall lose his ship from the xv. day of February next comming forth, for such a smale thing putt within the ship not customed without his knowledge. An. 38. E. 3. ca. 8. stat.

Arrest

2 ¶ To encreale the nauy of Englãd which is now greatly diminished, it is assented and accorded that none of the kings lyege people doe from hence forth shippe any marchandise in going out or comming within the Realme of England in any Port, but onely in shippes of the kinges liegeaunce. And euery person of the said liegeãce which after the feast of Easter next ensuing, (at which feast thys ordinaunce shall first beginne to hold place) doe shyppe any marchandise in any other shippes or vessels vppon the Sea, then of the said liegeaunce, shall forfeit to the kinge all hys marchandises shipped in other vessell whersoeuer they bee founde hereafter, or the valour of the same, of which forfeitures the king will & graũteth, that he that duely spieth and duely proueth, that any personne hath any thing forfeyted against thys ordinãce, shall haue the third part for hys labour of the kinges gift. An. 5. R. 2. ca. 3.

Forf. English ships

Forf. 19. part

3 ¶ The said ordinance onely haue place as long as shippes of the said liegeaunce in the parties where the same marchantes shall happen to dwell, bee found able & sufficient: so that then they shal be bound to fraight the same shipps of the kinges lyegeaunce wyth theyr merchaundises vnder the paine afore said before al other shippes. And otherwise it shal bee laiwfull to ỳ same marchants, to hyre other ships conuenient, & their to fraight them wᵗ their goods & merchãdises, notwᵗstanding ỳ said first

Straunge bottome

statut, An. 6. H. 2. ca. 8.

English shyps

4 ¶ All the Marchantes of England shall trait in the said Realme the shyps of the same Realme, and not the shyps of straungers, so that the owners of ẏ said shyps take reasonably for their fraȳt. An.

Merchandise

5 ¶ Al maner marchãdises entring in ẏ Realme of England, or going out of

Discharge

the same shalbe charged and discharged

Ports

in the great ports of the sea, and not in

Forf.

creekes and smale arrivals, upon peine to forfait all the marchandise so charged or discharged to our soueraigne lord the king, except vessels and marchandises arryuing in such litteil creekes & arrivals by coercion of tempest of the sea. An. 4. H. 4. ca. 20.

Woolls woollefels

6 ¶ No maner of person shall ship or doe to be shipped, woolles, woolfels, nor other marchandises pertening to the staple in no place within thys Realme, but al only at the hepes & warfes

Wharfes

being in the parties assigned by the statut, where the kinges weightes, & hys

Shipmaster

woolles be set. And that euery master of shippes & vessels in ẏ which such woolles and woolfelles, and merchãdises be

Huertie

put, shall finde sufficient huertie, to the customers of the portes where they do shippe to cary the said woolles and woolfelles, to the staple of caleys, & to bring

Certificat

a certificatyõ from thence that he hath so done. Saving alwaies to the merchaunts of Jeane, Venice, Tuskain, Lumbardy, Florence, and Cateloyne,

Werwicke

and to the Burgesses of Werwike, the liberties to them graunted by statute heretofore. An. 15. H. 6. ca. 8.

7 ¶ An. 1. H. 7. ca. 8. an act was made for the maintenaunce of the nauy to endure to the next Parliament, that no

Wine

Gascoine wine should bee brought into England but in English shyps, and the mariners to be English mẽ upon for-

Forf.

faiture of the wine.

8 ¶ No manner of person of what degree or condition that he be conney nor bring into this said Realme, Irelande, Wales, Calcis or the marches there-

of or Warwike, from the feast of the Natiuitie of Saint Jhon the Baptist that shall be in the yeare of our Lorde God 1490. any maner wines of the growing of the duchie of Guin. Gascon or woad called tholouse woad, but such as shall bee conneyed aduentured and brought in ship or shyps whereof our said soueraign Lord or some of his subiects of this realme of England, Irelande, Wales Calyes or Werwich bene owners possessours and proprietaries, and the maister vnder God and the Maryners of the same ship or shippes, English, Irish or Walsh, or men of Werwike, or men of Caleis, or of the marches of the same for the more party, vpon pain of forfaiture of ẏ same wines and woad so brought contrary to thys act, the one halfe thereof to the king. & the other halfe to him or them that seaseth the same wine or woad. And also hath ordained and stablished by ẏ sayd auctoritie that no personne inhabiting within this Realme, other then merchant straungers from the feast of S. John, straight ne charge within this realme or Wales, any ship nor any vessel of any alien or straunger, with any maner marchandise to be caried out of this realme or Wales, or to be brought into the same if he may haue sufficient freyght in shippes or vessels of the denizens of thys Realme in the same port where he shall make his freight, vpon paine to forfait the same merchãdises, the one halfe thereof to the king our soueraygne Lorde and the other halfe to hym or them which seyseth the same merchaundises: Prouided alway that this act extend not to any ship or shyps hauing any of the saied wares or merchandises constrayned by tempest of wether or enimies to arriue in any port or place within this realme, So that ẏ owners of the said merchandises make thereof no sale wtin this Realme other then for vitaile or repairing of the same shippe or shippes, or takinge thereof which they of necessity bee compelled

to

Wyne

Forf.

Mytie

Strangers

Forf.

Mytie

No sale wtin

to make. An. 4. H. 7. ca. 6. This Statute is confirmed by. 23. H. 8. ca. 7. And by 32. H. 8. ca. 14. as apperteyth here following 10. And after an. 5. Ed. 6. part of thys act is altered as here following (10) appeareth, & also here following. 11.

Licence wine woad

9 ¶ Anno 7. H. 8. ca. 2. It is enacted ¶ all licences made for bringing in of Gascoine wine and Tholouse woade contrary to ỳ statut of An. 4. H. 8. ca. 10. (before 8.) were voide.

10 ¶ The said statutes (s. an. 5. M. 2. cap. 3. before 8. and an. 6. M. 2. ca. 8. before 3. & an. 4. H. 7. ca. 6. before 8.) and al and euery thing in them contained be, stand & continue in their ful strength force, & effect. So that from henceforth no person or persones shall attempt to do any thing contrary to the tenors and effects of the said good laudable statutes vpon the paines in the same contained and expressed. And be it from henceforth the owners maisters & purters of English shippes or other vessels, hauing the same their shipps or vessels, at the port and hauen of the riuer of Thamis at London, and being minded purposed or agreed to take any fraught or lading at the same port into any of the sayed shippes or vessels and from thence to sayle with the same directly vnto any of the parties of beyond the sea, hereafter named expressed and specified, or to any hauen port or rode of charge or discharge: Or hauing the same their shippes or vessels at any of the said parties of beyond the sea, and being contented minded agreed or purposed to take any fraight or lading from any of the same places of beyond the sea directly vnto ỳ said port or hauen of the said ryuer of Thamis at London, or to the rode of charge or discharg of the same, shal not at any time hereafter by any maner of meãs take or receiue any more or greater summe or summes of money for ỳ fraight, transportation conueiance or cariage of any wares, goodes or marchandises in their shippe or shippes vessel or vessels by, to or from any of ỳ said hauens or rodes of charg or discharg but only such summe or summes of money and after the rate quantitie & fashion as hereafter in thys present act is mencioned and declared. First for the fraight of euery wollen cloth shipped from London to Flaunders eight pece shyppmuth, and a pece of flemish money called an English sol lode monage and for pylage of euery fardell of wollen cloth great or smale 4. d. flemmish. Also from Flaunders to London for the fraight of euery fardell of the byggest shyppe. x. sterlinge diseruinge downewarde to. vi. s. viii. d. iii. d. or. v. s. or. iiii. s. after the rate & quantitie of euery such fardel as the owner, shipmaister, or purser can agree. And for the fraight of a mauind of the byggest sort vi. s. viii. d. sterling, and so diserending downwards after the rate & quantitie of euery such mauind as the merchaunt and owner, shipmaster or purser can agree. And also for ỳ fraight of a doze fate of the biggest sort vi. s. viii. d. sterling & so discending downewards after the rate of euery such doze fate as the marchãt owner shipmaster, and purser can agree. Item for euery cale of Bekuet cõtayning xxii. peces of bekuet v. s. Item for a bell of lates of vi. foote high v. s. Itẽ for a baile of fustian xx. d. Item for a baile of chẽlet xx. d. Itẽ for a baile of Coleine hyre or threede ii. s. Item for a baile of madder ii. s. Itẽ for a baile of almonds ii. s. Item for a last of currants iii. s. iiii. d. Item for a barrell of nailes ii. s. Itẽ for a trussing chest ii. s. Item for a Sugar chest ii. s. Itẽ for a tun of pyon ii. s. Itẽ for a hogshed of prunes and dates xx. d. Itẽ for a bag of peper lose. xx. d. Itẽ for euery hundred hoppes vi. d. Item for a flasket of sope viii. d. Item for pieces of hasel as they bee of bignes, for euery piece i. d. with al auerages lodemanage and pylmage of old time accustomed in English shipps. Item from London to Dãske ỳ owner of euery shipp shal haue viii. d. sterlinge for the fraight of euery

Fraight

Auerage Lodemanage Pylmage.

brode wollē cloth straight to Dāske, & for euery set cloth viij. li. sterl. Itē for euery role, packe, or maūde of cōmixtus xviij. s. sterling, & so discending vnto wardes after the bignesse of the role, or maunde, as the marchants and owners haue bene wont & accustomed to agree. Item for primage of euery farsell toward Danske lower pences sterlinge, from Danske to London for euery last of wheat and rye xxvi. s. viij. d. Itē for euery packe, or two halfe packes of flare xx. s. Item for euery packe of canuas xx. s. Item for euery last of pitch and tar, accounting viij. barrells for a last xl. s. Item for a last of ashes accounting viij. barrels for a last xl. s. Itē for euery last of Dāske ex. cōpting viij. barrels for a last viij. s. Item for euery viij. hundelles of hatchettes xvi. s. viij. d. Item for euery nall of cambers xviij. s. Itē for euery last of sagettes of yron iiij. s. Item for euery fate of stur geon ii. s. Itē for euery fate of Eeles ii. s. Itē for euery cage of Eeles iiij. d. Item for euery sacke of setters, weying nine hundred weight, euery hūdred xviij. d. Item for euery strain of ware of sixteene hundred weight xiij. s. Itē for lode manage of euery last of ỳ said marchandises vi. d. sterling. And for ỳ primage of euery last viij. d. sterlinge. Item from Burdeaux to London, for euery tunne of wine at the first vintag accounting two pipes for two hogsheds or five terces for a tunne xxvij. s. Itē for ỳ fraight of euery tunne of wine at the sacke vintage xiij. s. Itē for euery tonne woad accōpting viij. whole bales or sixteene ballets for a tunne. xx. s. tō lodemanag & primanag, & al auerages of old time accustomed after the olde vse and custome of English shippes, from London to Malby outward and homeward, ỳ marchants which take fraight in any shippe, shall haue for euery fiue tunnes, a ferdel of woollen cloth containing xviij. brode clothes fraight free, & to pay for euery cloth laden beesides in ỳe same shippe therefore and tunne measures, which is vi. d. ob. ỳ third part of a peny sterling. And for euery tunne homewardes thirteene shillings foure pence. And for primage & lodemanage of euery tunne vi. d. sterling with al auerages accustomed, after the old vse & custome of English shippes, from London to al portes of Portingall & South Spaine on this side the streights for the fraight of euery packe or fardell of xvi. broade clothes. ii. duckets of v. s. sterling the pece.

Alwayes prouided, that the Marchant that taketh fraight in any shippe fraighted from the said port of London to any of these places, shall haue for euery v. pounds fraight one fardell or packe of xvi. brode woollen clothes fraight free. And for primage and lodemanage of euery fardel v. li. ob. sterling with al auerages after the old vse and custome of English shippes. From Naples, Romontey and Scrpe for ỳ fraight of euery Tonne of Marchandizes to London xx. s. sterling, and vi. d. sterling for lodemanage and primage, with al auerages accustomed, after the old vse & custome of English shippes. Also for the fraight of euery tunne of marchandises straighted to saint Lukes de Waromed, at Saint Mary port the bay of Candis towards London (pesterable wares onely excepted) xx. s. sterling. And for lodemanage and primage. vi. d. sterling with all auerages of old time accustomed after the old time accustomed after the old vse & custome of English shippes. Also the fraight of euery tunne of marchandises from the crane of Cāuill, directly to London (pesterable wares onely excepted) xviij. s. sterling. & for primag & lodemanage vi. d. sterl. tō al auerages accustomed after ỳ old vse & custome of English shippes. Also for ỳ fraight of euery tunne of marchandises frō Malaga to London (pesterable wares onely excepted) xx. s. sterling. And for primage & lodemanage, vi. pence sterling, of euery tunne with al auerages accustomed after the old vse and custome of English

shippes

shippes. And further be it enacted that if any owner, maister or purser of ships or vessell of this realm or the dominions ther of, or any of them being fraughted into or from the said hauen or port of the ryuer of thames, or any of the places above rehersed, doo exact or take of any merchaunt or his factour seruaunt or any of the any other more or larger fraight or summes of money or summes of fraight then is above limited and appointed by this act, or otherwyse infringe or breake the same act or any thing therin contained, that then every such perso and persones so offending contrary to the forme of this statute, shal forfayt and lose double so much as hee or they shall so receyue and take, over and above the rate and summes before rehersed, y one halfe thereof to be to our soueraigne Lord the king his heires and successors, & thother halfe thereof to be to any such person or persones that will sue for the same by accion of debt, bylL. informations or otherwise in any of y kings courtes of Record, in which accion no essoins protection ne wager of law shalbe allowed or admitted in any of y courtes aboue said, prouided alwayes y this act ne any thing therin conteined or specified, concerning the said rates or summes for the fraight before rehersed shal not extend to bind or charg any owners maisters, pursers or mariners of any shippe or vessell, for the fraighting or lading therof into or from any port or hauen within this Realme of England other then the said port of London in maner and forme before specified. Prouided and be it enacted that at what time any warre shall happen to be moued or had betweene this Realme of England and any other forreine potentates, forein princes, their realme or subiectes, or betweene any other outward kingdomes or dominions, by occasion and meanes whereof the said owners shalbe more charged for the furniture of their shippes and vessells, as well with victuales, more number of mennes and artillery for the face conueying, conueyance and transportation of the merchaundises, goodes and wares laden in the same, that then it shalbee lawfull to the same owners to receyue, take and haue such more and greater summe or summes of money ouer and aboue the rates aboue said for the fraight of their shippes and vessells as the merchaunt & they shalbe agreed vpon, any thing or thinges contained, or limited in the said rate specified in this present act, or any other thyng in the same act contayned to the contrary thereof in any wise notwythstanding. Prouided also and bee it enacted that if at any tyme hereafter it shalbee concluded couenaunted, bargained, condiscended, or agreed betweene any merchauntes their factoures and seruauntes or any of them, and any owner maister or purser of any shippe or vessell of this Realme or the dominions of the same that any such owner, maister or purser be contented to receiue take and haue any lesse summe or summes of money, vnder the rates aboue said for the fraight of their shippes and vessells, as aboue said, that then euery such conclusion couenaunt bargaining condiscent and agreement shall stand and bee good and effectuall, any thing or things limitted in the said rate specified in this present act, or any other thing in the same act contayned to the contrary in any wise notwithstanding. And where also our said soueraigne lord the king of his owne dominicall liberall mynde and princely discretion hath of late hath commaunded that no persone or persones being straungers of any parts, bringing or conueying into or from any of the portes, creekes or other places of this Realme any of the same, should for a certayne tyme pay any other more or larger customes & subsydie then his graces louing and naturall subiectes then vsed and were accustomed to pay at that present time

Exact

Foyl

Wollle

London

Warre

Straungers Denizens

Customes

ſtuffe (emptions and fubſidie 6z woolles only excepted) ſince which cõmaunde ment ſo geuen and kepte, ſundry gre uous complaynctes haue bene made al well to the kinges maieſty, as alſo to his moſt honorable cõſell by diuers of his graces louing ſubiects, that the mar chauntes ſtraungers & theyr factors hauing exceding benefite, profit, and cõ modities by reaſon of the ſaid cõmaun dement, haue done and do dayly lade & conuay their goods wares, & marchan diſes, bought within this Realme from and out of the ſame, in and vpon ſtraun gers ſhippes of other Realmes in ſuch number at ſundry portes, hauēs, riuers and places of this realme and the domi nions of the ſame, that the owners of ſhippes, their maſters, mariners, Sea men, ſhip waights and great multitude of other his graces ſubiects, be greatly impouriſhed to their extreme loſſes & damnages wherby no little decay & decay hath and is likely to enſue to ỹ nauy of this his graces realm of Eng land and the dominions thereof. For reformation wherof his royall maieſ tie of his moſt excellent wiſedome and pollicie foreſeeing the diſcommodities as well of his ſaid nauy as of the people, & with moſt godly mynde intendinge as well the common welth of hys graces ſaid nauy and people, as alſo the ſuc ceſſe and effect of his ſaied commaunde ment, both enact by his moſt roial aſſent and by the aſſent of the lordes ſpirituall and temporall & of the commons in this preſent Parliament aſſembled, and by thauctoritie of the ſame, that frõ hence forth all and euery perſon and perſones that is 6z be ſtraungers 6z aliens borne out of this Realme of England, 6z in any other place out of our ſaid ſoueraigne lord ỹ kings obeyſaice, being denizens 6z not denizēs their factours attourneis miniſters & ſeruauntes, ỹ at any tyme hereafter doo lade 6z ſhall cauſe to be la den any wares goodes 6z merchaundi ſes of what kind nature 6z qualitie ſo e uer it ſhalbee, in any ſhippe, bottome 6z veſſell of this Realme of England, commonly called an Engliſh ſhippe bottome, 6z veſſell duringe the time of the ſaid proclamation contayned, ſhall not be compelled to pay 6z cauſed to bee paied any other cuſtome 6z ſubſidie, but onely according to the ſaid proclamati on. And in caſe that any ſtraunger, 6z alien borne out of this Realme of Eng land 6z other our ſoueraigne Lorde the kinges obeiſance, being denizen 6z not denizen, at any tyme hereafter fraight 6z lade, 6z cauſe to be freighted 6z laden any ſhyppe bottome 6z veſſell of any ſtraunger, 6z outlandiſh perſonne, with any wares 6z marchandiſes from thys Realme of England to any outward partes, that then the ſame ſtraunger 6z alien ſhall content and pay, 6z cauſe to bee contented and payed to the king our ſoueraigne Lord hys heyres and ſucceſſours, all ſuch and lyke cuſtomes and ſubſidies as ſtraungers and Aliens borne in other Realmes haue vſed to pay according to the auncient cuſtomes vſages & lawes of this realme of Eng land, any thyng in this preſent act 6z in the ſaid proclamation contained to the contrary thereof in any wiſe notwyth ſtanding. Prouided alwayes ỹ if there be no ſuch ſhippe 6z veſſell of thys Re alme of England 6z the dompnions of the ſame act, 6z in the port, hauen, 6z place where the ſaid ſtraungers aliens 6z denizens their ſeruantes 6z factours would fraight and lade their wares and marchaundyſe toward the outward re gions, that then if the ſaid ſtraungers 6z denizens their factoures attourneys 6z ſeruauntes before he 6z they doo lade fraught 6z conuey the ſame goodes, wares, commodities 6z marchaundy ſes into any ſtraung 6r ſtraungers ſhip 6z veſſell, do notyfie & declare the ſame lack 6z want of ỹ ſame Engliſh ſhippes and veſſels vnto the Lord high admy rall of England for the time being, 6z his lieuetenaunt deputie 6z deputies, if that any of them be reſiant at, 6z in the ſame port 6z place of lading, 6z if ỹ ſayd

Lord

Engliſh ſhip

Cuſtome

Stranger

Outlandiſh ſhip

Cuſtomes

No engliſh ſhippe

L. Admiral

Strangers Aliens

Denizens

Lord hygh admirall, ne anie such hys lieutenaunt, deputie or deputies be not reliant at or in the sayed port or place, then if they make notice or declaration thereof to the customer or comptroller of the same port or hauen, or to their deputie or deputyes, and doe obtayne or cause a certificat to bee made vnder the seale of him, to whom such notice and declarations is made, of lacke of English shippes as is aboue saide, that then it shalbee lawfull to the straungers and denyzens, their factoures and attorneis, for lacke and wanting of the sayd English ships and vessels, to freyght and lade the said wares and marchandises in anie straunge shyppe or vessell at the time beeing in the same port or hauen, and to pay none other subsidyes and customes therfore, but as the English marchants being the kinges naturall subiects, do dis and ought to do by the lawes and customes of this realme of England, anie artycle or clause to the contrarie thereof in this present act conteyned in anie wyse not withstanding. And further bee it &c. that all and euerie owner and owners, master and masters, and other gouernoures of English shippes or vesselles or anie of them, myndyng and intendinge to make any voyage or sayinge from the port of London into the parties beyond the seas with his or their shippe or vessel, shall make publyke notice and declaration of his or their said mind & intent of sailinge and voyage in writing, and affixe ẏ same writing vnto some post or other opē place or places in Lumberd streat, there to remaine by the space of seuen daies, declaringe in the same writinge to what place or port hee or they shall so intend to saile or make his or their voiage, & of the name of the ship or ships, in ẏ which he or they intend to saile, to the intent the marchaunts may haue perfit knowledge to prepare such wares as they or any of them wyll haue conueyed into such parties beyond the seas.

Customer

Certificat

Straunge ship

Customes

Owners Masters

London

Lumberd streete

And also that ẏ said owner or owners, master and masters, and other gouernours or any of them intend or make his or their departure from ẏ saied port of London after the fraightinge or ladinge of the same shippe or shippes, at such time and as soone as wynd and weather will serue accordyng to ẏ chart party to bee made betweene the said owner or mayster and marchauntes, without protract of time. And it is &c. that the said owner and owners, master, and masters and other gouernour or gouernours of shippes and euery of them, to hys or their power, and for asmuch as in him or them shalbe, shal see and prouide that al wares and marchandises, which shalbee by the saied marchauntes their factours or Seruants or any of them brought into any shippe or vessell, shalbee honestly & in good order saued and kept. Prouyded alway and bee it &c. ẏ if any marchaunt straunger or other, find hymselfe agreeued or dampnified, by negligent keeping of the said marchandises or wares, or by longe delayinge or protracting of the time in takyng the voiage by the said owner, his factour master or any the mariners of ẏ sayd shippe, otherwise then shalbe agreed betwixt the said marchant his factour attourney or seruant and master or owners in or by the saied chart party, not being letten by wind or weather: shal & may haue his remedy by way of complaint before the Lord Admyrall of England for the tyme being, his lieuetenaunt or deputy against the said owner or owners, master or masters, gouernour or gouernours, or his or their factour, or factours, which lord Admirall for the time being, his lieutenant or deputie shall and may summarily and without delay take such order and direction therein as shalbee thought to his or their discretiōs most conuenient, and according to right and Justice in that behalfe. Prouided alway that this act or any thing therein contayned

Saued

Straunger

Negligence

Complaint L. Admiral

Order

contanied, extend not to geeue any lybertie licence, benefit auctho-ritie profit & aduantage by any maner of meane to any persone or persones borne out of thys Realme of England, or anie other our Soueraigne Lorde the kyngs dominions, of, or for the shypping trashyrting conueying or carying of any maner of woolles, or felles out of the said realme, & other his high nesse dominions, or for any lōger time or terme then in the said proclamation & cōmaundement is expressed and declared, any thing in this prest act to the contrary not withstanding.

woolles
Felles

Prouyded alway and be it &c. that this act ne any thinge therein contayned extend or bee in any wise preiudiciall or hurtfull to the marchauntes of Hanse in Almain, haning the house in London, commonly called Guyhalda Theutonicorum, otherwise called the Stilliarde, but y they and euery of them may do in all things and in all places as they and euery of them should or might haue done before the making of this act, and as though this act had neuer be had ne made, any thing in this act contayned to the contrary in anie wise notwythstanding. Prouyded also that the same marchauntes doo onely lade in such bottomes, vessels and shippes, as belong to, & be of their owne ports, territories and dominions priuileged, or in English bottomes, vessels or ships or bottomes, the they or euery of them may lade in any straunge bottomes, vessels or ships, in such like fourme & manner as they might do before y making of this act, any thyng contayned in the same, to the contrary notwithstanding.

Merchāts

Stilliard

Prouyded alwaie, that the Lord Admirall, nor his deputy nor deputyes shall in anie wise intermitt ne meddle with the liberties of the fiue ports, and the members of the same, to execute any auctho-ritie, or iurisdiction to hym graūted by vertue of this act. But that the warden of the sayed fiue ports for the time being or his deputie shall or may by the auctho-ritie aforesaid, haue and enioy all such auctho-ritie, iurisdictions and liberties within the sayed v. portes, and members of the same, as beene graunted to the said hygh Admirall by vertue of this act within any other port or place within this Realme, any thing within this prest act to the contrary in any wise notwithstanding. An. 32. H. 8. ca. 14.

L. Admirall

v. Ports

Warden of the v. ports

¶ From the first day of February nert comming, after the session of this present parliament, vnto the first day of October then following, & so yeare by and from yeare to yeare, beginning at and betweene y first day of Februarry, and the first day of October, it shall and may bee lafefull to all and euerie person and persons being of the parties, or Countries in amity with our Soueraigne lord the kinge to convey or bringe into this Realme, Ireland, Wales, Calis, or the marches of the same, or Barwike, any maner of wines of the growing of the Duchy of Guien or Gascoine, or of any other part of Fraunce, Tholouse woad, or any other woad in what soeuer shippe or shippes, crafer or crafers, boat, or boates, or by any other meane, whosoeuer be or shall be thereof owner, possessour, or proprietarie, being of the parties or countries in amitie of our soueraign lord, or whosoeuer be therof maister, marynar, or marinere in the same, without any forfaiture or penaltie thereof to be had. The said statute (s. An. 4. H. 7. ca. 10. before 8.) or any thinge therein contained to the cōtrary in any wise notwithstanding. An. 5. E. 6. ca. 18.

wines

woad

¶ Bee it enacted that the seuerall actes made in the fift yere of king Richard the secund, the third Chapter, and in the iiii. yere of the late kynge of famous memory king Henry the seuenth, entituled of Wine & Tholouse-woad, shalbee from henceforth clerely void and of none effect. And neuertheless for auoiding of great deceipt practised,

tiled, & nowe a dayes vsed by sundry subiects borne within this Realme of England, and dominions of the same which enter in the Customers bookes wares and marchaundyse of alyens borne, in their own name, wherby the Quenes maiestie is defrauded in her customes and subsidies, to the great decay of the auncient reuenues of the crowne:

Be it enacted by thauctoritie of this present parliament that all and euerie person and persons beeinge owner or owners of any goods, wares, or marchandises, which after the first day of Januarie nert ensuing the sessyons of this present parliament shall in tyme of peace & when there is no restreint made of English ships, embarke ship. lade or discharge by way of marchandise, any wares or marchandyse (masst raffe, pitch, tarre, & rosne onely excepted) out of or into any shippe, barke, boy vessell or bottome whereof our sayed soueraigne Lady ỳ Quéene her heirs or successours, or some of her or their subiects of this realme, or the dominions of ỳ same bee not possessioners or proprietaries, and the maisters vnder God, and the maryners of the same shippe or shippes, for the most part bee not subiectes of our saied Soueraigne lady, her heires and successours, shall answere yeld and pay to the vse of our sayd soueraigne Lady the Quéene her heires and successours such custome & subsidie for such wares and marchaundises so shipped, laden or dyscharged as is aforesaid, rate and rate lyke, as straungers and Alyens borne out of the obeysance of our said Soueraigne Lady the Queenes maiestie doo and ought to pay for wares and marchaundises of like nature & kind.

And bee it further enacted by the auctoritie aforesaid that no boy or platte whereof any English subiect or subiectes, is, be or shalbee owner or owners at any time after the first day of Januarie aforesayed from anie port, creeke, or place of thys sayed Realme of England, or anie of the dominions of the same, shal trauerse or crosse the Seas (See the statut 5. Elizab. ca. 5. hereafter 13.) in, to, or from any of ỳ ports beyond the Seas, ỳ any wares goodes or marchaundyse, vpon paine that the sayd owner or owners shall forfait and lose the same boy or platt, with all and euery the munityon, tackinge and other necessaryes pertayning therevnto, whereof the one moytie to bee to the vse and behoofe of the Queenes said maiestie, her heires and successours, and the other moitie to ỳ personne or personnes, which wyll sue for the same, by bill, playnt accion, or informatyon in any her highnesse courtes at Westm. in which case no wager of lawe, protection or essoine shalbe admitted.

Crosse the seas

Hoye Platt

Moitie

English ships

Marriners

Custome

Straungers

Prouided alwaies and be it enacted that it shallbee lawfull to the marchants commonly called marchaunts aduenturers and marchauntes of the staple and euery of them at their seuerall fleetes & shippings of cloth & wool, and either of them, from & out of the ryuer of Thames, onely beeing made twise in one yeare at the most, to embarke, shippe, & lade any goodes wares or marchaundise in or to any ship, vessell, or bottome, belonging or appertayning to any stranger or alien borne, so longe and at such time as there be not shippes, vessells, or bottomes, belonging to the Quéens highnesse, her heirs and successours, or any of her subiectes in the said ryuer of Thames, sufficient in number and apt and meete for the sure and safe conueyance of the wares and marchãdise, into the part of Flanders, Holland, Zeland, or Brabant, or any of them, without paying any greater or more custome and subsidie, then English men doe and ought to pay, anie thinge in thys act to the contrarie notwithstanding: This act to contynue and stand in force for the space of fyue yeares, onely nert immedyatly follow-

Merchants

Cloth Wooll

Strange ships

folowing this p̄sent session of parliament, and from thence to the end of ẏ parliament then next folowinge.

Bristow

Be it enacted that for asmuch as the marchaunts of the City of Bristow, have sustained of late great losses at the sea by the enemies, by reason of takinge of all their best shippes, with much substaunce, so that they be not of ability to prouyde sufficient shipps and bessels of their owne within the time limitted in this present act, that they for lacke of their owne shyppes or any other bessels, of the Queenes dominions, within fourty miles of ẏ Cite of Bristowe, may lode & embarke their owne marchaundises, in straungers bottomes, without payinge anie other custome then for wares & marchaundises, laden in Englysh bottomes: This act or any thing therein contained to the contrary notwithstanding. Ann. 1. El. cap. 14.

Strange bottomes

Be it enacted &c. that frō ẏ first day of April An. Do. 1564. and so frō thencefoꝛth it shalbe lawfull to al & euery of the subiects of our soueraigne lady the Queene her heirs & successours, at his & their will and pleasure to cary & transpoꝛt out of this realm, in ẏ ships or other bessels of any the subiectes aforesaid, al & euery kindes of herring & other sea fish, to be taken vppon ẏ seas by any of the subiectes aforesaied, anie act of parliament or law to ẏ contrary notwithstandinge. And ẏ al & euery person & persons, which shal by vertue of this act, transpoꝛt or cary any herringes or other Sea fish from or out of anie poꝛt or haboꝛow of this realme, to any place out of the dominions of the Queenes maiesty, her heires or successours, shalbee free from payment of any custome, subsidie or pondage money for the same fish so caried or transpoꝛted during ẏ space of fower whole yeares beginninge at the said first day of April 1564. & so further during her maiesties pleasure.

Herring Sea fish

Free Custome

4. yeres

And bee it further enacted that from the first day of May next comming it shall not bee lawefull to any persone or persons in any poꝛtes, citie, towne, market or other place within this Realme, to set price, make any restraint, or take or demaund tolle or take of any Sea fish to bee brought into this realme or any part thereof, beeyng taken by any of the subiectes aforesaied in the shippes or other besselles of the same subiectes, vppon paine to euerie persone offendynge contrarie to the meaning hereof, to forfayt the value of the fish so restrained, pyyled, tolled or taxed: Any libertie custome, graunt pryuiledge or other matter whatsoeuer to the contrary in any wise notwythstandinge.

Price Taxe Sea fish

Foꝛfl.

Prouided alwaies that this present act nor any thing therin cōtained shall be preiudiciall or hurtfull to the Maioꝛ & Burgesses of the kings towne vpon Hull, or their successours Maioꝛs and Burgesses of the same towne, or to any other officer, or minister of ẏ same towne at any time hereafter, but that they and euery of them may receyue, haue, and take all and euery such tolle customes and summe of money of all and euery such persone and personnes as is limitted appointed and set foꝛth by them to be taken, in an act of parliament made in the xxviii. yere of the raigne of our late soueraigne loꝛd king Henry the eight. And that neither the said Maioꝛ and Burgesses of kingstō vpon Hull, or any inhabitaunt there, or any of the shall take any auauntage of the artycle of this statute, for the cariage of any herringes or salted fysh to any parties beyond the sea: Any thinge in this present act mencioned contained, specified, or declared, in any wise to the contrary notwithstanding.

Maioꝛ Hull

Customes

Be it also enacted &c. that no purueyoꝛ our or other persone whatsoeuer, shall from the said first day of May by vertue of any commission or otherwyse take any herring or sea fish from anie of the subiectes afore mencioned, that shall

Purueiour

Sea fish

shal take the same in the shippes or other vessels of the sayed Subiectes, as it is aboue said otherwise then by agreement of the owners, or sellers of the same fish, vppon paine for euery purueiour and other persoune whatsoeuer offendynge contrary to the tenour of this act to forfait the double value of the herringes or fish so to bee taken. And it shalbe lawful for any persoune being owner or seller of any such Sea fish so taken as is aforesayed, to withstand any person that will (by any colour of pursuynge or otherwyse) demaund any such fish, or the toll of any such fish without the good will of the owner or seller as aforesaid.

Agreement

Forf.

Withstand

Prouided, that the fish called composition fish, heretofore graunted to the Queenes maiestie by the subiectes of this realme, trauellinge into Iseland, shalbe taken by her maiesties officers and purueiours in such sort as the same hath bene lawfully vsed to bee taken before the making of this act, and sauing to ỹ Queenes maiesty her heires & successours, and to all other persons, such fishes as bee knowen and vsed to bee called Regal fishes, whereunto her maiestie, or ỹ said other persons haue or shall haue right or interest for such recompence as heretofore hath beene accustomed.

Composition fish

Regall fishes

And be it further enacted &c. that from the said first day of Aprill, whych shal be in the yere of our Lord God 1564 it shall not be lawfull to any persoune or persounes, to buy of any straunger borne out of the Queenes Maiesties obeisance, or out of any strangers bottome, any Hearring being not sufficiently salted packed and cashed, vppon paine to euery person and persounes so buying, to forfait ỹ herrings so by him or them to bee bought, or the value thereof.

Buy

Strange bottome herring

Forf.

Prouided alwaies that this branch of this act shall not extend to anie herringes to bee brought, which by reason of shipwracke shalbe brought into this Realme, but that it shalbe lawful to al & euery person & persons, to buy all such herringes so brought in by shipwracke as aforesaid, as hee or they lawfully might haue done before the making of this act. Any thing in this act contained to the contrary in any wise notwithstanding.

Shipwrack

We it also further enacted &c. ỹ from ỹ feast of S. Jhon Baptist next ensuing it shal not be lawfull to any person or persons, to cause to be loden and caried in any bottome or bottomes whereof any stranger or strangers borne, then bee owners shipmasters or part owners, any kind of fish, victuall, wares, or things, of what kind or nature so euer the same shalbee, from one port or creeke of this realme, to an other port or creeke of ỹ same realme, vpon paine to euery one ỹ shal offend, contrary to the true meaning of this branch of this present act, to forf. al ỹ goods so ladē or caried, or the value therof. And ỹ from hencefoorth all English hoies & plates may crosse ỹ seas, as farre as Caine in Normandy, & Eastward as farre as Norwey, ỹ stat. made in the first yere of ỹ Queenes Maiesties raigne, to the contrary hereof notwithstanding.

Strange bottome

Victualle wares

Forf.

Hoyes plates Crosse seas

And for as much as there is much deceiptful packing vsed in Cod and lyngs brought in barrels and other caskes, into this realme. Be it therefore enacted &c. that from and after the first day of Aprill in the yeare of our Lord God 1564. it shall not be lawfull to any person or persones to bring into this Realme any Codde or Linges in barrels or other caskes but lose in bulke and by tale to be sold within this realme, vpon paine for euery one that shall offende contrary to the tenour hereof, to forfait al ỹ Codd and Lings, so to bee brought in or ỹ value thereof.

Codd Lings

Forf.

And be it further enacted, that from the feast of saint Michel the archangell next folowing no person or persounes what soeuer shall bring into this Realme of England, or any part of the

saine

Wine

Woad

English ship

Fork.

Wales
Rochell wines

Owners
Fisher men

Gunner

Shipwright
Apprentice

Custome of London

Indenture

Enrolled

viij.s.

same any wyne comming out of any of the dominions or countreyes belonging to the crowne of Fraunce or any woad called Tholouse woad in any other vessell or vessels, but only in such vessell or vessels wherof some subiect or subiects of the Queenes maiestie, her heires or successours, shalbe then onely owner, or part owner vpon paine to forfayt all wynes and woad brought contrary to the meaning hereof, according to the meaning of a statute made in the time of the raigne of king Henry the seuenth, concerning wine of the Duchy of Gascoigne and Guyon, except that there may bee brought into Wales or any port within the county of Monmouth, Rochell wines.

Bee it also enacted by thauthoritie aforesaid, that fromhencefoorth it shall be lawful to all and euery owner and owners of shippes or vessels, & to euery houlsholder vsing and exercising the trade of the Seas, by fishinge or other wise, and to euery Gunner or Guners commonly called Cannoners, and to euery shipwright, to take and keepe one or more apprentice or apprentices to bee brought vppe in the said trade or trades, euery of the same apprentice, or apprentices to bee to them bound for tenne yeres or vnder. And euerie apprentice so taken beeing aboue vij. yeres of age, shalbe by the same couenants, bound, ordred, & vsed to al intentes according to the custome of the Citie of London, so that the same couenaunt or bond of apprentilshippe bee made by writing, indented and enrolled in the towne where the same apprentice shalbee then inhabited, if it be a towne corporat, and if the towne bee not incorporat, then to bee enrolled in the next towne incorporat to the habitation of euery such apprentice. And ỳ ỳ officers of euery such Towne corporat, shall take for euery such enrolment not aboue xii.d. Any law statut or other matter, whatsoeuer to the contrary notwithstanding.

And bee it further enacted, that so much of the statut made in the v. & vi. yeares of the late kynge Edward the vi. intituled, An act agaynst regrators forestallers, and ingrossers. And so much of all other statutes agaynst al Regratours, forestallers, and Ingrossers, as booth and may concerne the buying of Sea fish vnsalted, or mudde fish, or any wyne oyle or salt, to bee taken and brought in anie Englyth subiects shippes, Traiers or other vessell into any port Creke or place of this Realme, shall fromhencefoorth to all intentes, constructions and purposes, bee vtterly repealed and voyd for so much of the said ayles, wyne, Sea fish, mudde fish & salt, as anie buyer or buyers vpon the sea by way of forestallinge or regrating, shal or do bring and discharge in anie port or Hauen within this Realme. And be it further enacted by thauthoritie aforesayed, ỳ from the feast of Saint Michaell the Archaungell in the yeare of our Lord God 1564, euery Wednesday in euery weeke through the whole yeare, which heretofore hath not by ỳ lawes or customes of this Realme bene vsed and obserued as a fish day, and which shall not happen to fall in Christmas weeke, or Easter weeke, shalbe hereafter obserued and kept as the Saterdayes in euery weeke bee, or ought to be, and that no manner of person shal eate any flesh on the same day otherwise then ought to be vpon the cõmon Saterday.

Sea fish
Wine
Oyle
Salt

Repealed

Wednesday

Fish day

And bee it further enacted by the authoritie aforesayed, for the benefit and commodities of this realme to growe aswel in maintenaunce of the Nauie, as in sparing and encreasle of flesh victuel of this Realme, that from and after the feast of Pentecost next comminge it shall not bee lawfull to any personne or personnes within this realme to eate anie flesh, vpon any dayes nowe vsually obserued as fysh dayes, or vpon any Wednesday nowe newely

No flesh

Fish dayes

newly limitted to be obserued as fysh day vppon paine that euery persone offendinge herein shall forfayt three pound for euery time hee or they shall offend or else suffer three moneths close Imprisonment without baile or mainprise. And euery persone or persones wythin whose house any such offence shalbe done, and being privy or knowing therof, and not effectually punishing or disclosing the same to some publique officer, hauing authority to punish the same, for euery such offence to forfait xl. shillinge. All which forfaiture for not abstayning from meats shalbe deuyded into iii. equall partes. That is one part to ỹ vse of ỹ Queens maiestie her heires or successours, the other part to ỹ informer, ỹ third part to the common vse of ỹ parish, where the offence is or shalbee committed, & to bee leuied by the Churchwardens, after any conuiccion in that behalfe.

Fysh day

Impriſon

Mainprise

Houſholder

Forf. xl s

Churchwardens

Prouided alwayes, and bee it enacted that this act or any thinge therein contained, concernynge eatynge of flesh, shall in any wise extend to any persone or persones, that shall hereafter haue ante speciall licence, vppon causes to bee contained in the saied licence, and to bee graunted according to the lawes of this realme in such cases prouided. All and euery which said licence and licences, shallbee void to all intentes, vnlesse the same obtaine the conditions hereafter mencioned.

Licence

What is to say, euerie licence made to ante persone or persones, beeinge of the degree of a lord of Parliament, or of their wyues, shallbee vppon condition that euerie such person so to bee licenced, shall paie to the poore mens boxe within the parish where they shall dwell or remaine in the feast of ỹ Purification of the blessed virgin Mary, or within vi. dayes after the same feast. 26. s. 8. d. The same to be paid within one moneth next after the same feast, vppon paine of forfaiture of euerie such licence

Lord of the parliament

Poore

Forf.

And euerie licence to ante person of the degree of a knight, or a knyghts wyfe shalbe vppon condition that euery such person so licenced, shal pay yerely. viij. s. viij. d. to the vse aforesaied & in fourme aforesaid mencioned. And euery licence to ante persone or persones, beeynge vnder the degree abouesayed shalbee vppon condition that euerie such persones so licenced shall pay yerely. vi. s. viij. d. to the sayed vse, and in fourme aforesaid mencioned.

Knight

Poore

Prouided alwayes that no licence shal extend to the eating of any bieues at ante tyme of the yeare, nor to the eating of ante veale in any yeare from the feast of saint Michael tharchangel vntill the first day of May.

Veale

Prouided also that al persons which by reason of notorious sicknes, shalbee enforced for recouerie of health to eate flesh, for the time of their sicknes, shal be sufficiently licenced by the Bishop of the diocesse, or by the parson, vicar, or curate of the parish where such person shalbe sick, or one of the next parish adioynyng, if the saied parson, vicar, or curate of his or their owne parish be wilful, or if there be no curat in the same parish. Which licence shal bee made in writyng, signed with the hand of the Bysshop of the diocesse, or of the parson, vicar, or curate, and not endure longer then the time of ỹ sicknes. And that if the sicknesse shal continue aboue the space of viij. daies after such licence graũted, then the licence shalbe registred in the church booke to the knowledge of one of the Churchwardens, & the party licenced shal giue to the curate viij. d. for the entry therof. And that licence to endure no longer but onelie for the tyme of his, her, or their sicknesse. And if ante licence by ante person, vicar or curate, be graũted to ante persone or persones, other then such as euidently appeare to haue neede therof by reaſõ of their sicknes, not onelie euerie such licence shalbee voyde, but also euerie such persone,

Sicke persons

Bishop

Parson

Vicar

Curat

8. Dayes

Church booke

iiij. pence

Vicar

Fort. Vicar or curat, shall forfait for euerie such lycence other wise graunted fiue markes. Prouided also and be it enacted, ỹ al licences heretofore graunted to any subiect of this Realme, by anie of the late kings, or by ỹ late Queene Mary, or by the Queenes maiestie nowe beinge, or by any Archbishop of this realm, hauing auctority so to do, shalbee of as good force in lawe for the wednesday fish dayes wednesday nowe limitted, and other accustomed fish daies, as they were before the makinge of this act, for ỹ said other accustomed fish dayes, so as the parties licenced doo hereafter obserue all such conditions as bee limitted in this statut, to such as hereafter shall obtain any licences. And such persons also as heretofore were or ought to bee licenced, by reason of age or other impediment or cause, by order of the eccle Old persons siasticall lawes, shall enioy the same priuiledge and accustomed licences, any thinge in this act to the contrarie hereof in any wise notwithstanding.

And bee it enacted that no forfaiture of Shippe, Craier or other vessel, or of any apparel of the same, nor any other Penalty or forfaiture, shallbee extended or growe against any owner or owners of any shippe, Craier or other vessell for the transportinge or carying of any wheat, or other corne or thinges wheate Corne prohibited by the statut made in the Parlyament holden the first & second yeares of kynge Philippe and Quéene Mary, vnlesse the same owner or owners shalbee wittinge, knowinge, aydinge or consentynge to the prohibited transportynge or caryinge the sayed Estatut, or any thynge therein mencyoned to the contrary notwithstandynge.

And be it further enacted &c. that all & euery person and persons, which bee or shalbe, by the lawes and statutes of this Realme or other wise, auctorised wines Retaile to sell wines by retaile, in the seuerall counties & places where they be, or shal be so auctorised, shal & may from hence forth sel the same wines by pint, quart, pottel, gallon or other wise, at such price Price or prices, and in such forme, as shalbe limitted by the Queens maiesties pro- Proclamation clamation in the countie or place made with the assent of such Lordes, & other persones, as by the statut made in the 28. yeare of the raigne of king Henrie the eight, were auctorised to set price vppon wines in grosse, without any payne or forfeiture for the same: Any law, vsage, or statute heretofore made or hadde to the contrary hereof in any wise notwithstanding.

And be it further enacted, that from & after ỹ feast of S. Michael the Archangell next comming, it shalbee lawfull to al and euery person and persons, being subiects of the Queenes maiesties her heires and successours, onely out of such portes or creekes, as by ỹ Quéens Ports maiesties proclamation hereafter shal be published and appointed, and not els where to loade, carry, or transport any Lead wheate, Rye, Barley, Malt, Pease or Corne Beanes into anie partes beyond the Seas, to sell as a marchandise in ships crayers, or other vessels, whereof any Englishe borne subiect then shalbee the onelie owners, so that the price of the sayed Cornes or graynes so caryed or Price transported, exceede not the prices here after following, at the times, hauens, and places where and when the same Corne or graine shalbee shypped or laden. Viz, the quarter of wheate at v. s. the quarter of Rye, Pease or Beanes, at viii. s. the quarter of Barley or Malt at vi. s. viii. d. of currāt money of Englande: Anie lawe, vsage, or statut heretofore made to the contrarie hereof in any wise notwithstanding. And where doubt hath heretofore beene whether the statute in the xviij. yere of ỹ raigne of king Henrie the vi. heretofore made Souldiers Depart & out licence Mariners against souldiours retayned, which depart from their Captaines without licence, did, or ought to extend vnto mariners and gunners serving on ỹ Seas tabyng wages of the king or Quéene of this

of this realme. Be it expressed, ordayned, enacted and declared, by auctoritie of this present parliament, that the said statut made in the said xviii. yeare of the raigne of king Henry the vi. in al paines, forfaitures and other thynges dio, both, and hereafter shall extend, aswell to al and every Marioer and gunner having taken or shal hereafter take prest or wages to serue the Quenes maiestie, her heires or successours, to al intents and purposes as the same dyd or doth vnto any souldier: any diuersities of opinion, doubt matter or thing to the contrary hereof in any wise notwithstanding.

Gunner

And where an statut concernyng sowing of flare and hemp, was made and prouided in the Parliament holden the xviii. yere of the raigne of our late soue raigne Lord king Henry the eight to be vnpursuid through euery Countie of thys Realme for the better preuention of nettes, for help and furtherance of fishing and for eschewing of polenesse. Be it ordayned & enacted by auctoritie of this present Parliament, that in euery such countie, of this Realme, or part of such countie, where by the Queens maiesties proclamatiõ it shal hereafter be published, the said estatute to be commodious or profitable for the cõmon welth The saied estatute, and euery clause, article and prouision therein contayned be and shalbee reuyued and stand in full force and strength to be executed & persourmed frõ ỹ feast of S. Michael ỹ Archangell nert comming, in all thynges other then in the proporcion of a Rood or solwerth part of an acre, and in ỹ pain of iii.s.iiii.d. by the saied estatut limytted. In place wherof, be it ordeined and enacted by the auctoritie aforesaid, that in euery case & degree, wherby the said former estatute, or Rood or fourth part of an acre is limmitted to bee sowen wt̃ linseede, other wise flare seede or hemp seede, from the said feast of Saint Michaell the Archangell nert commyng: In stede and lieue of the said Rood or fourth part of an acre one whole acre, or lesse as by proclamation in forme aforesaid shalbee limitted, shalbe sowen with linseede other wise Flare seede, or hempseede vppon paine of forfaiture of v.li. for euery such default or offence. And further be it ordained &c. ỹ al & euery such of the offices before mencioned as hereafter shalbee done on the meane Sea or coastes of ỹ sea beeing no part of the body of any coũty of this realm, and without ỹ precunct, iurisdictiõ and liberties of the Cinque portes, and out of any hauen or peere, shalbe tried and determined before the Lord Admirall of England or his lieutenaunt, deputy or deputies, and other Justices of Oyer & terminer according to the fourme of ỹ said estatut of An. 28. H. 8. for causes of piracy. And if the same shalbe dõe on the meane Sea, or coastes of the Sea, within the iurisdictiõ or liberties of the v. portes, and out of any hauen or port, then the same to be tried and determyned before the said Lord warden of the said v. portes or his lieutenaunt or iudge or before Justices of Oyer & terminer according to the true fourme of the said estatut of An. 28. H. 8. for causes of piracy. And for al & singuler offences whether of the offences before mencioned as shalbee done in the land, or wythin any hauen or pere: al Justices of the peace in their Sessions, and Maiours, Sheriffes and Bailiffes, and other head officers in cities and townes corporate in their Sessions, or other courtes, within the liberties of their commissions or auctorities shall haue full power and auctoritie to enquire of the offenders of this act, as well by the othes of twelue men as otherwise by information, and there vpon to heare and determine the same. And if any person or persons shalbe presented before the said Judges, Justices or officers within the limittes of theyr auctorities, or any information geuen to them of any offender of this act, that then they shal haue ful power & auctoritie vppon any such presentment, or in for-

Nettes

Flax Hemps

Fort.

Offence on the sea

v. Portes

L. Admirall

Warden of the v. portes

Iust. of p. Maior Sheriffes Bailiffes Sessions

Enquire

Oier & ter.

Connict

Lewte

Maiors Bailifes Shiriffes Vse

Vse Connict

Forf.

Informacion to make proces against ye offenders of this act, lyke as is commonly vsed vpon inditements of trespasse. And if any be presented, & after ward be connicted by confession or other wise, ye then euery such persone shal suffer no lesse forfaiture or punishment ẽ here in is before ymitted: All which forfaytures to be leuied in maner and fourme following. That is to say such forfaytures concerning eating of flesh, as are before limitted or certaine vses to bee to the same vses in that behalfe beefore expressed, and al such forfaitures as according to the tenour of this act shall be determinable before the said Iudges Iustices or other officers of the Admiralties aforesaid, or before commissioners of Oyer and terminer in that behalfe, shalbe to the vse of ye Lord Admirall of England, or Lord warden of the v. portes, where such offence shalbe presented, or where as the Iurisdiction of the cause shal appertaine. And al such forfaitures as according to the tenour of this act shalbe determinable beefore Maiors Sheriffes, Bailiffes, or other head officers of Cities or townes corporate shalbe to the common vse of the corporation of the said city or towne corporate, where such offences shalbee presented, or wheras the iurisdiction of the cause shall appertaine. And all such forfaitures, as according to the tenour of this act, shalbe determinable before the Iustices of the peace shalbe to ye vse of the Queenes maiestie her heires and successours. And if any person shalbee connict by confession or other wise vpon any information made by any person or persones against any offender or offenders of this act, in any cause, sute for ye eating of flesh, first before specially limitted, ye then euery such persone so connict vpon any information, shal lose such forfaiture as is before limitted, the one halfe thereof to bee to such as shall make the information, & the other halfe to those which vpon presentment, without speciall information, are before ymitted to haue ye whole forfaiture. And that for the keeping of euery forfayture growing by this statute, aswell the said Lord Admirall of England, Lord Warden of ye Sinque ports, their lieutenants, and Iudges, as the said Iustyces Maiors, sheriffes bailiffs and other head officers, within ye limittes of their commissions, or aucthorities, haue and shal haue full power and auctoritie to make such procesle, as they shall thinke good by their discretions.

L. Admirall
L. Warden
Iustice
Maiors
Sheriffes
Bailifes
Proces

Prouided alwayes that none information at the suit of any person concerning this act shalbe of any effect to put any person to aunswer or losse of forfeiture, except the said information be commenced within halfe a yeare next after the offece done contrary to this act, nor that any information or presentment for the queenes maiestie, her heires or successours, or for the admiral, warden of ye Sinque ports, Maiors or other officers aforesaid be of any effect to putt any person to any aunswer or losse of any forfaiture by vertue of this act, except ye said information or presentment be within one yere next after ye offence done and committed contrary to thys act. Prouided and bee it likewise enacted that it shalbee lawfull to any persone or persones, to haue at his or their table vpõ euery Wednesday being ordered by this statut to bee obserued as a fish day, one onely vsuall competent dishe of flesh, of one kind and no mo, so that he she or they haue also serued to ye same table and messe at the same meal three full competent vsuall dishes of sea fish, of sundry kinds either fresh or salt, and that without fraud or coyn, and so shall also order, that the same fyshe bee meete and seasonable, and that it shalbe eaten or spent in like maner as vpon Frydayes and Saterdaies in lyke cases are vsed. And that also such persons as haue or hereafter shall haue vppon good and iust considerations, any lawfull licence to eate flesshe vppon any fish day, except such persones, as for

Informatiõ
Halfe yere
One yere
Wednesday
Dish of flesshe
3. dishes of fishe
Licence

sickneslle

Sickness

Age

Fleshe Fishe

Punishe

Preche wrie Speche

Punisshe

Fishermen Mariners

Compell Soldiour

Tenure

sicknesse shal for the time be licenced by the Bishop of ỳ diocesse or their curats or shalbe licenced by reason of age, or other impediment allowed heretofore by the Ecclesiasticall lawes of this Realme, shal be bound by force of this statute to have for euery one dish of flesshe serued to be eaten at their table, one fish dish of Sea fysh, fresh or salt to be like wise serued at the same table and to be eatē or spent without fraud or couin as the like kind is, or shalbe dually eatē or spent on Saterdaies. And ỳ these two articles & clauses next above, shalbe taken and interpreted from tyme to time in the fauour of expences of Sea fyshe, and that the offender or offenders herein, shallbee punished in lyke manner as is ordred by thys estatute for punyshement of such as shall eate flesh vpon frydaies, saterdaies, or other fishedayes.

Be it enacted that whosoeuer shall by preaching, teaching, writing, or open speach notifie, that any eatinge of fish, or forbearinge of flesh mencioned in this statute, is of any necessitie for the saluing of the soule of man, or that it is ỳ seruice of God, otherwise thē as other politike lawes are and be, ỳ then such person shalbee punished as spreaders of false newes are or ought to be. Be it enacted in the fauour of Fishermen and Mariners, haunting the seas as Fishermen or Mariners, that none of them shall hereafter at any time be compelled against hys or their wyll, to serue as any Souldiour vpon the land, or vppon the Sea, otherwise then as a Mariner, except it shalbe to serue vnder any Captaine of some Shippe or vessell for landinge to doe some speciall exployte, which mariners haue vsed to doe, or vnder any other personne hauing authoritie to withstand any inuasion of Enemies, or to subdue any Rebellion within the Realme, and also except al such personnes as by tenure, lawfull custome or couenant, he or shal be otherwise bound to serue.

Prouided alwaies, that thys act or any thing therein contained, shall not extend to take away or diminish any liberte, priuiledge, franchise, forfaiture or amerciament, fines, issues, wreckes of the sea, or anyother lawful inheritāce or free hold, frō any person or persōs bodies politike or corporate, their heirs or successours, for or touching any lawful liberty authoritie, or iurisdiction admirall, or for conseruation of any water, ỳ they or any of thē now haue lawfully or hereafter shal haue: Any thing in the same to the contrary notwithstanding.

Liberte Priuiledg wrecks

Prouided alwayes, that no Fysher man, vsing or haunting the sea, shalbee taken by the Quenes maiesties commissiō, to serue her highnes as a mariner on ỳ sea, but that the sayd commission be first brought by her highnesse taker or takers, or two Justyces of peace adioininge and inhabiting to the sayed Sea costes, Townes, or other places, where the said mariners are so to bee taken, to the intent the sayd Justices may choose out, & cause to bee returned such sufficient number of able mynne, as in the said commission shalbee conteined, to serue her maiestie as is afore sayd, Saning alwayes to the fiue portes, and also to the towne of great Yarmouthe, all such lawfull liberties as they iustly haue before the makyng of this act touchinge the free faire kept at Yarmouth, other thē buying of strāgers, and taking of toll, as the same bee fore prohibited.

Fishermen Comission Mariniour Iust. of p. v portes Yarmouth Liberties Fayre Strangers Cole

Prouided alwayes, ỳ any thing in this act cōtained, shal not be hurtful or preiudiciall, to any authoritie, stile, preheminence, dignitie, or iurisdiction, belonging to ỳ office of ỳ lord wardē of ỳ fiue portes.

L. Warden

Prouided alwaies, that it shall and may be lawful, to and for any person or persōs being straūgers borne, to bring percly in any shipp, bottom, or vessell, whereof any straunger or straungers borne, is or shalbe owner or owners in to ỳ hauens, portes, & townes of ỳ Ile of

Strangers

Strang; bottom

Man, or into any of them any wynes made in any of the dominions or coũties belõging to ẏ Crowne of Fraũce & in the same portes and Townes, or any of them, to discharge ẏ said wines so to bee brought, so that there bee not brought & discharged by the same straũgers, in any such straungers ships, bottomes, or vessels in any one yeare, in or at the said hauens, portes, & townes or any of them, aboue one C. tunnes at the most: this act or any thing therin cõtained to the contrary thereof notwithstanding.

100. tunnes

Prouided also, that it shall & may bee lawfull to and for any person or persõs being straungers borne, to bring yerely in any shippe, vessel, or bottome where of any straunger or straungers borne, is or shalbe owner or owners into the hauen, port, & towne of Chepestow, in the Countie of Monmouth, any wines made in any of the said dominions or coũtries belonging to the said Crowne of Fraunce, ouer and besides al Rochel wine heretofore in this act allowed to be brought, & in the same port & towne to discharge ẏ said wines so that there bee not brought and discharged by the same straungers, in any such straũgers ships, bottomes, or vessels in any one yeare, in, or at the said hauen, port, and towne aboue one hundreth Tunnes at the most. This act or any thing therin contayned to the contrary, notwythstanding.

Stranger

Strange bottome

Chepestow wines

Fraunce

Dilcharge

100. tunnes

Prouided also that it shalbe lawfull to and for any person or personnes beeing straungers borne, to bring yerely in any shippe, vessell or bottome, whereof any straunger or straungers borne, is or shalbe owner or owners into the hauens, portes, and townes of Carlile, carnarvon, Beawmaries and other hauens portes and townes, in South Wales, and North Wales, or any of them, and into the hauen, port and towne of newe port in ẏ said County of Monmouth any of ẏ said wynes made in any of ẏ said dominions or countries belonging to ẏ

Strangers

Strange bottome

Wales

said crowne of Fraunce ouer & besides all Rochel wines heretofore in this act allowed to be brought & in & at the same portes and townes, or any of them, to discharge ẏ said wynes so to be brought so that there be not brought & discharged by ẏ same straungers in any such straũgers shippes, bottomes, or vesselles in any one yere, in, or at the said hauens portes, and Townes, or any of them aboue one hundreth tunns at the most. This act or any thing therein cõtained to ẏ contrary thereof notwithstanding. Saiing vnto the Queenes Maiestie, her heires, and successours, all such duties and thynges which her highnesse her heirs and successours ought to haue & enioy, be answered and paied for ẏ said three hundreth Tunnes of wynes, mẽcioned in the said three last prouisoes, to be brought & discharged, as in the same iii. prouisoes bene mencioned and declared: Any thing in this act to the contrary thereof notwithstanding. Prouided also and be it further enacted by the authoritie aforesaid, that thys act or any thing or thinges therein cõtayned, shal not in any maner of wise extẽd to geue vnto the Lord Admirall of Englãd for the time being or to any his vice Admiralles, Judge or Judges of the Admyraltie, his or their deputie or deputies, or to any other the officers or ministers of the Admiraltie or to any others hauing or clayming any Admirall power iurisdiction or authoritie within thys Realme and Wales, or any other the Queenes dominions, any other power right, iurisdiction preheminence or authoritie then he or they, or any of them lawfully haue, hath or hadd, or ought to haue and enioy before the makynge of thys act, other then for such of the offices specified in this act as hereafter shal be done vppon the mayne Sea, within the iurisdiction of the Admiralty. This act or any article, braunch, clause, prouision, or thing therein contayned to ẏ contrary thereof notwythstandynge. Thys act shall contynue and endure vntyll

Fraunce

Dilcharge

100. tunnes

L. Admiral Judge of thadmiralty

vntill the end of tenne whole yeares, to bee accompted from the feaſt of Sainct Michel which ſhalbe in the yere of our Lord God 1564. and from thence to the end of the next Parliament then folowing ỹ end of tenne yeares. An. 5. El. cap. 5.

14 ¶ Be it &c. that no manner of perſone or perſoures of what eſtate degree or condition ſoeuer he or they be, ſhal after the laſt day of February next enſuing, bring, deliuer, ſell, receiue or take or procure to be brought, deliuered, ſent or receiued, into any ſhipp or Bottom, any Rammes, Sheepe, or Lambes, or any maner of other kind of Sheepe, being a lyue, to be caried and conueied out of this Realme of England, Wales or Ireland, or out of any of the Queenes highnes dominions, vpon the paine ỹ euery ſuch perſon or perſons, their aiders, abbettours, procurers, and counſoylers, ſhal for his or their firſt offence or offences ſo done contrary to the true meaning of this eſtatute, forfait & loſe al hys goodes for euer, whereof the one moity ſhalbe to the Queenes maieſtie her heirs and ſucceſſors, the other moitie to him or them, that will ſue for the ſame in any court of record, wherein no eſſoine, protection, nor wager of lawe for the defendaunt ſhalbee admitted or allowed.

And further euery ſuch offender or offenders ſhall ſuffer impriſonment by the ſpace of one whole yeare, wyth out baile or mainpriſe, and at the yeres end ſhall in ſome open market Towne, in the fulneſſe of the market, on the market day, haue his left hand cut of, and that to be nayled vp in the openeſt place of ſuch market. And that euery perſon or perſons offendyng againſt this ſtatut, ſhalbe adiudged a felõ & ſhal ſuffer death, as in caſes of felony.

Prouided alwaies, that this act ſhall not extend to any corruption of blood or be preiudiciall or hurtfull to any woma claiming dower by or from any ſuch offender or offenders: Anything in this act to the contrary notwithſtanding.

And be it further enacted by the authoritie aforeſaid, that the Juſtices of Oyer and terminer, Juſtices of Gaole deliuery, and Juſtices of peace, in euery Countie and there within thys Realm of England and Wales, and other the Queenes maieſties dominions, ſhall haue full power and authoritie by vertue of this act, to enquire of euery offender & offenders contrary to the fourme and effect of this act, and to heare & determine euery offence and offences, cõmitted perpetrated and done, contrary to the fourme and effect of the ſame according to ỹ courſe of ỹ lawes of this realme. An. 8. El. ca. 9.

15 ¶ Be it enacted by authority of this preſent parliament, that ſo much of the ſaid act (by. 5. El. ca. 5. before 13.) for liberties of tranſporting of herring & Sea fiſh, by the naturall borne ſubiects of your Maieſtie, your heirs or ſucceſſours & for freedome from paying of any cuſtome, ſubſidie, or pondage money, ſhal be reuiued, and ſhal from henceforth cõtinue for the ſpace of vi. yeres from the end of this ſeſſion of Parliament, and from thence forth to the end of the next Parliament after the ſaid fiue yeares to be ſummoned, and from thenceforth during your maieſties moſt gracious pleaſure, ſo that ſuch tranſporting be in veſſelles vñ croſſe ſayles.

And where alſo in the ſaid act, made in the ſayed fift yeare, amongſt other thinges, al maner of perſons are generally forbidden to bring into this realme any Coddes, or Linges, in Barrels or other Caſſes, vpon paine of forfaiture of all the Coddes, and Linges ſo to bee brought in, or the value thereof, contrary to the tenor of that act.

Foraſmuch as by that braunch of the ſaied ſtatute, it was well intended and ment to wreke with the fraude of ſtrangers and other, which brought into this Realme great quantitie of coddes and linges deceitfully packed vp barrels & not meete to bynder any ỹ Queenes



Rammes Sheepe Lambes Tranſporte

Foyle

Moitie

Impriſon

Mainprize

Hand cut of

Felony

Bloody

Dower

Juſt. of Oier & ter.

Juſt. of g. deliuerie.

Juſt. of p.

Enquire

Oier & ter.

Tranſporte Herring Sea fiſh

No cuſtome

Croſſe ſayles

Coddes Linges

Maiestyes subiectes, vsing vprightnesse and trueth in the barrelyng of such fishe: May it therefore please your Maiestie, that it be further enacted by thauc thozitie aforesaid, that after the feast of Easter, which shall bee in the yere of our Lord God a 1575. it shall be lawfull frō thencefozth to all your maiesties louing subiects, borne with this realme, or with any other your Maiesties dominions, (vsing no fraud or decript in packinge or barrelling thereof) for the terme of fiue yeares next ensuing, to bryng into thys Realme, or any other your vpprightnesse dominions, all such codds & lynges as they shal happē to take vpon the Sea by their own fishing in bottels or crosse saules without incurring any forfaiture or penalty therfore: any thing in the said act cōteined to the contrary notwithstanding.

Vsing Codds Lynges

And for the auoydyng of the lewde outrages committed and doe vpon the Sea coastes of Norfolke and Suffolke by the Catches, Pangers, & Picardes pretending to buy fresh herringes, and which do cut in sunder diuers peeces of Fishermens nettes, traueling the high Seas, to take fresh herrings to the vtter vndoing of the said poore Fishermen.

Cutting of nets

Bee it therefore enacted, ordeined, & stablished by the authoritie of this present parliament, that no person or persons, vsing any ship, boate, or vessel, called Catche, Pōger or Picarde or other vessel of like vse, shal in the time of cōmō fishing, vpō the said sea coastes of Norfolke, & Suffolke, betweene the viij. day of September & the viijth. day of November from sonne setting to sonne rysing, ancker vpon the main sea, or in the cōmon streame or trade of fishing wher the fishermen vse to driue, vpon paine to forfeyt their Catche, Monger, Picker, or vessell, with the tackle, & all the fish in the same, or the value therof, the one halfe to your maiestie, your heires & successours, the other halfe, to the bailiffes, burgesses, & comminaltie of the Towne of great Yarmouth, to be employed to the recompencing his hauinges to the party whose nettes shall so be cut, and to the building and repayring of the decayed hauen there, and to be take by way of leasure, or otherwise to bee recouered by byll, accyon, or information, in any of your maiesties courtes of Record, any statute, law, or vsage to the contrary not withstanding.

Catche monger Picard

Norfolk Suffolk

Cast ancker

Foyl. Wythe Bailife

Yarmouthe

And where your subiects, vsing the trade of fishing for herring, haue of many yeares, & time out of mind, vsed to pack their herring in caske of barrels containing about xxxx. gallons of vsual wine measure, & with such assise hath bē vsually gaged & allowed at your honorable Citie of London, & do containe the said measure of xxxx. gallons, according to such vsual wine measure as is out of your honorable Court of Exchequer deliuered to your said honorable Citie of London, which measure yet hath lately bene disanulled & by certayn Informers, for that the same cōteine not xxvij. gallons by the old measure of standerd which they neuer did, though peraduenture the extremitie of olde statutes in wordes, by some mes cōstructiōs might be stretched to require so much. And for that vsual barrels nowe be as great as euer, within the time of any memorie, they haue bē knowen to be, & the alteration therof would be a great decay and perill of vndoing to the sayd Fishermē: It may also please your moste excellēt maiestie, that it be also enacted & declared that the said Assise of xxvij. gallōs of wine measure, which is about xxviij. gallons by old consideration, well packed, and conteyning in euery barrell vsually a thousand full herrings at the least, is & shall be taken, for good, true & lawfull assise of herring barrels, throughout the whole liberties of the said townes of great Yarmouth, and elswhere any auncient or former lawe or statute to the cōtrary not withstanding.

Barrels

xxvij. Gallons

1000 herring Yarmouthe

Bee it further enacted, that no fishe hereafter to bee taken or brought into this Realme by any stranger nor any mynister vsing & called Scottish fish, or

Fishe

Scottishe fishe

Fle-

Flemish fish

Dype Foyl

Repaire Port Hauen

Hoyes Plates Repealed

Causy

Shiriffes Illues Eschequer Estrecig

Illues

Tayles

Returne

Impanell

Baron Clerke Enrols

Grene wax

Oyer & ter. Pleum Felons

Flemish fish, shalbe dried within England to be sold, upon paine of forfaiture of al such fish to be dried, contrary to ye meaning of this act, or the value thereof, which forfaiture shalbe to such perso dwelling at any Towne where is any Port, Peere, or hauen, as will sease the same fish, or will sue for ye same haine, in any court of Record, to be imployed to the reparation & maintenaunce of such Port, Peere, or hauen, as is next to the place where the offence shalbee cõmytted. An. 13. El. ca. 11.

Be it enacted, that from the feast of S. Michell the Archangel next cõming ye said clause contained in ye said statut made in ye saied v. yere of your raigne (before 13.) for ye crossing of the seas by Hoyes & Plates, shalbe vtterly repealed and made voide and of none effect. And that from the said feast of S. Michell the Archangell next, the said statut made in the first yere of your raign (before cited) prohibiting the crossing of the Seas by Hoyes and plates, be observed and kept, the said statut made in the fifth yeare of your Maiesties raign to the contrary hereof notwythstanding: Whys act to continue vntill the end of the next Parlyament. Anno. 13. Eliz. cap. 16.

¶ *Sherburne causy.*

I. M. I. M. in the first parliament was made an act (not then printed) for ye repayring of Sherburne causy, betwen Shaftesbury & Shirburne, which act was to endure vnto the end of the next parliament. Which act was in 1. M. 2. parliamento ca. 5. made to endure vnto 2. yeres after the end of ye parliament.

¶ *Shiriffes.*

WE haue also ordained by the aduice of our counsail that from hence forth shiriffs shal not be charged of any illues to be leuied, nor shall leuie any before they passe out of the Eschequer there to be declared by the extractes of ye Justices. And that in the estreates of Justices euery head shal be charged for illues forfaited like as of amerciaments, & if peraduenture any shiriffe wyl answere for the illues of any recognysour, pledge or mainparnour by him assigned and retourned into our Court, which at the tyme of ye retourne is not able to pay such illues or amerciaments the shirife shalbee charged & shal answer therfore in our eschequer. And let the shiriffs beware vnder pain of great forfaiture, that from hereforth they do make tayles of al such mony as they or their officers haue receiued by our commaundement. And that they do not returne any where, the names of any mainparnours, or suerties, surours, or any other, except such suerties, mainparnours or other, according to the tenour of our writs being directed to the shiriffes for the same cause, be lawfully and manifestly impanelled thereupon. And they shall not retourne the names of any free men as pledges, without ye they will plainely consent and agree to the same. And hereupon we haue enacted that at one time certain euery yere one Baron & one clerke of our saide eschequer shal be sent through out euery shere of England to inrolle the names of al such as haue paied that yere debts exacted of them by a greene ware. And the same baron and clerke shall peruse al such tailes and inrolle them. And shal heare and determine complaints made against shiriffs and their clerkes, & bailiffes that haue done contrary to ye premisses, and the offendours shalbe greeuously punished.

For as much as shyrifes and other heretofore, haue lett out by pleum common felons and openly defamed being taken and imprysoned for murder and felony, and such as be not replevysable, contrary to the fourme of our statut made at westm. of persõs replevisable, & not replevisable, wherby such trãsgressours not replevisable be lett out, & for to deliuer them deceiptfully before the comming of the Justices errant or

other assigned for their deliuerance, they procure by their seruants & by their friends terrours of the countrey, and some they threat, whereby as well for feare of the shirife, and other that lett the at large by the plevin, as for feare of the theeues being so deliuered before the Justices assigned for gaole deliueries, such felonyes and murders are concealed, and so being concealed, remaine still vnpunished. Wee for the vtility of our Realme, and for the more assured conseruation of our peace, haue prouided & ordeined, that Justices assigned to take assises in all shires where they take assises, as this ordenary, incontinent after the assises taken in ỳ shires shall remaine both together if they be lay. And if one of them be a clerke, the one of the most discrete knights of the shire being assectat to him that is a lay man, by our writ shal deliuer the gailes of the shires, as well within the liberties as without all manner of prisons, after the fourme of the gaile deliueries of those shires before times vsed. And the same Justices shall inquire then, if Sherifes or any other haue lett out by plevin prisoners not plevinable, or haue offended in any other thing contrary to ỳ forme of ỳ forsaid statut lately made at Westminster, and they shal reforme & punish them in al things according to ỳ forme of ỳ statute aforesaid. Stat. de finibus leuatis An. 34. E. 1.

Jurrours

Just. of ass.

Knights

Gaole deliuery

Enquire

Punish

2 ¶ Sherifes from henceforth shall be assigned by the chancelour, treasorer barons of the exchequer and by the Justices. And in ỳ absence of ỳ Chauncellor by the Treasourer Barons and Justices. And that none shal be sherife, except he haue sufficient lande within the same shire, where he shalbe sherife, for to answer the king and his people. And that none that is steward or bailife to a great Lord, shalbe made sherife, except he be out of seruice, so that he may attend to the office of a sherife, for the kynge and his people. And in lyke maner it is agreed and established, that hundredes, whether they belonge to the kynge or to other, shall bee kept by conuenient and able persons that haue sufficient landes within the same hundreth or shire where the hundreth is, & that the Chauncelour, Treasourer, Barons and Justices, shal doo assigne in manner aforesaid, without hauing any other regarde: and if any sheriffs of hundredes be vnsufficient at this time, they shalbe removed, and other more conuenient put into theyr roomes. And that such hundredes be leassed to such persons as are sufficient, so that they nede not to ble extorcion vpon the people by reason of too outragious farme. And that no sheriffe nor hundredes shall lease hys lande to any other in farme otherwise, and that the execution of writtes that come to ỳ sheriffe, shalbe done by the hundredors themselfe and knowne in the shire, and not by other, if it be not the open default and disturbance of the hundredors, and then execution shal be done by other persons more conuenient, being knowne, so that the people may know to whom to sue such executiõs, sauing alwaies ỳ returns of ỳ writs to them ỳ haue them or ought to haue them. An. 9. E. 2. Statut of sheriffes.

Shirifes
Chaũcelor
Treasorer
Barons
Justices
Land

Steward
Bailifes

Hundredes Lands

Remoue

Lease

Executs writs

Returns

3 ¶ The king hath graunted vnto his people that they shall haue election of their sheryffe in euery shire where the Shrivaltie is not of ỳ fee (if they lyst) Articuli super cartas ca. 8.

Election

4 ¶ For as much as ỳ king hath graũted the election of sheriffes to the comons of the shire, the kynge will that they shal chose such sheriffes, that shall not charge the, and ỳ they shall not put any officer in such offices for rewardes or bribes. And ỳ they shall not lodge to oft in one place nor to many persons, or fait of religion. Articuli super cartas. 28.

Lodge

Religious

5 ¶ Of sheriffs & other ministers which gather the debts of ỳ king & make tailis & other acquitãces to ỳ debtours, yet do not acquite them in the exchequer, and of the same are impleded in ỳ exchequer and by reason are put to lytle charges,

Tailes

which

which they will rather leese then cõe to answere, and so are the playntyffes alwaies charged to their great damage & oppression. It is ordayned & estably shed that the Shiryfes and other ministers when they are impleaded in the Chequer are so sarre gon in plea, that the great distresse is retourned against hym, and hee commeth not to answere, then shall go sorth an other writte of distresse, retournable at a certen date, in which writt shallbee commaunded that proclamation bee made in the full countie, that the defendant come at such a day and acquite the debt of the summe for the which he made the taller acquitance, at whych day if the defendaunt come not, and the writte bee retourned and proclamation certified, he shalbe holden for convict, and the debt taken of hym also, as debt recovered in ỹ kings Court, and dammages awarded to the playntiffe according to the discretion of the Barons. And thys statut shall extend as wel to those which were shirifs and other ministers that for to leafe their Bayliwickes, as to Shiriffes and other ministers which hold their Bayliwyckes themselues. And it is not thentent of our Soueraigne Lord the king, nor of his counsell nor by thys statut no manne shal bee forbiden, but that they may complayne of Shiryfes and other myniſters when they shallbee found in Theschequer, and that they shal answere there as hath beene reasonably vsed beefore thys tyme, Statut de attinctis.

Great distres

Proclamation

Debt

Dammages

6 ¶ Because the peace canne not bee well kept without good ministers as Sheriffes, Bayliffes, and hundreders which ought to bee execution as well of the kynges prinities as of other kynges touchynge our Soueraigne Lord the kynge and his people: It is ordained and estabiished that the statut made in the time of kinge Edward fathes to the kinges that now is, at Lincolne, contaynynge that Shirifes, hundreders, and Bayliffes, shalbee of such people as haue lands in ỹ same Shires & Bailiwickes: shalbe obserued in all points after the fourme ther of. And that shirifes and Bayliffes of fee, shall cause their Counties & Bailiwickes to bee kept by such as haue landes therein. Anno. 2. Edwardi. 3. cap. 4.

Lands Counties Bailiwicks

7 ¶ Where as all the counties in England were in olde tyme assessed to a certaine ferme, and then were al the hundredes and wapentakes in the Sheriffes handes rated to this ferme: And afterward were appoynters sent into dyuers Countyes, whych did encreafe the fermes of some hundredes and wapentakes: And after that, the kynges at diuers tymes haue graunted to many menne, part of the same hundredes and wapentakes for their old fermers onely. And nowe of late ỹ Shiriffes bee wholly charged of the encreafe, whych amounteth to a great summe, to the great hurt of the people, and diſherison of the Sheriffes & their heires: It is ordayned that the hundredes and wapentakes lett to ferme by the kynge that nowe is, bee it for terme of life or otherwise, which were sometyme annexed to the fermes of ỹ Counties where the Shiriffes, be charged: shallbee enioyned agayne to the counties. And that the Shiryfes and their heires haue allowaunce for the time that is paſt. And that frombence forth such hundredes and wapentaks shall not be geuen nor seuered from ỹ counties. An. 2. E. 3. ca. 12.

Ferme

Hundreds Wapentaks

8 ¶ No Shirife, Bailife of hundred, wapentake, nor of fraunchiſe, no vnder eschetours shallbee frombenceforth, except hee haue lands sufficyent in the places where they be ministers, whereof to answere the kynge & hys people, in caſe that any man cõplaine agaynſt them, as it was ordayned an other time at the kings parliament holden at Lincolne, in the time of ỹ kings

Bailiffe Eſchetors Lands

father

father that nowe is, that is to say the 9. yeare of hys raygne. Anno. 4. E. 3. cap. 9.

Gaolers Constables Justices Punish

9 ¶ The Shirifes and taylers, shall receiue and freely keepe in prison from henceforth such theues and felons, by the deliuery of the constables & towne shippes, without takinge any thynge for their receipt. And that the Justices assigned to deliuer the iaile, shall haue power to heare their complaints, that will complaine vpon the shiryfes and iailers in such case, & more ouer to punish the sherifes & iailers if they bee found guilty. An. 4. E. 3. cap. 10.

Hundreds Wapentaks Ferme Enquire Justices Punishe

10 ¶ Sheriffes shal fromhenceforth let their hundreds & wapentakes for ỳ old ferme, and not aboue. And ỳ the Justices assigned shall haue power to enquire of the said shirifs & to punish thẽ ỳ shalbee found offendinge this statut An. 4. E. 3. ca. 15.

Eschetour Bailife Lands

11 ¶ No sherife, vnder eschetour, bailife of fraunchises wapentakes, hundredes nor tithinges shall fromhencefoorth be, except he haue lãdes sufficient in the same county, wherof to answer the king & his people, if any man will complaine. An. 5. E. 3. cap. 4.

Otre & ter. Lands Chaũcelor Treasorer Eschequer

12 ¶ No sherife shal tarry in his bailiwicke ouer a yere, and then an other conuenient bee ordeined in his place, ỳ hath land sufficient in his bailliwicke, by the Chauncellour, Treasourer, and chiefe Barõ of the eschequer, taking to them the chiefe iustices of the one bẽch & of the other, if they bee present. And that shalbe done yerely in ỳ morow of all soules, at the eschequer. An. 14. E. 3. cap. 7.

Wapentake Hundreds

13 ¶ Fromhenceforth al the wapentakes and hundredes, which bee seuered from the counties, shalbee reioined to ỳ same counties, as before this time hath bene stablished by an other statut. And that the Shirifes hold the same in their owne handes, and put in such bailifes and hundreders, hauinge landes within the Bailywikes & hundredes, for whom they will answere. And if they will let any hundreds bayliwikes, or wapentakes to ferme, they shal let the same at the auncient ferme without any thing encreasing. And ỳ ỳ king and his people be serued by such bailifes and hundreders and their vnderbailifes, in auoyding for euer ỳ outriders & other, which in diuers coũties before this time haue notoriously dystroyed the people. And that no bayliue errraunt be but in the Countyes where Bailifes errauntes haue ben in tymes past, in the time of the kinges graund father that now is. And that there bee no more but one Bayliue errraunt in one county. And it is assented, that all other of what estate or condition they bee, which haue been Bailifes or hundreders in fee, if they the same wyll hold in their owne handes, then they shall put in such Bailifes, for whom they will answere. And if they wyll let the same to ferme to other, thẽ they shall let the same at the auncient ferme without any thynge encreasing, as afore is sayed, and the Iustices of ỳ one bench and the other, the Barrons of the Eschequer, and the Justices assygned shall haue power to enquyre of al those, that come agaynst this ordinãce at all tymes that they come into the Countrey, and to doo such punishmẽt as to them shall seeme conuenyent to bee done, according to the laiue and reason. And if the shirifs or their fermours be found in default in any point agaynst this ordinance, and therof bee attainted, the hundreds & wapentaks, where such defaultes shalbee founde, shalbee taken into the kynges handes, and let to other by the Iustyces, and to commaund them to prison, there to remayne tyll they haue made fine and raunsome to the kynge according to the quantitie of ỳ trespas. And neuertheliffe they shall answere to the kynge of the whole ferme. And that ỳ Lordes, whych hold hundredes or wapentakes in fee, shall set such Bayliffes, whych bee sufficient to answere the

Ferme

Outryders

Bailife errant

Auncient ferme

Justices Barons

Enquire

Punishe

Attaint Hundreds Wapentaks Kings hãz Imprison Fine

Lordes Bayliffes

the kynge and hys people. And if their Baillifes doo agaynſt this ordynaunce they ſhalbe called to aunſwere. And if they bee attaynted, they ſhal haue ſuch punyſhment as the lawe of the land requireth in ſuch caſe, and they ſhalbe out of their Bayliwickes for euer, and other ſuffycient put in their places by the ſame Lordes. Anno. 14. Ed. 3. capitulo. 9.

14 ¶The ſheriffes of ý counties ſhall be remoued euery yere out of their office, ſo ý no ſhirife, ý hath ben in hys office by a yeare, ſhall abide in ý ſame office the yeare next following And ý no commiſſion be made to him there of, or renewed for ý ſame yere following. An. 28. E. 3. ca. 7.

One yere

Commiſſion

15 ¶Becauſe that the people of ý realme haue ſuffered many euils & miſcheues, of that that ſherpfes of diuers counties, by vertue of Commiſſions & generall writtes graunted to them at their owne ſuit, for their ſinguler profit to gayne of the people, haue made & taken diuers enqueſtes to do endyct the people at their wil, and haue taken fine & raunſome of them to their owne vſe, and haue deliuered them without that that ſuch perſones endicted were brought before the kings Juſtices to haue their deliueraunce: It is accorded and ſtabliſhed for to eſchewe all ſuch euils and miſchieues, that al ſuch commiſſions and writtes before this time made ſhalbe vtterly repealed, and that fromhencefoorth no ſuch commyſſions nor writtes ſhalbe graunted. An. 28. E. 3. ca. 9.

Enqueſts

Endicte

Commiſſions Repealed

Writs

16 ¶That no ſheriffe vndersheriffe nor ſheriffes clerke abide in his office aboue one yere as it is ordained of ſheriffs by the ſame ſtatut. An. 42. E. 3. cap. 9.

Shirife Vnder ſhirife

Shiriffes Clerke

One yere

17 ¶That none that hath ben ſheriffe of any Countie by an whole yere, ſhal bee within two yeares next enſuynge choſen againe, or put in ý ſame office of ſheriffe, if there bee other ſuffycyent in ý ſaid countie of poſſeſſions & goodes to aunſwere to the kinge & his people. An. 1. R. 2. ca. 11.

3. yeres

18 ¶Where as the ſaied commõs by their peticion haue ſhewed in ý ſame parliament, howe the ſheriffes of coũties within the realme, bee charged vñ the auncient ferme of the ſame counties there where as a great parcel of ý profittes of the ſaime be geuen diuerſly to lords and other the kings liege people, ſo that the ſame ſheriffes cannot pay their ferme wõut doing extorciõ in the ſaid Countyes, in great oppreſſyon and hinderaunce as well of ý ſayed Sherpfes, as of the inhabytauntes of the ſayd counties: Our ſouereigne lord the kinge, conſidering the myſchieues aforeſaid, by the aduiſe & aſſent of the lords & cõmõs aforeſaid hath ordained & ſtabliſhed ý frõ hencefoorth the ſherriffes of ý counties of Eſſex, & Hertf. in ſpecial, & the ſheriffes of other counties aforeſaid, for the time beeing, ſhal accompt at the Eſchequer, and haue allowaunce by their othe of the iſſues of the ſayed Countyes, as well after the date of their patentes made to thẽ by the ſayed late kynge Richard, as for all times to come.

Sheriffes Eſſex Hertford

Accompt

Othe

And if any Sherife fromhencefoorth doo anie extorcion to the people, and bee thereof attaynted, hee ſhalbe duely punyſhed for the ſame extorcion at the kinges wyll. Anno. 1. H. 4. ca. 11.

Extorcion

19 ¶Euery ſherife ſhal abide in proper perſon within his Bayliwike, for the tyme ý he ſhalbe ſuch officer, and that hee ſhall not let the ſayed Bayliwyke to Ferme to any man, for the tyme that he occupieth ſuch office, and that the ſayed Sheryffe be ſwoorne, from time to time, to doo ý ſame in eſpecial, amongſt other articles compriſed in the othe of the Sheryffe. An. 4. H. 4. cap. 5.

Meſſane Ferme

Sworne

20 ¶They that be baylyffes of ſheriffes by one yere, ſhalbe in no ſuch office by 3. yeres next followinge, except baillifes of ſhiriſes, which do inherit in theyr office. And that no vndersherife

Baillifes 3. yeres

Vndersherife

Sheryffes

Clerke Receiuour Bailife Atturney.

Shirifes Clerke, receyuour, nor Shirifes Bailife bee attorney in any of ỳ kinges courtes, during the time ỳ hee is in office with any such shirife. Ann. 1. H. 5. ca. 4.

Accompts Othe Estreats

21 ¶All the Shirifes of England shall haue allowaunce vppon their accomptes, by their othes of thinges casuall, as of estreats that some not, nor ren not in ferme, nor in demaund. But all such thinges that some or renne in yearely fermes or yerely demaundes they shalbee charged againſt ỳ kynge, as the Shirifes haue beene charged in this cale in times past. Anno. 4. H. 5. cap. 2.

22 ¶Ann. 9. H. 5. cap. 5. an act was made ỳ the king might make shirifes, and eschetours at his will, vntill ỳ end of 4. yeares, notwithstanding the statut. An. 14. E. 3. cap.

23 ¶Ann. 9. H. 6. cap. 7. an act was made to endure for 3. yeres againſt ỳ shirife of Hertf. for taking of enquests and endictmentes of matters not determinable before him. And after An. 11. H. 6. cap. 7. this act was made to endure for three yeres from this parliament.

24 ¶The statutes before recited (s. An. 14. E. 3. ca. 7. & Ann. 42. E. 3. cap. 9. & An. 1. R. 2. cap. 11. which is before 12. 16. & 17.) And euery of them, shal bee duely obserued in euery countie of England. The undershirifes and al other officers wǐn the citie of London, which now bee or shalbe, at al times excepted. And such counties al only except in which diuers of the kings liege people bee enheritable to the office of sherife at this day, and also such persons, which haue eſtate of freehold in the offyce of sherife at this day, and except the Letters Patentes made to them of the office of Sherife and their undershirife and clerkes. And if ame Sherife or undersherife, or Sheriffes clerke occupy the office of sherife, undersherife or sheriffes Clerke, contrary to any of the eſtatutes afore recited, or agaynſt the effect or entent of any of them (except before excepte) that then hee which doth so occupy, shall forfayt the ſumme of CC. li. yearely as long as hee occupieth contrary to the effect of the said statutes. And that euery pardon hereafter to be made for such offence or occupatyon of forfayture of ſummes before recited, shalbee voyd & not anaylable. And all patentes made or to bee made of any of the sayed offices for terme of yeares, for terme of life, or fee ſimple, or in fee taile to any of the kings liege people (except before excepted) shalbe void & of no value by the same aucthority, any clause or woord of Non obſtante, in any wiſe put or to be put in such patētes to bee made notwithstandinge. And moreouer whoſoeuer preſume vppon him or the to take or occupy the sayd office of shirife by vertue of such graunte or patentes nowe to be made for terme of yeares, for terme of life, fee ſimple or fee tayle, to ſtand for euer and at all times disabled to be or beare the offyce of shirife within any county of England by the same auctho[illegible]tie. And ỳ euery liege man, which wil ſue for the sayed ſumme forfayt agaynſt hym or them, which in such manner doo forfayt, shalbee receyued and admytted to ſue an Accyon of debt in hys owne name, our ſoueraygne Lord the kyng to haue the one halfe of all that ſhall happen by the ſame accion to bee recouered by ſuch ſuyt and hee or they that ſo purſueth, to haue ỳ other halfe, An. 23. H. 6. ca. 8.

Forf. Pardon Voyd Patents Voyd Non obſtante Disabled Sue Forf. Myſtery

London

Enherit

Freehold

L. patents

Clerke

25 ¶The king conſidering the great periury, extorcion and oppreſſiō which be and haue ben in this realme by hys ſhirifes, undershirifes, & their Clerkes, Cozoners, Stewardes of fraunchiſes, Bailifes and keepers of pryſons, and other officers in diuers Countyes of thys Realme, hath ordayned by auctho[illegible]tie afore ſayed, in eſchuing of all ſuch extorcion, periury, and oppreſſiō, that no ſhirife ſhall lett hys County, nor

Periurie Extorcion

Bailiwicke Hundred Wapentake

nor any of his bailliwickes, hundreds, nor wapentake, nor that the sayd shyrifes, vndershirifes Bailiffes of fraunchises, nor any other bayliffe, shall re-

Returne Enquest Bailife Officer Seruant

turne vppon any writte or precept to them directed to bee returned, any enquestes in any penal there vpon to bee made, any bailiffes officers, or seruãts to any of the officers or seruauntes, to any of the seruaints aforesaid, in any panell by them so to bee made, nor ỳ none of the officers and ministers, by occasion or vnder colour of their office shal take any other thing by them nor by none other person to their vse profit or auayle of any personne by them or any of them to be arrested or attached nor of none other for them, for ỳ

Arrest

letting of any arrest or attachment to bee made by their body or of any personne by them or any of them by force or colour of their office arrested or attached, for fine, fee, suit of prison, mainprise, lettinge to baile or shewing any ease or fauour to any such personne so arrested or to bee arrested for their re-

Reward xx.d.

warde or profitt except such as followeth, that is to say for the sherife xx.d. the Baylife, which maketh the arrest or attachment, for euer pence, ỳ the tayler, if the prisoner be cõmitted to thys

iiij.pence iiij pence

ward iiij.d. And that the sherife vnder sherife, shirifs clerke, steward, or bailife of fraunchise seruaunt or Baylyfe nor cozoner shal take any thing by colour of his office by hym nor by none other person to his vse of any personne

Clerke Steward Bailife Cozoner

Returne

for the makinge of any returne or panel, and for the copy of a panel. iiij.d.

And that the said sheryfes and all other officers and ministers aforesayd, shal let out of prison al maner of persons by them or any of them to be arrested

Durties

or beinge in their custody by force of any writte, bil, or warraunt in any action personal, or by cause of endictment of trespas, vppon reasonable sureties of sufficient personnes hauing sufficient within the Countie where such personnes bee so lett to Baile or mainprise, to keepe their dayes in such places as the said writs, billes, or warrauntes shall require. Such person or persones which bee or shalbee in their ward by condempnation execution capias vtlagatum or excommunicatum suertie of the peace, and al such persons whych bee or shallbee committed to ward and by especial commaundemẽt of any Justices and vacabondes refusing to serue after the fourme of ỳ statutt of any labourers onely except.

Condẽpned Execution Capias vtl Excõmunicat Commaundement Vagabõds

And that no sherife, nor none of hys officers or ministers aforesayed, shall take or doo to bee taken or make any obligation for any cause aforesaid or colour of their office, but al onely to themselfe, of any person nor by any persone, which shalbe in their ward by ỳ course of the lawe but vppon the name of their office, and vppon condition that the sayed prisoners shall appeare at ỳ day contayned in the said writtes byl, or warraunt, and in such places as the said writtes billes or warrauntes shal require. And if any of the sayed shyrifes or other officers or mynisters aforesayed take any obligation in other fourme by colour of their offices that it shalbee void. And that hee shall take no more for the making of any such obligation warraunt, or precept by them to bee made, but. iiij.d.

Obligation

Condition

Lord

And also that

iiij.s.

euery of the said Sheriffes shall make yearely a deputie in the kynges courtes of his Chauncery and bench e in ỳ exchequer or of record, beefore that they shall retourne any writtes to receyue al maner of writes and warraunts to bee deliuered to them. And that al sherifes vndersherifes Clerkes, Bayliffes taylers cozoners stewardes, bayliffes of fraunchises, or any other officers or ministers which do contrary to this ordinance in any point of the sae, shal lose to the partie in this behalfe indamaged or greeued, his treble dammages, e shal forfait the sũme of xl. li. at euery tyme that they or anie of them doe the contrarie thereof in any poynt of the

Deputie

Officers

3. damages Forf.

Moyte

of the same, wherof the king shal haue the one halfe to bee employed to ỳ dise of his house, & in none other wise, and the party that wyll sue ỳ other halfe.

Just. of all.
Just. of both B.
Just of p.
Enquire Oier & ter.

And that ỳ Justices of assises in their Sessions, Justyces of ỳ one Bench, and of the other, and Justices of peace in their countrey shall haue power to enquire, heare and determine of office without especial commission, of and vppon all them that doo contrarie to these ordinaunces in anie Artycle or poynt of the same. And if the sayd shirifes retourne vppon any person Cepi corpus or Reddidit, so that they shall be chargeable to haue the bodies of the sayed personnes at the dayes of the retournes of the sayed writtes, Billes, or warraunts, in such fourme as they were beefore the makyng of this act. Prouided alwayes, that the Warden of the kynges iayle, of the fleete and of the kynges paleys at Westminster for the tyme being shall not bee endamaged nor prejudiced by thys ordinaunce in his deputy of his office. An. 23. H. 6. ca. 10.

Returns
Cepi corpus
Reddidit

warden of fleets

K. paleys

26 ¶ Anno 28. Henrici 6. capit. 3. it was enacted that the shirifs, their vndershirifes and Clerkes should bee dyscharged of the forfayture for exercising their offices aboue a yere &c.

Dischardg Forf.

27 ¶ All manner indictments and presentmentes that shalbee take here after before any of his sayd shirifes of this Counties for the time beeynge, their vnder sherifes Clerkes, Baylifes of other ministers at their tournes or Lawdayes before mencioned, they nor none of them shall haue power to attach arrest or put in prison, or to leuye any fines or amerciamentes of any personne or personnes so endicted or presented, by reason or colour of any such endictment or presetment taken or to be taken before them or any of them, of any such personne or persons so endicted or presented, any fine or ransome, but ỳ the saied sherifes & their undersherifes, clerkes, or Bailifes & their ministers, shal bringe present and deliuer al such inoictmẽts and presentmentes taken beefore thẽ or any of them in their turnes or lawdayes aforesayed, to the Justyces of peace at their nert sessions of ỳ peace that shalbee holden in the Countie or Counties where such endictmentes & presentmentes shalbee taken beefore the sayed Justices of such Countie or Counties for the tyme beeynge. And if any of the sayed Shirifes, vndershirifes, Clerkes, Baylifes, & their myniſters doo not bringe deliuer & present all such endictmentes or presentmentes so taken beefore them and euery of them in their turnes or Lawdaies, as beefore is recited, at such sessions of the peace before the said Justices of peace, that then al such Sherifes, vndershirifes, Clerkes, Bailifes, and their ministers and euery of them that so shall fayle in bringinge delyueringe and presentinge of such endyctmentes and presentmentes, shall forfait to the kynge xl. poundes at euery tyme that they or any of them dooth the contrary. And that the sayed Justices of peace shall haue power & authoritie to award proces vppon al such endictments and presentmentes, as the lawe dooth require & in like forme as if the saied indictmentes & presentmentes were taken beefore the sayed Justyces of peace in the sayd County or Counties. And also to arraigne and delyuer all such personnes or personne so indicted and presented before ỳ said sherifes, vndersherifes, their Clerkes, Baylifes and their ministers or any of them in their said turnes or lawedayes. And al such persons or personne which bee indicted or presented of treſpas, to make such a fine as shall seeme lawful by their discretions. And the scrolles of the sayd fines and amerciamentes to bee enrolled, and by endenture to be deliuered to ỳ saied sherifes, vndersherifes, their Clerkes, bailifes, or ministers or any of them, to thyse

Inditemẽts presentmẽts

Clerkes Baylifes Turnes Wardens Arrest Leuy fine

Just. of p. Sessions

Forf. Just. of p. Proces

Arreyne Deliuer

Eschetes Enroll Indenture

and

and profit of him that was sherife in ỳ
said Counties or Countie at the tyme
of such endictments or presentments
taken. And if any of the sayed She-
rifes, their vndersherifes, Clerkes,
Bailifes, or their ministers do arrest
attach or put in prisō, or cause any fine
or raunsome to bee taken, or leuy any
amerciament of any persone or per-
sones so endicted or presented, by rea-
son or colour of any such indictment or
presentment taken before thē at their
tournes or lawdaies aboue rehearsed,
before that they haue proces from the
said Justices of peace, or estretes de-
liuered out of the saied endictments or
presentmentes so brought deliuered
and presented to them, that then the
sayed sherifes, which so doth, shal for-
fait. C li. the one halfe thereof to bee
employed to the expenses of ỳ kynges
house, and the other halfe to the par-
ties or partie, which he or is endama-
ged & shall haue an accion of debt at ỳ
common lawe, and lyke proces, as is
in an acciō of debt at the cōmon law,
and that the defendant or defendants
in such suites or accions of debt shal
not bee essoyned nor wage their lawe.
And if hee or they or any of them a-
gaynst whom this accyon shalbee ta-
ken, doo offer or cast any protestcyon
or other impedimēt, in retardatiō of ỳ
said suites or accyons, that shal not be
allowed. Prouided alwayes that this
present ordynaunce doo not extende,
nor in any wyse bee preiudiciall to the
sherifes of the Citie of London nowe
beeynge, or whych at any tyme here-
after shalbee, concerning any indict-
mentes or presentmentes to be taken
within the sayd citie of London. Pro-
uided also that this act extend not nor
be preiudicial to any person or persons
which hath graunted of any fines or
amerciaments by any letters patents
of our sayed Soueraigne lord ỳ king,
or of any of his progenitours or pre-
decessours, bearynge date before the x.
day of December next after the begin-
ning of this parliament. And that this
act and ordynaunce doo not extend nor
bee preiudicial to any persone or per-
sones hauyng any liberties or fraun-
chises by any of the sayed letters pa-
tentes, or in any other maner by pre-
scripcion. And that thys ordynaunce
bee in hys force and beeginne to take
effect at the xl. day next after the firs
day of May next after the beginning
of this present parlyament, vpon the
whych vi. day the sayed Parliament
was dissolued. Anno. 1. Edwardi. 4.
capit. 2.

28 ¶ Anno. 8. E. 4. Capit. 4. it
was enacted, that no shiriffe nor vn-
dershyrife should bee endamaged for
occupynge his office. Anno. 1. 2. & 3.
Ed. 4. contrary to the statutes made
Anno. 14. Ed. 3. cap. 7. Anno. 42.
Ed. 3. cap. 9. and Anno. 23. H. 6.
cap. 8.

29 ¶ If any sherife of an cōtie do
execute or returne any writ precept or
warrāt in any of ỳ said courts of ỳ king
within ỳ said terme called Michel term
after ỳ vi. day of Nouēbre. And before
any writ of discharge deliuered to him
of hys occupying of sheryffewike, he
shall not bee damnified by force of the
said statut, nor charged of ỳ peine afore-
sayd, although that he hath occupy-
thoffyce of sheryffe, before any of the
sayd dayes of returne called Crastino
Martini, Octabis Martini, or quindena
Martini. An. 12. E. 4. cap. 1.

30 ¶ Euery old sherife of euery coun-
tie, remembred in the sayd last Par-
liament, from the. vi. day of Nouem-
ber next to come, shal haue ful auctho-
ritie and power, aswel lawfully to ex-
ecute and returne euery writt precept
or warrant, in euery of the said courts
of the kinge, delinered to him as to do
and execute euery other thyng, which
to the office of Sherife lawefully per-
taineth, at all times duringe the sayed
termes of Saint Michaell, and of S.
Hyllary. Vnlesse hee bee before the
same tyme lawfully discharged of his
occupation

Iro ℔

Irrell Impᵗ.

Fort. Moytie'

Accion of debt

London

Letters p.

Liberties

Returns

Returns

occupation of ſherife, without ſuſteining any dammage forfaiture, or paine becauſe therof, Any act ordinaunce, or prouiſion, before made to the contrary in any wyſe notwithſtandynge. Ann. 17.E.4.ca.6.

Forf.

Under ſhirife
Shire clerke
Enter plaints

31 ¶ No ſhirifes, vnder ſhirifes, ſhire clerke hereafter, neither any perſon in their names, nor by their commãdemẽt, ſhal take & enter no plaints into their bookes in no mans name, vnleſſe the partie plaintife bee in proper perſon preſent in the Courts, or els by a ſufficient attourney or deputie, ỳ is knowen to bee of good name & diſpoſition, & that ỳ ſame partie plaintife ſhal find pledges to purſue his ſaied plaint, ſuch perſons as are knowen there in ỳ coũtie, & that the partie plaintife ſhall haue but one plaint for one treſpas or contract. And if the ſaid ſhirifes, vnder ſhirifes, ſhire clerk, take, enter, or cauſe to be entred any moe plaints, then the plaintife ſuppoſed that he hath cauſe of accion againſt the defẽdant, ỳ then the ſaid ſhirifes, vnder ſhirifes, ſhire clarks ỳ doth enter or cauſe to bee entred any ſuch plaints contrarie to the ſaid prouiſion & ordinance, ſhall forfait for euerie ſuch default xl.s. thone halfe thereof to be had to the vſe of our ſaid ſoueraigne Lord the kinge, and the other part to hym or them that will ſue, and proue the ſame matter by accyon of debt, or information, in the eſchequer. And ouer the Juſtyces of peace in the ſame counties and euery of them, ſhall haue authoritie vpon complaint made by ỳ party ſo vnlawfully greued to examin the ſaid ſhirifes, vnder ſhirifes, or ſhire clerke and playntifes. And if the ſayed Juſtice of peace or one of them find by the examinatiõ, default in the ſaid ſhirifs, vnder ſhirifs, or other their clerks in entring of the ſaid plaintes diſceptfully for his or their aduantage as is afore rehearſed contrary to this preſent act, that then ỳ ſaid ſhirifs, vnder ſhirifes, and ſhireclerkes, ſhalbe conuict & attaint of the ſame offence whout further enquiry or examination, and that he ſhal forfait vpon the ſame examination, xl.s. to the vſe of our Soueraigne Lord the kinge for euery default.

Pledges

Forf.

Moitie

Juſt. of p.

Examin

Juſt. of p.

Diſceipt

Attaint

And the ſaid Juſtices of peace, that ſo ſhall take the examynation ſhal certifie the ſame examination vnder a quarter of a yeare into ỳ kings Eſchequer vppon paine of xl.s. And furthermore that the ſaied Shirifes, vnder ſhirifes, and ſhireclerkes, make or cauſe to bee made a ſufficient precept to the Bayliffe of the hundred to attach, ſummon or warne the defendants, that are ſo in ſuit to appeare and anſwere to ỳ ſayd plaintes. And if there be any default in the ſaied Baylifes of the hundredes in warninge of the ſayd defendauntes to appere & anſwere to the ſayd playnt cõmenced againſt them in their coũties, or in executing their ſayd office, ỳ then the ſame baylifes ſhal forfait for euery default vnto our ſoueraigne lord the king xl.s. and to be attaint and conuict thereof by like examination of the Juſtices of peace or euery of them, as before is reherſed, & that the ſame ſhirifes, vnder ſhirifes, ſhire clerkes, and their deputies for the time being, ſhal make none eſtretes to leuy the ſayd ſhires amerciamẽts, vntill ſuch time that ij. Juſtices of peace, whereof one ſhalbe of the Quorũ haue had ỳ view & ouerſight of their bookes, and that eſtretes be indented betwirt the ſayd Juſtices of peace, and the ſayd ſhirifs and vnder ſhirifes, and ſealed with their ſeales, ỳ one part to remayne with the ſaid iuſtices, and the other part wyth the ſayd ſherifes or vnder ſherifes for the intẽt to vnderſtand if anie diſceipt be or vntrue demeaning in them, in makynge of their bookes. And that thoſe perſons ſhalbee gatherers of the ſame amercyamentes, as baylifes or other officers bee ſworne by the ſayed Juſtices, that they take no more money then is forſayed and conteyned in the eſtretes ſealed with the ſeales of the ſaid Juſtices of peace, vppon the ſame payne of

Juſt. of p.

Certifie

Precept Bailife

Bailifs

Forf.

Juſt. of p.

2. Juſt. of p.
Quorum
Eſtretes indented

Bailifes Sworne

forfay-

forfaiture as before is reherſed, thereof
the ſame gatherers to be conuict by exa-
mination of the iuſtices of peace or two
of them as before is reherſed.

Examine Juſt of p.

Prouided alwaie that the ſaid Juſtices of peace ſhalbe appointed & named at the generall ſeſſions after the feaſt of S. Michell the archangell by him that is Cuſtos Rotulorum of the ſaid counties, or elle by the cheefe of the Duetie in his abſence, to haue the ouerſight and trewe-lement of the ſaid ſheriffs, vnder ſheriffes, bailiffes, & other the foreſaid officers vnderwritten, as before is reherſed, for to appeare before the to anſwere to ſuch ſuggeſtion or information of the party ſo grieued, ſhall make like proces as in an action or ſuite againſt the ſaid ſheriffes, vnder ſheriffes, & other the foreſaid officers vnderwritten

omitted out of the said rolles by reasons
& for saving of other the kinges auncient
rights & inheritances annexable vnto the
said Eschequer, which be now wrong-
fully withdrawen & vnduly withholden
L. treasorer Chamber layne Chauncellor from his possession: the Lord treasorer,
chamberlens, chauncellor, & barons of
the said eschequer, or the same barons
in the absence of the said Treasorer,
Chamberlens & Chauncellor, or of any
of them, shal from time to time award
Proces Cõmission such processe, and vse such conuenient
waies and meanes by commyssion or
otherwise, according to the course of the
said eschequer, & further as shalbe deui-
sed by their discretion: so that the kinge his
heires & successours may be truely answ-
ered of the issues & profits of the same
without other warrant to be purchased &
obtained for the premisses or any part
thereof: Any statut, act ordinaunce, article
heretofore to the contrary had, made, or
vsed in any wise notwithstanding. And fur-
thermore, where diuers & many sun-
mes of money stand respected to many
persons, which haue bene shorrifes of the
said counties before this time vpõ their
accompts yelden in the kinges said court
of his Eschequer, of diuerse farmes
& other reuenues, vpon diuers petitions
in the said court, for so much as they nor
any of them could nor might leuy the
same by vertue of the summes of the
said Eschequer, for such causes as the
late shirriffes haue alleaged in their said
petitions, as by the same petitions more
plainly doth appeare. Be it therefore en-
acted that all & euery the said late shirriffes
Shiriffes Oths vpon their othes taken in the said court
that the causes alleaged in the same pe-
tition be true and the same causes exa-
mined in the same court accordingly, be
by vertue of this present act cleerly ac-
quited & discharged against the kinges
Discharge maiestie & his heires & successours for-
euer of all & euery such summe & summes
of money, so not leuied nor leuiable but
in respect, as is before rehersed. And
Proces ther vpon such like processe to be award-
ed by the said court, & such commaunde-
ments & meanes by cõmission & other-
wise to be had according to the course of
the said Eschequer, from time to time
as shalbe deuised by the said Lord Trea-
sorer, Chamberlens, Chauncellor &
Barons, in the absence of the said lord
Treasorer, Chamberlens, or Chan-
cellor, or any of them, by the said Barõ
& by as many of the said Lord Treasorer
Chamberlens, & Chauncellor, as the
shal happen to be there present with-
out either warrant or suit in that behalfe
to be had. And for asmuch as the she-
riffes of the said counties for the time be-
ing shal sustayne & support diuers charg-
es by reason of their said offices of the
rifetroke, as in expending the kinges
writtes & summons, and leuying all
summes of money contained in the extractes
vnder their roules, & in coming to the
chequer to make their accoptes & views
of their accoptes, & make payment of al the
shalbe due vpon euery of their views &
accoptes & other diuers rolles & charges
concerning the same office of their shiriffe
with out hauing fromhence forth any
taile or tailes of reward, portage or o-
ther allowances toward their said charg-
es. And where all diuers of the said
shirriffes heretofore haue vsed at their
owne cost, to beare & yeelde the charges
of their expences of the kinges Iustices
of assise, Nisi prius, generall and speciall
gaole deliueries, & Oyer, determiner &
of their circles of assises, & seruants of
the same sessions at their comming two
times in the yeare, during such time as
the said Iustices & maister & seruse of kinges
bigmen those without hauing percelo
for any recompence or allowance for
the same. And to the intent the euery of the
said shirriffes for the time being, may
the shall haue cause to be more able diligently to
serue the king in his or their said offices
without taking any vnlawfull practi-
ons of the kinges subiects, & also better
to make prouision for the said Iustices &
their company in their circuites hauing
aid to the king toward their said charges
& expences. The kinges highnes of his

Cõmission

Barons

Expences Iustices

lybe-

liberalitie, in consideration of the same charges so to be sustained by ỹ said shevils, is contented & pleased ỹ it be enacted by ỹ auctoryty of the said Shirifes comming to his accõpts in ỹ said Exchequer, the wing a bill subscribed by the handes of the sayd Justices, or of such of them as shalbe present at ỹ said Assises & Sessions, making plaine mention of the dates & time that ỹ said Justices did abide or remaine in ỹ Shire county at the costs of the said Shirifes in or about ỹ kinges Hostes & Mansion shal have allowance of their costs, as for other his said reasonable costs, upon his or their accõpts in ỹ said Exchequer, by ỹ discretion of the said Lord Treasorer Chamberlaines, Chauncellor, & Barons, & in ỹ absence of ỹ said Lord Treasorer Chamberlain Chaficelor & Barons any of them, by ỹ said Barons, & by as many of ỹ said Lord Treasorer Chamberlains & Chauncellor, as shal happon to be there present by auctority of this present act, with out warrant or any further matter to be had or done in this behalfe, so that all & singuler the costs aboue said, to all the Shirifes do not amount to any one yere aboue the summe of the sayd xxxij. li. vj. s. viij. d. Whis not withstanding & provided alwayes to the end & entent that the Kinges Highnes may be certainly enformed of the yerely charges that shalbe made & sustained by the Shirifes within all ỹ Shires of England, & that they have not any cause or occasion to surcharge the Shires of their accompts, that hereafter the Shirifes of the Counties of Wales & Chester shall have & receive their accompts & allowances of their costes & charges in manner & forme before the making of this present act, as they have had & received before the same act, & that the Shirifes of the Counties of Cornewall & Deuonshire shall have & receive their accompts & allowances of their costes & charges in manner & forme before the making of this present act, as they have had & received before the same act, & that the Shirifes of the Counties of Northumberland & Cumberland shall have & receive their accompts & allowances of their costes & charges in manner & forme before the making of this present act, as they have had & received before the same act, & that the Shirifes of the Counties of Lancaster & Yorke shall have & receive their accompts & allowances of their costes & charges in manner & forme before the making of this present act, as they have had & received before the same act, & that the Shirifes of the Counties of Northampton & Rutland shall have & receive their accompts & allowances of their costes & charges in manner & forme before the making of this present act, as they have had & received before the same act, & that the Shirifes of the Counties of Norffolke & Suffolke

Sworne

Atturney

Taxe of reward Discharg

Sherifes

Allowance

Treasorer Chamberlayne Chauncellour

Warrons

Allowaunce

vpon which billes ỳ the sherifes to be sworne in their owne p̄per persons, or by their vnder shirifes, or lawful atturney there vnto admitted to be true, wout warrant or talle liuing for ỳ same. And also that al shirifes, which hereafter shal take no taxe of reward, and euery of the shalbe discharged vppō their accōpts, of al such fermes, goods, cattels, profits, casualties, & summes of money which they might or should be charged with vpon their accomptes in the said Eschequer, by what title or name soeuer they be named, or vpō whatsoeuer persone or persons, they shalbe charged or out of whatsoeuer landes & tenements they shalbe going to the, as they ar not leuye nor cōe by. And ỳ al other shirifs which hereafter shall take any taxe of reward, shal in like maner be discharged of all such fermes, and summes of money aforesaid (except only of ỳ bis countelles of their shires, wher with they shalbe charged, and answered as they were before the making of the aforesaid former act.) And also ỳ same shirifs of euery shire of England that now be, or hereafter shal haue ben, or that hereafter shalbe, & euery of them, shall haue plaine deduction and allowance in their said accomptes, of all such fermes and summes of money, as they or any of them shal make or haue true petitio of, for or concerning such pcellions, & hereditaments, as be cōe vnto, or were in the kinges maiesties handes or any his progenitours by mistie of pcellions or by any meane out of the which any part or parcel of the aforesaid bicontelas were, at any time heretofore leuiable or leuied. And that ỳ Lord Treasorer Chamberlaine, Chauncellor & Barrons of the said Eschequer, or in the absence of the said Lord Treasorer Chamberlaine, Chauncellour & said barons shal by authoritie of this act haue ful allowance, deduction, & preseruation, for euery the said sherifes of ỳ said fermes and of al other things without any other warrant prouided also that

euery of the said sheriffes at his day of pfixion immediatly after ỳ he or his deputy or attourney is sworne to accompt for the issues and profits of his office of sheriffwike, shal by him selfe or by his attourney or deputie sworne for him, when he shal answer before the Lord Treasorer, Chamberlens, Chancellour & barons of the said Eschequer, or in the absence of the said Lord Treasorer, Chamberlaine or Chauncellour, or of any of them, then before such of ỳ said Lord Treasorer Chamberlens, or Chauncellour & of the said Barons as the shal happen to be present in the said court of Eschequer, to bring in & deliuer into ỳ said court rolls or rotulis of parchment containing in them truely about ỳ diuision or concelement al such particuler summes of money which he hath leuied or is liuelie might haue leuied to his mistresse or knowledge in this his baliwike, as part or parcell, as well of ỳ said fermes called wicontels in ỳ said former act expressed, as al al other her fermes of what name or title soeuer they be called, being sheriffes, bailifs or otherwise charged to any of the said sheriffes out of the said court of Eschequer making expresse and distinct mencion in ỳ same rolls or rotulis, as nighe as he or they can or may of what perill, & what lands and tenemēt, and for what cause the same particuler summes of money & euery of ỳ be leuied or leuiable. And that after the same rolles or rotulis so deliuered and the particuler summes of money in them conteined and apperteyning to the proper fermes cast and rated in the same to count, the said Lord Treasorer, Chamberlens, Chancellor, & the said barons in the absence of the said Treasorer, Chamberlens or Chauncellour or any of them for the tyme being, shall haue ful power and auctho-
ritie by this act, for the keeping & reco-
uerie of such pcells belonging to any
the said fermes, called bicontelles or o-
ther of her fermes by what name or ty-
tle the former they shalbe called, being sett

Rolles

Wicontels

Fermes

ted out of the said rols or cedules, & for saving of other ẏ kings auncięt rights and inheritances answerable in ẏ said Eschequer which be now wrongfully withdrawen, or unjustly withholdē frō the kings maiestie his possessions, and shal haue power and auctoritie from time to time to award such processe, & vse such conuenient waies and meanes by commission or otherwise according to the course of the said Eschequer, & further, as shalbe deuised by their discretion, so that the kynges maiestie, his heires and successours, may bee truely answered of the issues and profits of the same, this act or any other statute, act or ordinaunce, or vse heretofore to the contrary had made, or vsed in any wise notwithstāding, and furthermore That ẏ said Treasorer, Chamberleins Chauncellour and Barons of the saied Eschequer or the sayed Baron in the absence of the saied Treasorer, Chamberleines, or Chauncellour or any of them for the time being, shall haue full power and auctoritie by their discretions, from time to time, to geue and allow vnto all and euery such commissioner or commissioners (as they shal assigne and appoint by their discretion to enquire of the said fermes, and other ẏ kinges rights withdrawen) their reasonable costes & charges as from time to time, to them shal seeme good & conuenient. An. 2. E. 6. ca. 4.

Processe

Comission

L. treasorer Chāberlain Chancelor Barrons

38 ¶ An. 2. E. 6. ca. 34. an act is made for ẏ sheriff of Northūberl. to be accōptable for his office as other sheriffs be.

Northumberland

39 ¶ No manner of person or persons hauing, vsing or exercising the office of the sheriffe of any countie or counties, shall vse or exercise the office of the Justices of the peace by force of any cōmission or otherwise in any countie or cōsities where he or they shalbe sheriffe during the time only ẏ he or they shall vse or exercise ẏ said office of the sheriffe withe. Any thing in the said former act (An. 1. E. 6. ca. 7. See this statute. Discontinuance of processe 2.) to the contrary in any wise notwithstāding. And that al & euery act & acts to be done by auctoritie of any commyssion of the peace during the time aboue saied, shalbe void & of none effect: The sayd former act notwithstanding. An. 1. M. 1. parl. cap. 8.

Iust. of p.

40 ¶ Where as the counties & sheres of Surrey & Suller, Esser and Hertford, Somerset & Dorset, Warwike, & Leycester, Nottingham and Derby, Dron and Barksh. of long tyme haue had but one sheriffe to serue for two of the said counties, that is to say, one for Surrey & Suller, & one other for Esser & Hertford. & one other for Somerset & Dorset & one other for Warwike and Leycester. & one other for Nottingham & Derby, and one other for Dron and Barksh. &c. Be it &c. that the Quenes most excellent maiestie her heires and successours, kinges or Quenes of thys Realme, shal & may from & after ẏ first day of Nouember, which shalbe in the yeare of our Lord God 1567. yearely chose & make for euery of ẏ said Counties before named, one sufficient and able person to be sheriffe of the same, in such like maner and fourme, as is and hath ben vsed to be chosen, made & done for any other countie or shere wythin this Realme: Any law, custome, or vsage, heretofore had or vsed, to the contrary thereof not withstanding. And ẏ euery person, which after the saied first day of Nouember shal be made & appointed sheriffe, for any of ẏ said Counties, shalbe accomptable & vsed in ẏ order of his accompt, & al other things, & allowances to him to be made, in the Court of the Eschequer, & al other courts & places, in such maner & fourme, as is commonly vsed for sheriffs in like cases.

Sheriffes.

Prouided alwaies and be it further enacted by ẏ auctority afforesaied, that the Barons of the Queenes highnesse, her heires and successours, of the court of Eschequer, for the time being, calling vnto them as well her or their graces officers of remembrāces, & ẏ Treasor-

Barrons.

Remembraunces.

sourers remembrancer together with the Clarke of ỳ pype of the same court as also the seuerall shriffes, the which next after the said first day of Nouember, shalbe by her highnes her heires & successours, constituted, named, & appointed, of euery of the said seueral Cōties of Surrey & Sussex, Essex & Hertford Somerset & Dorset, Warwike & Leycester, Nottingham and Derby, Oxon and Barkshyr, shal haue by vertus of this act of parliament ful power and aucthoritie, to seuer and deuide by the discretion and iudgement of the said barons, al & singuler ỳ proffers of the said Cōtties of Surrey, and Sussex, Essex & Hertford, Somerset & Dorset, Warwike & Leycester, Nottingham & Derby, Oxon and Bark. The which said seuerance and deuision of the said profers, shalbe entered of record in the said court of eschequer, and shalbe final and perpetuall during so long time as this present act of parliament shal endure & haue continuance.

Sheuer

Proffers

And it is further enacted by the auctheritie aforesaid, that in such & the like manner and fourme as the said profers shal be deuided, euen so the taxe of reward of euery of the foresaid Counties where any taxe of reward hereafter shal be taken, shalbe seuered & deuided in maner & forme aforesaid.

Taxe of reward

And be it likewise further enacted by the auctheritie aforesaid, that the sayed Barons for ỳ time being of ỳ Quenes highnes said court of Eschequer, and of her heires and successours, calling vnto them the said officers of the Treasourers remembrancer, & the Clarke of ỳ Pipe, shal haue ful power and auctoritie from time to time to take order & appointment for ỳ true & speedy payment & contentation of such creation money fees & annuities, & al other summes of money as haue ben accustomed to haue bene paied, or of right ought to haue ben paied, to any person or persons by the hands of the said seuerall shiriffs And that such order, direction, and appointment so made, hadd and taken by the said Barons, in maner and fourme last before recited, shalbe obserued, per formed, fulfylled, and kept yearely, as well by both the Sheriffes of the saied seueral Counties of Surrey and Sussex for the time being, as by the said seueral Sheriffes for the time being, of the said Counties of Essex & Hertford, and of Somerset & Dorsett, & of Warwik & Leycester, & of Nottingham & Derby, & of Oxon & Barkshyr: any vsage, law, or custome, to ỳ contrary in any wise not withstanding.

Barrons

Prouided alwaies, and be it further enacted by the auctheritie aforesaied, ỳ no sheriff hereafter to be chosen & made of any one of the saied counties in this act mentioned, shal pay in any court of record for any dutie belonging properly to the office of sheriffe, any other fees or charges, then only the one halfe of ỳ charges and fees which he should be cōpelled to haue paied, if he had bene sheriffe of two of the said Sheres & Cōtties as before the making of this act was vsed, any law, vsage, or customs, to the contrary notwithstanding.

Shiriffs

Fees

This act to continue and endure vn to the end of three whole yeres to be accompted frō the feast of al Saints, in the yeare of our Lord God, a thousand fiue hundred, threescore & seuen, & from thence to the end of the next parliamēt then next following the end of the sayd three yeres. An. 8. El. cap. 16. this is made perpetual. An. 13. El. ca. 22. here following 41.

41 ¶ Be it enacted that the sayed act made in the said eight yere of your Maiesties raigne (cap. 16. before 40.) for touching and concerning the choise, election, and making of sheriffe and sheriffs in the said seueral Counties of Surrey Sussex, Essex, Hertford, Somerset, Dorset, Warwik, Leycester, Nottingham, Derby, Oxon, and Berkshyr, & euery of them, and that al and euery article, clause, sentence, beauuch, and prouiso therein contained, shal from hence forthe

forth for al and euery the saied sheriffes and counties and euery of them, except the said Shere of Surrey and Sussex, stand, remaine, & continue in ful force, strength, vertue, & effect, to al intentes constructions, and purposes, to be holden and kept for euer: Any act, statute law, customs or vsage, to the contrary thereof in any wise notwithstanding. An. 13. El. cap. 22.

¶ *Silke and Silkewomen.*

An. 33. H. 8. ca. 5. an act was made to endure for 5. yeres against bringing into Englād of certaine silke wares wrought.

wrought silke

2 ¶ An. 3. E. 4. cap. 3. an act was made to endure for fiue yeares against bringing into Englād of certaine silke wares wrought.

wrought silk

3 ¶ An. 2. E. 4. ca. 3. it was enacted to endure for 5. yeares, that none should bring into England silke, & certaine silke wares there named, vpon forfaiture, which act after An. 1. R. 2. cap. 10. was made effectuall for thase 5. yeres & for 7. yeres moe. And after an. 1. H. 7. ca. 9. this act was confirmed for those vii. yeres, & from thence to xi. yeres.

Forf.

4 ¶ No maner of person from henceforth bring or cause to bee brought into this realme of England to be sold, any maner silk wrought by it self, or with any other stuffe or in any place out of this realme in rybands, laces, girdelles, cordes, caules, cordes of tyssus, or points vpon paine of forfaiture of all the same rybands, laces, girdels, cordes, caules, cordes of tussles, and pointes and euery of them in whole hands soeuer they be found, or the value of the same, the one moitie of the same forfaiture to our soueraigne lord the king, & thother moytie thereof vnto any of the kings subiects that will sease the same, the which to doe, it shalbe lawfull to euery of the kynges subiects at al tymes. And that it shalbe lawfull to euery person as wel stranger as other, to bring into this realme from henceforth al other manner of silkes, as wel wrought as raw or vnwrought, to sell at his or their pleasure any act or acts of parliament here before to the contrary made in any wise notwithstanding. And ỳ it shalbe lawfull to all persones ỳ haue any such rybandes, laces, girdels, caules, cordes of tissues, or pointes wrought beyond ỳ sea brought into this land by the kinges lycence, and to be sold, to make sale of the same and euery person thereof to haue licence & libertie thereto, to the feast of Pentecost that shalbe in the yere of our Lord God. 1505. An. 19. H. 7. ca. 21.

wrought silk

Forf.

Moytie

Lycence

¶ *Somerset.*

An. 2. E. 6. ca. 12. an act was made to make such leases & grants as certayn of ỳ Duke of Somersets officers had made & should make of certaine demeine lands of the said Dukes to be of ỳ nature of copihold landes.

Leases Grauntes

Copihold

¶ *Southampton.*

IT may bee lawfull to euery man to abate, plucke and take away all and euery of the saied weares & engins and euery of them at al times at their pleasure being in the saied Hauen betweene the said places called Colshold and Redbridge directly without trouble, lette, or veration of any man, and that no man let, trouble, vexe, hurt, or sue ỳ pluckers vp and takers away of the said weres & engins or any of them, vpon paine of forfaiture of xl. pownd of euery of them that so letteth troubleth sueth, vexeth or hurteth. And that if any person or persons from henceforth make, leuy, fire or set any wares or engines for fishing stone, timber, & earth in ỳ saied hauen, directly betweene ỳ said places, then hee or they that so do, shal forfait a hundred pownd, the one halfe of either of ỳ saied summes to be to ỳ king &c. the other halfe to him or the that will sue &c. And that the defendaunt &c. bee not essoyned, &c. And this act to endure the space of xx. yeres now nexte ensuing. An. 11. Henr.

weares

Trouble

Forf.

Fishing

Forf. Moitie

septimi ca.5. This act is made perpetuall An.14.H.8.ca.13.

2 ¶ Any further more be it ꝛc that euery owner, farmour and occupier of the said weares, goyers, & engins and euery of the same, doe pull downe & put away the same, on this syde the feaste of saincte Michell tharchangel next comming, without lawfull maintaining, making or repairing the same from thence forth vpon paine of a hundred pound, to be forfeyct and leuied ikewise and in the manner as in the same former act is contained This act to endure for euer. Anno. 14. H.8.cap.13.

Pull downe

Forf.

¶ *Spirituall lawes.*

Clergie

A H.25.H.8.ca.19. an act was made of the submission of the clergy to the lyng, and that they should not execute any constitutions, ordynances ꝛc. without the kings licence, & that too and thirty persons should be by ỳ kinge appointed to examine those cōstitutiōs ꝛc. and to abrogate such as they shall thinke meete, and the residue to stand in force. And after An.27.H.8.ca.15. it was enacted that the king during three yeres might name those to and thirty persōs. And after by An.35.H.8.ca.16. ỳ same power is geuē to ỳ king during his life, but these three acts be repealed by 1.& 2.P.& M.ca.8.& ỳ said act of 25 ca.19. is renued by.1.El.ca.1.

32. persons

King Repealed

Renued

2 ¶ Ann.37.H.8.ca.17. an act was made that doctours of Ciuill law being maried might exercise ecclesiastical iurisdictiō, but it is repealed by.1.& 2.P. & M. capitulo octauo, as appeareth in Rome.4.

Doctors

3 ¶ An.3.Ed.6.capit.11. it was enacted that the king during three yeres might appoint xvj. spirituall men & xvj. temporall men to examine ỳ ecclesiasticall lawes & to coyne Ecclesiasticall laws in diuers articles cōcerning those matters. But this act tooke not effect.

32. persons

4 ¶ Be it enacted that euery person vnder the degree of a Bysshop which doth or shal presume to be a priest or minister of Gods holy word and Sacraments by reason of any fourme of institution, consecration, or ordering, then the forme set forth by parliament in ỳ time of the late king of most worthy memorie king Edward the vi. or now vsed in the raigne of our most gracious soueraigne Lady, before ỳ feaste of the Natiuitie of Christ next following, shall in the presence of the Bishop or Gardian of the spiritualties, of some one Diocese where he hath or shal haue ecclesiasticall liuyng, declare his assent and subscribe to all the articles of Religion, which onely concerne the confession of the true christian faith, & the doctrine of the Sacramentes, compassed in a booke imprinted, entituled, Articles vvhereupon it vvas agreed by the Archbishops and Bishops of both Prouinces, and the vvhole Clergie in the Conuocation holden at London, in the yeare of our Lord God, a thousand fiue hundreth sixty and tvvo, accordinge to the Computation of the Church of England, for the auoyding of the diuersities of oppinions, and for the establishing of consent touchinge true religion, put forth by the Queens authoritie: And shall bring from such Bishop or Gardian of spiritualties in writting vnder his seal autentike a testimonial of such assent & subscription, & openly on some Sunday in the time of the publike seruice afore none, in euery Church where by reasō of any Ecclesiastical liuing he ought to attend, read both ỳ said Testimoniall, & ỳ said articles, vpon paine ỳ euery such person which shall not before the sayd feaste do as is aboue appointed, shalbee (Ipso facto) deprined, & al his ecclesiasticall promotions shalbe voyd, as if he then were naturally dead.

Priest

Bishop

Assent Subscribe

Testimonial

Reade

Deprius

And that if any person Ecclesiasticall, or which shall haue Ecclesiasticall liuing, shall aduisedly maintaine or affirme any doctrine directly contrary or repugnant to any of the said articles and being conuented before the Bishop of

Maintayns doctrine

Bishop

Ordinary Commissioners Revoke

of the diocese, or the Ordinary, or before the Quænes highnesse commissioners in causes ecclesiastical, shall persist therin, or not revoke his errour, or after such revocation eftsones affirme such untrue doctrine: such maintaining or affirming, & persisting, or such eftsones affirmynge, shalbee iuste cause to

Deprive

deprive such person of his ecclesiastical promotions: And it shalbee lawfull to the bishop of the Dioces or ỳ ordinary or the said commissioners, to deprive such person so persistinge, or lawfully convicted of such eftsones affirminge,

Sentence

& upon such sentence of deprivatiõ pronounced, he shalbee in dede deprived. And that no person shal hereafter bee admitted to any benefice wt cure, except he then be of ỳ age of xxiii. yeares at ỳ least, and a Deacon, and shal first

23. yeres olde

have subscribed ỳ said articles in presence of the Ordinarie, and publikely read the same in the parish Church of that benefice, wyth declaration of his unfained assent to the same. And that every person after the end of this session of parliament to be admitted to a benefice with cure, except that within two moneths after his induccion, hee

Read

do publiquely read the sayd articles in the same church wherein he shall have cure, in ỳ time of commõ prayer there, with declaration of hys unfained assent thereto, and be admitted to minis-

Admitted

ter the Sacramentes within one yere

One yere

after his induccion, if he bee not so admitted before, shalbe upon every such default, Ipso facto, immediatly deprived. And ỳ no person nowe permitted by any dispensation, or otherwise, shal retayne any benefice wt cure being under the age of xxi. yeres, or not beyng

21. yeres Deacon

Deacon at ỳ least, or which shal not be admitted, as is aforesaid, wtin one yere next after ỳ making of this act, or wtin vi. moneths after he shal accõplish ỳ

24. yeres olde

age of xxiiii. yeres on paine ỳ such hys dispensation shalbe meerely void.

Minister Preache

And that none shalbe made minister or admitted to preach, or mynister the Sacraments, being under the age of xxiiii. yeres, nor unlesse hee first bring to ỳ Bishop of that dioces from men knowen to the Bishop, to be of sownd religion, a testimoniall both of his honest life and of his professing the Doctrine expressed in the said articles: nor

Testimoniall

unlesse he be able to answere and render to the Ordinary an accompt of his faith in latin, accordynge to the sayed articles, or have special gift and habylitie to be a preacher: nor shalbe admitted to the order of Deacon or ministerie, unlesse he shal first subscribe to the said articles.

Latten

Deacon

Subscribe

And that none hereafter shalbee admitted to any benefice with cure, of or above the value of xxx. pounds yerely in the Quænes bookes, unlesse hee shall then bee a Bacheler of Diuinity or a preacher lawfully allowed by the Bishop within this realme, or by one of the Universities of Cambridge or Oxford.

xxl. yerely

Bacheler of diuinity

Preacher

And that all admissions to benefices, Institutions, & inductions, to be made of any person contrary to the fourme or any provision of thys act, and all tolleracions, dispensations, qualifications, and licences whatsoeuer to bee made to the contrary hereof, shallbee merely void in lawe, as if they neuer were.

Tolleration Dispensatiõ Qualifications Lycence Voyde

Provided alway, that no title to conferre or present by Lapse, shall accrue

Lapse

upon any deprivation, Ipso facto, but after vi. moneths after notice of such deprivation geuen by the Ordinary to the patrone. An. 13. El. ca. 12.

¶ *Spiritualtie.*

The statuts made the xxv. yeare of king Edward, graundfather to our soueraigne lord the king that nowe is, touching the clergie of England, be entierly holden and kept, & put in due execution. An. 4. H. 4. ca. 2.

Clergie

2 ¶ All the estatutes ordinances & graũts, made or graunted by his noble progenitours or predecessours kinges of

Clergie Liberties

of England, to the clergy of England, for the conseruation of their liberties & priuileges, & for the conseruation of ỹ liberties & muniments of holy church not reuoked, be fermely holden, obserued and kept, and put in due execution according to their forme & effect. Ann. 4. H. 4. ca. 3.

¶ *Stanes.*

Bridge Causey Tole Boyd

An. 1. H. 8. c. 9. is an act cõcerning the maintainings of a bridge and causey of Stanes, and for the gathering of the tolle there, & the letters patents made of that tolle to be void.

¶ *Staple.*

The staples beeyond the sea and on thys side, ordayned by kinges in times past, and the paines thereupon prouided, shal ceasse: And that al marchants straungers & priuie may goe & come wyth their marchaundises into England, after the tenure of the great charter, & that writs thereupon sent to al sherifes of England, & to Maires & Bailifes of good townes where neede shal require. An. 2. E. 3. ca. 9.

Merchants strangers

Writs

Woolles Leather Woolfelles Leade

England

Wales Ireland

2 ¶ The staple of woolles, lether, woolfelles, and lead growing and commyng forth within our said realme & landes, shalbe perpetually holden at ỹ places vnder written, that is to say for England at Newcastle vpon Tyne, Yorke, Lincolne, Norwich, Westminster, Caũterbury, Chicester, Winchester, Exceter, and Bristow. For Wales at Karmardyn & for Irelãd at Dreuelyn, waterford, Corke, & Droghda, and not els where. And that al the sayd woolles as well olde as new, woolfels, lether & lead, which shalbe brought out of the said realme and land, shal bee first brought to ỹ said staples. And ther the said woll and lead betwirt Marchant and Marchaunt, and marchant and others to be lawfully weied by the standarde. And that euery sacke and tarpler of the same woolles so weyed, be sealed vnder the seale of the Mayre

Sacke

Seale

of the staple. And that the woolles so weyed and sealed at ỹ staple of Yorke Lyncolne, Norwich, Westmynster, Caunterbury and Wynchester. And also lether, woolfelles, and lead which shal come there. (The customes of ỹ staple thereof payed) shalbee witnessed by Bill, sealed with the Seale of the Maire of the staple, and brought to the portes vnder written, that is to say, from Yorke to Hull, from Lyncolne to saint Botolfe, from Norwich to great Yermouth, frõ Westminster to London, frõ Caunterbury to Hãdwich, from Winchester to Southhãpton. And there the sayed woolles and lead shalbee an other tyme weyed by our Customers assigned in the same parties. And all the woolles and lead brought to the sayed portes of Newcastel, Chichester, Exceter, Bristow, Kermerdyne, Dreulin, waterford, Corke & Droghda, where the other staples bee holden, shalbee but once weied by the stãdard betwirt marchãt and marchaunt, or marchaunt and other in presence of our customers there: And an indenture shalbee made betwirt the Maire of the staple being in the port of the sea and our Customers there, of al the woolles & lead so weied & also of all the lether and woolfelles which shall come to the sayed staples to passe there, and the same wolls and lead, and also the leather and wolfells customed and cocketted, and the Customes thereof due payed to our sayed Customers in al the sayed portes, that is to say of Denizens for the tyme ỹ they haue passed halfe a marke of a sacke of wooll, halfe a marke of CCC woolfelles, a marke of a last of lether. And of aliens x. s. of a sacke of wooll, x. s. of CCC woolfelles, and xx. s. of a last of leather, and iii. d. of euery sod of lead, then the sayed marchaundyses shalbee brought by marchaunts straungers, which haue bought the same, & not by Englishmen, Welshmen, nor Irishmen, to the parties beeyond the

Maior

Customers

Indenture Maior Customer

Denizens

Aliens

Strangers

Sea

Sea out of our sayed Realme & landes to what parties it shal please the sayed marchaunts straungers.

And that the sayd Maior and Customers shal delay no man willingly for gayne, nor for such cause nor in other manner shall any thinge take of any persoune to doo that that pertayneth to their office, vppon payne of imprysonment, and to pay to the partie the double of that that they haue so taken, and also of that that the party shalbee indammaged bycause of such takyng or delay, and moreouer to bee raunsomed at our wil, but shall hold them cõtent of that that they did take in certaine to do there office. And that the Maire of the staple and the customers take an othe of all the marchauntes, which so shall passe with woolles, leather, wolfelles and lead, that they shal hold no staple beeyond the Sea of the same marchaundizes. Anno. 27. E. 3. ca. 1. statut staple.

Impryson

1. Damages

Maior Merchants Othe

3 ¶ For as much as no staple may bee profitable for vs and for our sayd Realme and landes, vnles it be free: we wyll and graunt for vs and for our heyres, for the maintenaũce of the said staple, that al maner of people may cõe with theyr cariage and goods to ỳ staple, and from the same returne freely without being disturbed by pryses of vs or of any other. Saueynge to vs and to our heires all maner of pryses royall, of all maner of cariages and vitailes through all our sayd realme and landes of old times due and vsed of right, as haue ben made by vs and by our auncestors in times past. And euery cariar retourning from the staple, shall haue a byll vnder the seale of the Mayer of ỳ staple, whereby it may be knowen that he serueth the staple, cõteining the iournyes that him nedeth for his retourne to the house, which bill shalbee graunted to him. And the same Maior shal beare swore that he shall make no such Wyll for none other then whych serueth the staple, And if any such cariar, cart, shyppes, beastes, or other thynge, whiche serueth for cariage of that that perteineth to the staple, be taken, and be within the vierge out of the staple, hue and crie shall be leuied vpon the takers, & the takers shalbe forth wt taken by people of the towne, where the pryce was made, or by people of an other Towne, if they bee lackynge, and brought before the Steward and marshal of our house.

Free staple

Pryses royal

Carrey

Seale

Maior

Vierge

Hue & crie

Steward Marshall

And there reey punishment shallbee made of them, accordinge as the deede requireth. And if any such pryce bee made out of the vierge, hue and crie shalbee leuyed, and the takers shallbee taken and arrested by the Towne, where such prices shalbe made, or by other townes nere if they be lackynge and brought to ỳ nert taile, and there to bee doone of them as of theeues, if the deede the same require. And in case that the people of such Townes bee negligent and wil not pursue and arrest such takers, as before is sayed, the iiii. Townes nert shall aunswere of ỳ dammages that may bee found beefore them, whom wee shall thereto assigne that the playntifes haue incurred by their default, if they canne not reasonably excuse themselfe thereof.

Punishe

Arrest

Gayle

Felony

Negligens

And if such prices bee made in a place, where that the Staple is, the takers shalbee arrested by the Maires & mynysters of the staple, and right done to the playntifes by the sayed Maires & mynisters.

So alwaies that if such price bee made at the staple, and the staple bee wythin the vierge, and the takers arrested bee of our house, then ỳ right shalbe done of them by the Maires and ministers of the staple. And the Steward and marshal of our house, or the stewards lieutenaunt shallbee thereto called, if they wil be there, to see that ryght bee done of the sayed takers accordyng to the law of the staple. And in case they cõe not, the Maire and ministers of ỳ staple

Arrest

Vierge

Steward

staple shall proceede in the processe, & do Justice according to ẏ lawe of ẏ staple, notwithstanding the not commynge of the steward or marshal or lieutenāt aforesaid. An. 27. E. 3. c. 4. stat staple.

Justices

4 ¶ In case ẏ our bench or cōmō bēch or Justices in Eire, or Justices of Assise, or the place of the marshalry, or any other Justices come to the places, where the said staples bee, ẏ said Justices nor stewards nor marshals, nor other the said places shall have no conisaunce thereof that the thing that pertaineth to the complaint of the Maire and ministers of the staple. Anno. 27. E. 3. stat. staple ca. 5.

Marshall

Liuerie

5 ¶ We will & defend ẏ no marshal nor other minister of our house nor of others shal make liuery nor meddle in the places where the staple shalbe holden and kept of the houses where the sayed marchauntes or their meiny, or woolles or other marchaundises of the staple be lodged, nor entre into ẏ same to doo their office there nor take anie thinge therof to spare any, vppon the pain to make grēe to ẏ party at whose suit he shalbe attainted, of the quatreble of that that the plaintife shalbe endammaged, and further shallbee greeuously punished against vs. Ann. 27. E. 3. ca.

Woolles

Punishe

Lycence Woolles Leather Woolfelles Lett

6 ¶ Wee wil and graunt that no lycence nor priuiledge to make passage by Englishmen, Irishmen, or welshmen of Wolles, leather, woolfeles or lead out of the same realme and lands, shalbe graunted by vs nor our heirs agaynst this ordinaunce. And if any be graunted to the contrary, they shalbee holden for none. And they shal geue no warrant, nor excuse to thē, whych shall do to be passed the said marchaūdyses, ẏ they shal not incurre ẏ paines and forfaitures contayned in the sayed article. Anno. 27. Ed. 3. capitulo. 7. stat staple.

Maior Constable

7 ¶ We haue ordained and established, that the Maires and Constables of the staples, shall haue iurisdiction and conisaunce wythin the Townes where the staples shalbee, of people & of all manner of thinges touchinge the staple. And that all marchauntes cōming to the staple, their seruantes and meiny in the staple, shalbe ruled by the lawe marchaunt, of al things touching the staple, and not by the commō law of the lande, nor by vsage of Cyties burghes, nor other Townes, and that they shal not impled nor be impleded before the Justyces of the sayd places in plea of debt, couenaunt, and trespas touching the staple, but shall implede al persons, of whom they will complain, as wel such as bee not of the staple, as those that be of the staple, which shalbee there found. And in the same maner they shalbe impleded onely before the Maire and Justices of the staple, which shalbee therto deputed of all maner of pleas & of accions, wherof ẏ conisance pertaineth to the ministers of the staple. So alwayes ẏ all maner of contractes and couenauntes made betwirt marchaunt and marchant or other, whereof ẏ one partie is a marchaunt or minister of the staple, whether the contract or couenaunt made be within the Staple or wout, and also of trespasses done within the staple to marchauntes or to ministers of the staple by other, or by any of them to other: the partie plaintife shall chose, whether hee will sue his accion or quarel before the Justices of the Staple by ẏ lawe of the staple, or in other place at the common law: And hee shallbee thereto receiued. So alwaies that in ẏ pleas touchinge any of our house, the steward or his lieutenaunt, & the marshals of our house shalbe with ẏ Maire of the staple, to see that right bee done to the parties, as before is sayed, if they wil be there. But pleas of land & of freehold shalbe at the common law. And if marchaunts or their people beinge in the staple, because of the same do felony or be slaine, robbed or mayhemed by any persons, the Maire of the

Merchants

Lawe merchant

Implede

Couenants

Steward

Pleas of land

Felony

the ſtaple and other counable ſhalbee aſſigned Juſtices, to heare and determine the ſaid felonies & maihems within the ſtaple without delay according to the common law. And if anie ſuch felon or treſpaſſour bee taken and detayned within any fraunchiſe to whō ſoeuer the ſame bee, becauſe of ſuch felony or mayhem done within the ſtaple, it ſhalbee ſoorthwith commaunded by writte, to make the ſaid felon, or him that did the mayhem to come before the ſayed Juſtyces, to do ryght of him in fourme aforeſayed.

Writt

And if they that haue ſuch priſoners in ward, will not deliuer them, they ſhal incurre the paine of an C.li. towardes vs. And neuertheleſſe they ſhall deliuer the bodie in the fourme aforeſaid.

Refuſe Fine.

And in caſe that anie indictement bee made out of the Staple of felonies or treſpaſſes done by people of the Staple, or by other of them within the ſtaple, the ſame indictment, ſhalbee ſent beefore the ſayed Maior, & them which ſhalbee aſſigned Juſtices wyth him, to doo ryght in thys partie. And if the plea or debate bee made beefore the Maire of the ſtaple, betwixt the marchaunts or miniſters of the ſame, and thereupon to trie thereof the trouth, an enqueſt or proues is to be taken: we will that if the one partie and the other bee a ſtraunger, it ſhalbee tried by ſtraungers. And if the one partie and the other bee Denizens, it ſhalbe tried by Denizens. And if the one party bee Denizens and the other an alien, the one halfe of the enqueſt of the proue ſhalbee of Denizens, and the other halfe of aliens. Anno. 27. E. 3. ſtatut ſtaple, ca. 8.

Indictment

Enquell

Triall Strangers Denizens

Halfe then-quell

8. ¶ To the intent that the contracts made with the Staple ſhalbee the better holden, and ſy papiments reaſonably made: we haue ordained and eſtabliſhed, that euery Chiefe of the ſayed ſtaples ſhall haue power to take recognizaunces of debtes, which a man will make beefore him, in the preſence of the conſtables of the Staple or one of them. And that in euery of the ſaid ſtaples be a ſeale ordained, remaining in the Cuſtody of the ſayed Maior of the Staple, vnder the ſeales of ỹ ſame conſtables. And that all obligatyons which ſhalbee made vpon ſuch recognizaunces, be ſealed with the ſaid ſeale paying for euery obligation of an C. pound and within, of euery pound an halfepeny. And of euery obligation, aboue an C. pound of euery pound a farthing. And that the Maire of the ſtaple, by vertue of the ſame letters ſo ſealed, may take and hold in priſon ỹ bodyes of the debtours after the terme incurred, if hee be found within ỹ ſtaple, till they haue made agree to ỹ creditour of the debt and dammages.

Contracts

Maior

Recognizz

Conſtable

Seale

Pay

Impriſon

And alſo arreſt the goodes of the ſaied debtours found within the ſayd ſtaple, and deliuer the ſayed goods to the ſayd creditours by the eſtimation, or to ſell them at the beſt that a manne may and deliuer the money to the creditors tyll the ſumme due. And in caſe that the debtours bee not found within the ſtaple, nor their goodes to the ſumme of the debt, the ſame ſhalbe certyfied in the chauncery vnder the ſayd ſeale, by which certification a writte ſhalbee ſent to take the bodies, of the ſaid debtours wythout putting them to mainprize. And to ſeyſe their landes and tenementes, goodes and cattels.

Arreſt goods

Chauncery Writ

Mainprize

And the writte ſhallbee retourned in our Chauncery, with the certification of the value of the ſaid landes and tenementes, goodes and cattels. And thereupon due execution to be made from day to day in manner as it is contained in the ſtatut marchaunt, ſo that hee, to whom the debt is due, haue eſtate of freehold in the landes and tenementes, which ſhallbee deliuered to him by vertue of the ſame pieces, and recouery by writte of Nouell diſſeiſin, in caſe if hee be out. And that the debtour haue no aduauntage of the quarter of a yeare that is contayned in the

Nouel diſſeiſin

ſayd

said statut marchaunt. And in case ỳ no creditour wyll haue letters of the said seale, but wil bee at the faith of ỳ sayd debtour, if after the terme incurred hee demaund the debt the debtour shalbe vppon the faith. An. 27. E. 3. statut staple cap. 9.

Woolles Leather Felles Lead

9 ¶ They that haue woolles, lether, felles, and lead in the Countrey betwirt the places where the staples be, and the Sea, and the same wil be nary to the Staple by fresh waters, or by armes of the Sea, shal make indentures betwirt them and the Baillifes of the Townes where they put them in ship, testifying how much wolls, lether, fells, and lead is so put in shippe.

Indētures

Baylifes Othe Suertie Mariners

And the Baylifes of the places shall take an othe and sufficient suerty, for which they will answere, of them ỳ the maryners, which shall goe wyth the same woolles, leather, felles, and lead, to the Staple, and no partie else where. And there shall discharge before that they do enter the Sea.

And that the Baylyfes send forth wt the one part of the indenture, cōtayning the suerty and the quantity of the woolles, lether, woolfelles, and lead,

Maior

to the Maire of the Staple, at theyr costes, that owe the goodes, by some manne for whom they wil answere.

Maior Baylifes

And if any Maire, Baylyfe, or other minister of the places where such marchaundises shalbee charged, suffer the sayed marchaundises to passe in other maner, as wel the Maires and Baylyfes, and ministers aforesaied, as the marchauntes, which the same shall charge, shall incurre the paines, & forfaitures contained in the sayed third artycle. Anno. 27. Ed. 3. capit. 15. stat staple.

10 ¶ That in euery towne, where the staple shalbe holden, shalbee ordained certaine rewes and places where

Woolles

the woolles and other marchaundises shalbe put. And because that the lords or wardeins of the houses and places (seing the necessitie of marchaunts) do sett parcale their houses at to hygh ferme: We haue ordered, ỳ the houses, which bee to be leased in such maner shalbee set at a reasonable ferme, according to the ordinance of ỳ Maire and Constables of the Staple, and of two discrecte men of the best of the towne, where the staple is, which shalbe sworne in the presence of ỳ said Maire and constables, to make a lawfull farm, so that for default of houses, the staple shall not bee impeched. And that no man that bringeth his woolles or other marchaundises there, bee disturbed to lodge the same woolles and marchaundises in the houses, which they haue so hired. An. 27. E. 3. ca. 16. stat staple.

Reasonable rent

Othe

11 ¶ Because wee doo well perceiue ỳ marchaunts straungers do not come so commonly into Ireland nor into wales for marchaundise as they do into England, wee wyl of our special grace, that it shalbee lawful to the people of Ireland and Wales, wheych may not delyuer their woolles, lether, woolfelles and lead, in Ireland and in wales, to the marchaunts straungers to come wyth the sayed marchaundyses, after that they bee Customed and cocketed in Ireland & in Wales, to any of our Staples in Englande, wheych them shall please, bringing their cockettes, witnessyng their marchaundises, which they shall discharge at the staples in Englād: so that they when they shall come to the staple in England, or they that bought their said marchaundises of them, shall not pay an other tyme custome nor subsidie for the sayed marchaundyses so customed in our said lands of Ireland and Wales. And our Treasourer, and the Barons of our Eschequer of England, shalbee certyfied two tymes by the yeare at the least, that is to say, at Easter and Michelmas, howe much woolles, leather, woolfells and lead shall passe out of the sayed land of Ireland, and of the custome thereof paied.

Ireland Wales

Custome

Treasorer

Barons

woolles Leather Lead

And

Merchant

And in case that the marchauntes, or other people of Ireland or of Wales, after that they be in the sea with their sayed marchaundises doo passe to any place, other then to the staples in England, they shall incurre the paynes and forfaytures in the sayed third article. Anno. 27. Edwardi. 3. capit. 18. statut Staple. 9.

Seruant

12 ¶What no marchaunt nor other of what condition that hee bee, shall loose or forfait hys goodes nor marchaundises for the trespas and forfayture of his seruaunt, vnlesse hee doo it by the commaundement or procurement of his master, or that he hath offended in the office, in which his master hath set him, or in other manner, ỳ the master bee holden to answere for the deede of his seruant by ỳ law marchaunt, as elsewhere is vsed. And because that marchauntes may not often long tary in one place for leuynge of their marchaundise: we will & graūt that spedy right be to thē done fro day to day and from hower to hower according to the lawes vsed in such staples, before this time holdē elsewhere at all times, when they will them complaine of any, or that any will complaine of them, so that the marchants bee not by malice delayed for default of spedy remedy. An. 27. E. 3. cap. 16. statut staple. 34.

Law merchant

Spedy right

Merchant strangers

13 ¶Because we haue taken all the marchauntes straungers in our sayed realme and lands, into our special protection, and moreouer graunted to doo to them spedy remedy of the greuances if any bee to them done, We haue ordained and established, that if anie outrage or greuance bee done to them in the countrey out of ỳ staple, ỳ Justices of the place, where such outrages shalbee done, shal do spedy Justyce to them after the lawe marchāt fro day to day & frō hower to hower wythout sparing any mā, or to put thē to sue at ỳ cōmon law. And if any man be conuict, ỳ he hath greued the marchantes, so taken in our protection, hee shalbee punished agaynst vs for the contempt done to vs, in asmuch as shalbe iudged to the marchaunts for their damages and to the sayd marchants straungers their double damages shalbee iudged. An. 27. E. 3. cap. 20. statut Staple.

Justices

Law merchant

Punishe
Contempt
2. Damages

14 ¶Because that the staples maie not long holde, nor the ordynaunces thereof made and to be made, be kept, if good executours and iustyces bee not stablished to make thereof good and reable execution: We haue ordeined and stablished, that in euery towne, where the staple is ordeyned, a Maior, good lawefull and sufficient shalbee made and stablished, hauynge knowlege of the lawe marchaunt, to gouerne the staple, and to do right to euery mā after the lawes aforesayd, without fauour, sparing, or grieue doyng to anie. And in euerie place, where the staple is shalbee two conuenable Constables now at his beginning put by vs, to do that perteyneth to their office, as in other staples is accustomed, and when they shalbee dead, or chaunged, then other shalbe chosen by the communaltie of the marchaunts of the sayd places. And that noe Maior holde the office ouer the yeare, vnlesse hee bee newelie chosen by the communaltie of the marchauntes, aswell of straungers as of denizens. And that the said Maior and Constables haue power to keepe the peace, and to arrest offenders in the staples for debt, trespas, or other contract, and them to put in prison and punish after the lawe of the staple. And a prison shalbee ordeyned for the safe keeping of them that so shalbee imprisoned. And the Mayors, sheriffes, and bayllifs of the townes, where the staple is, or ioyning to the staple, shalbee attendyng to the Maior and ministers of the staple, to do execution of their cōmaundements, vppon payne of greeuous forfaiture: & one lorde or other of ỳ most sufficient in ỳ countrey, where ỳ staple is, shalbe assigned, to be aid to ỳ Maior

Maior
Law marchant
Right
Constables
Maior
One yere
Strangers
Peace
Arrest
Imprison
Maiors
Sheriffes
Bailifes
Forf.
Lord

Maire and ministers of the staple, to Justifie the rebels, which by the sayed Maire and ministers can not be Justified, and to maintaine and counsel the when nede shalbee to good gouernāce of the Staple, and to redresse at euery mans complaint that that shalbe done amisse by the said Maire or ministers, or other, & to do right to the complaynauntes in this behalfe. And that the same Maire and constables do not nor ordaine any thing contrary to this ordinaunces, nor make interpretatiō nor exception to them otherwise then the wordes doo purport, but if there be any thing that is doubted, it shalbe shewed to our councel, and there declared by good aduise. Ann. 27. E. 3. cap. 21. Statute staple.

Correctors

15 ¶ In euery place, where the staple shalbe holde, there shalbe a certain nūber of correctours, as well of straungers as of prynces good people, sufficient, & learned of such misterye, lawefully to make and record ỳ bargaines betwixt the buyers and the sellers, as hath ben vsed in other Staples holden in other places, & that they find sufficient main parnours before ỳ Maire & constables of the staple, lawefully to do that pertayneth to their office: and if they bee found in defaut, they shal pay to hym that is indamaged, asmuch as his losse shall amount to, so that they meddle them not of any maner of marchaundise for the time that they shall abyde in the office. And that no man be constrained to haue correcter vnlesse hee will of his grē, nor to pay any thynge to any correcter, vnlesse he meddle of his bargaine at his request. An. 27. E. 3. ca. 22. stat. staple.

Mainparnours

Porters
Packers
Labourers

16 ¶ Certaine number of porters, packers, wynders, woorkers & other labourers of woolls, and all other marchandises bee sufficiently ordained for the place where the staple is and they

Correctors

and the correctours and al maner of offices of the staple, besides the Constables, shalbee sworne before ỳ Maire

Othe

of the staple, that they lawfully shall doo their office, without fraud or male engyne. Also all marchauntes alyens and Denizens commynge to the sayd staples because of marchaundise, shall bee sworne beefore the same Maire & constables, ỳ they shalbe Justified by ỳ sāe Maire & cōstables according to the lawe & vsage of ỳ staple, & shal maintaine asmuch as in thē is the staple & ỳ lawes and vsages of the same wythout fraud or male engyne. And the Maire and constables shalbee sworne in the Chauncery, to do lawfully that that pertayneth to them. An. 27. E. 3. cap. 23.

Merchants aliens

Othe

17 ¶ The marchauntes straungers shall chose ii. marchauntes straungers whereof the one towardes the South and the other towards the North, shal bee assigned to sit with the Maire and Constables of the staples, where sōe of those personnes chosen shall come, to heare the plaintes touchinge marchauntes aliens, that shallbee moued before ỳ sayd maire and constables, at al tymes that any of the said personnes chosen shal be there, and to se ỳ plaine right be done to the sayd marchauntes aliens, so that the said maire and constables shal not ceasse to goe forth in their proces, in case that those persons chosē come not there. And in case that debate rise betwixt them, vppon the discussinge of any plea or quarell: the tenour of the sāe plea or quarel shalbee sent before the Chauncellour, & other of our Counsaile, to bee determyned there without delay. And also vi. persons shalbee chosen, that is to say iiii. aliens, whereof two shallbee of Almaigne, and ii. of Lombardy, and ii. of England, which shallbee discrete men, and worthy of faith, and shall swere, that they shal wel and lawfully doo their office, that is to say, that when and at what time any question or debate shall rise or come amongest marchaunts of any vnreasonable wai or vndue packing according to the co-

Merchants aliens

Othe

Debate Chaficing

vi. persons

Othe

uenaunts

menaunces made betwixt the sellers & the buyers, that the said persons or iiii. of them, may before the maior of ỳ staple and the officers, by their othe, say and amend as reason will. and thereupon credence shalbe geue to them wout any contradiction. An. 27. E. 3. ca. 24. Statut staple.

Conspire.

18 ¶ No merchant, nor other, shall make confederacy, conspiracie, coun, imagination or murmour, or male engyne in any poynt that may turne in impechement, disturbaunce, defeasaunce or distrelle of the said staples, or of any thing that to them perteyneth, or may perteine, and if any do, and thereof be attainted before the maior and ministers of the staples, or other, whom we shal thereto assigne, shal incurre ỳ paines & forfaitures cõtained in ỳ said third article. An. 27. E. 3. ca. 25.

Cities Townes b. portes.

19 ¶ That al the said things be firmely kept & holden in al pointes, not withstanding fraunchise custome, priuilege exemption, iudgemẽts, or other grants made to cities, burghes, townes comminalties, people of the v. portes & other portes, or any other singuler persones. And in case ỳ any thing be to be amended, added, changed, or withdrawen of any of the saied points in time to come by a true cause, we will, that the same be done by delyberation & aduise of the great mon & other of our counsel in the parliament. Sauyng in other things to ỳ Prelats Dukes, Erles, Barons & other Lords, their faires, markets, hundredes, wapentake, leetes, iurisdictions courtes, fraunchises, & priuileges, and al other things to them pertaining in the places where the staples be and shalbe & els where, as farforth as they had thẽ before that the staples were ordained. Anno 27. E. 3. ca. 28. stat. staple.

Faires Markets Iurisdictions

20 ¶ For as much as ỳ staple is now of late ordained, to abide perpetually in England, and at the beginning there was no evidence in certaine, by which a man might assigne or lymitt in certaine ỳ that the maiors & constables in the places where the staples bee or dayned, ought to take by yeare in certain for their trauaile, but it was then assented by the lords and commons, that of every sacke should be leuied viii. d. for the first yere, & delyuered to ỳ saied maior and constables in ỳ places where the said staples be assigned, which first yere passed out at ỳ gule of august last past, and now cõmeth asmuch wools or well nigh asmuch, to the port of London, as do in al ỳ other staples through the Realme, & to some of other staples cometh asmuch of welles, as to two or three of the other staples, so that to one staple commeth more, and to an other lesse, so that the maior and constables of some place take to much and in some places to litle, and the people bee very much charged to pay viii. d. of a sacke (as afore is said) hauing regard to the summe of the wolles, that passeth ouer the sea. And al the time that the said staple was abidyng beyõd the sea, he that is chosen maire by the marchauntes of England dyd take a certaine by yere And also it were reason that it should bee so in England: and that in a reasonable maner, euery man according to his trauayle and that the people should not be so much charged: Wherefore it is ordeyned by the kyng and the great men and by the aduyse of all the counsayle, that no more shalbee leuyed of a sacke but iiij. pence. in no part from the gule of August last past hytherto, nor from hencefoorth. And that the iiij. pence of ỳ sacke in euery place where the staple is shalbe put in a bore, and sealed with the seales of ỳ Mayre and Cõstable, to the entent that the sayd Mayre and constables may be therof paied of their certen, that they shal take. And if at ỳ end of the yere more be found in the bore, then the fees of the sayd Mayre and cõstables shall amount vnto, it shalbee saufly kept, to pay and performe the fees of the Mayres and Constables in other staples where ỳ 4. d. wil not ther to suffice. And if any thyng remaine

4. d. the sacke.

Fees.

in the sayed bores, after the fees payed, the same summe residue, shalbee saued to the commõ profit of the marchaũts of ỳ staple for the yere to come, & for to pay for the waightes made of newe, & also for payments & other things necessary touchinge the staple. And as much as is leuied in all the places, where the staples be, ouer ỳ said summe of iiii. D. of ỳ sacke, after ỳ saied gule of August last past, shalbe rebailed & restored to ỳ bles afore said. And the fees of ỳ Maire & Constables bee ordained and symytted in the fourme as folowe th, ỳ is to say the Maire of the staple of Westm. shal take C.li. & euery of the constables there x. markes. The Maire of Yorke. Kyngston vppon Hull, Norwich, and Wynchester, euery of them xx. li. and euery of the constables of the said places C.s. the maiors of Newcastell vpon Tyne, Chichester, and of Excester x.li. and euery of the cõstables of those places v. markes. And if any of the maiors and constables above named refuse the office, hee shall pay to the company asmuch as his fee shal amount to And proclamation of the same was made through England the vi. day &c. An. 28. E. 3.

Comon profitt

Fees

Refuse

21 ¶ All the ordinaunces made in the great coũsaile holden at Westminster the Monday next after the feast of S. Mathew the appostell last past, together with certain declarations and addicions made in this present parliamẽt be fermely kept & holden for a statut to endure for euer, which declarations & addicions followeth in thys manner: Where as it is conteyned in ỳ said ordinaunces that euery marchant, that selleth his wolles at the staple, shall bee holden to warraunt the packing of the same wolles, or if ple or debate be moued before the maior of the staple, betwixt the merchauntes or ministers of the same, and thereuppon to trye the trouth thereof approued enquest shalbe taken, and if the one party & the other be denyzen, it shalbe tried by denizens, & if the one party be denyzen and ỳ other alien the halfe of the enquest or of the proue shalbe of denyzens and the other halfe of aliens. And also that no marchaunt, priuy nor straunger, nor other of what condicion that be be, shal go by land nor by water against such shippes charged with wynes, wares, or other marchaundises comming into the realme of England, nor other landes of the kinges, in the sea nor els where, for to forstalle, buy or in other manner giuyng them earnest beefore that they come to the staple, or to the port where they shalbee discharged, nor enter the shippes for such cause till the marchandises be set to land for to sell: It is accorded and stablished, that the warrãty of packing of wolles for diuers mischieues which the commons haue thereof perceyued, shal wholly be out. And that no man be holden to make such warranty vnles it be by couenaunt made by dede ensealed. Also that no man, other then a marchant denizen or alien, that knoweth not the lawes and vsages of the staple, vsed beefore that the sayd ordynaunces of the staple be made, shalbee charged by the same lawes and vsages til they be declared in the Parliament, And that in al manner of enquests and proues, which be to be taken or made amongest aliens and denizens, be they marchauntes or other, aswell before the maior of the staple, as before any other Justices or ministers, although ỳ king be party, the one halfe of the enquest or proue shall bee denizens, and the other halfe of aliens, if so many aliens be in the towne or place where such enquest or proue is to be taken, that be not parties, nor with the parties in contractes pleas, or other quarels, whereof such enquests or proues ought to bee taken, and if there be not so many aliens then shal there bee put in such enquestes or proues as many aliens as shalbe found in the same townes or places which be not thereto parties nor with the parties as afore is said, & ỳ remnaunt of denyzens

Merchant Woolles warrant

Plea

Enquest

Halfe aliẽs

Forstall

Warrãt void

Couenant

Merchant

Enquests

Halfe denizens

zens, which bee good mennes not ſuſpicious, to ye our party nor to the other.

Shippe And ye no maner ſhip which is ſtrayte towardes England or elſ where, bee compelled to any port of Englande, not here to bide againſt the will of the maſters & mariners of the ſame or of ye marchaunts, to whom the goodes bee, and if ſuch come of their grce, or be driuen by tempeſt or other myſfortune or miſchyefe to any port in England, & the maſters, mariners, or marchants of the ſame ſhyppes wyll ſell or delyuer part of their marchandiſes with theyr good wyl it ſhal be lawful for euery mã to buy ſuch marchaundiſes freely with out impechement, in the port where ſuch ſhyppes ſhall come, albeit the ſayd marchandiſes be not put to lãd for to ſel ſo alwaies that no marchant nor other ſhall goe by land nor by water againſt ſuch ſhippes charged of marchandiſes to forſtall the ſame marchaundiſes, or to geue them erneſt by way of forſtallyng, vppon the paynes contayned in the thyrd article of ye ſayd ordynaunce ſo that the maſters, mariners & marchauntes, after that they haue ſolde that that pleaſeth them of theyr ſayed goodes, and payed therof the cuſtome, may freely depart and go wyth theyr ſhippes and all the remnaunt of theyr goodes where as pleaſe them wyth out cuſtome therof to bee payed. And that none, of what condytyon that hee bee, by art nor engyne make noyſe diſturbance to any ſhippe charged with marchaundiſes to come to any port of England but to the port where the maſters, mariners, and merchauntes will firſt of their freewill agree, nor after ye they haue arriued ſhal medle of the ſale of the ſame marchandiſes nor diſturbe the merchants nor their ſeruantes that they may not the ſame by their owne handes accordyng as to them beſt ſhal ſeme for their profit, ſell and delyuer their marchandiſes, at whatt time and to whom ſhall them beſt pleaſe, And if any ſuch diſturbance, hee ſhall incurre a

Tempeſt

Sell

Forſtall

Cuſtome

Diſturde

greuous forfaiture againſt the kynge accordyng to ye quantite of the treſpas. Fort.

An. 28. E. 3. ca. 13.

22 ¶It is accorded and ſtabliſhed, that shewing of woolles ſhalbe made of the ſtaple euery day of the weke, except the ſonday and folowyng feaſts of the yere And that no shewing nor ſale of woolles bee made within three miles about the ſtaple, but onely at the ſtaple, vppon the payne contained in the third article of the ordynaunce of the ſtaple. Sauing al wayes that euery Lord and other man of this realme may freely lodge, shew & ſel his wools, which be of his own growing, in his owne houſe or other place wher pleaſeth him. An. 28. E. 3. ca. 14.

Woolles Sonday Hollydays

Lord

23 ¶The ſtaple of Weſtminſter ſhal be gyn hys bound at Temple barre and extend to Mutehyll. And alſo in other cyties and townes, where ſtaples be, the boundes of the ſame ſtaples ſhal bee with in the walles, where the cyties and townes bee walled or enclo ſed and in the cyties or townes, which bee not walled nor enclo ſed, the boundes of the ſaid ſtaples ſhalbe through al the citie or towne. An. 28. E. 3. ca. 15.

Bounds

24 ¶Anno 34. Edwardi tertii rap. 21. the king by Parliament confirmed his graunt beefore made by his letters patentes to Engliſhmen for carrying of marchandiſe of the ſtaple ouer the Sea contrary to the ſtatut of An. Edwardi 3. capitulo.

25 ¶Though it be ordayned by the ſtatutes of the ſtaple, that the maiors & conſtables of the ſaid ſtaples ſhall haue iuriſdiction & conſiance with the towne where the ſtaples be, of the people & of al maner of thinges touching the ſtaple & felonies, mayhems & treſpas done with in ye ſtaple: It is accorded & aſſented, ye the ſaied maiors & conſtables ſhall haue conyſans onely of debtes couenauntes, and contractes and all other pleas touching marchandiſe and ſuerty of marchantiſe betwixt marchantes, which be marchants knowen, and not of felonies of felonies, and all other pleas

Maior. Conſtable Conuſance

Fees.

Felonies

as well within ẏ staple as without shal
hes at the common lawe as they were
before the making of the staple, and not
withstanding the said statute. Sauing
alwaies, that the marchants aliens (be
they pleintifes or defendants) may lue
their plaintes and quarels aswell of
trespas as of other what they will, bee-
fore the maior of ẏ staple, by the law of
the staple, or els where at the common
law, as is conteyned in the said statute
of the staple. And that the kinge and al
other Lords within their seigniouryes
haue and enioy their fraunchyses, iury-
dictions and priueledges as they had be-
fore the same statut made, so alwayes
that the maior of the staple haue power
to take recognisaunces of debts of eue-
ry persone (be he marchaunt or other)
in the same manner as is contayned in
the same statute of the staple. An. 36.
E. 3. ca. 7.

Dus

Stat. of staple

Franchises

Maior Recognisāce

26 ¶ The staple shalbe in England.
And that the statut of ẏ staple made ẏ
said xxvii. yere with the declarations ad
ditions and modifications therof made
be holden and kept, notwithstanding a-
ny graunt lycence, or other statut or or-
dinaunce made afterward. Anno 38.
Ed. 3. cap. 7.

England

27 ¶ That ẏ staple bee remoued from
Middelborough to Caleys, so ẏ it shall
be at Caleys ẏ first day of December
next comming. An. 12. R. 2. ca. 16.

Calies

28 ¶ That the staple be remoued from
Caleys into England, so that it bee in
England, the Monday nexte after ẏ feast
of the Epyphanye, at the furthest:
And that it bee holden in the places,
contained in the statute of the staple,
made in the xxvii. yeare of the kinges
graundfather that now is, and in none
other place. And that the said statut bee
fermely and surely holden, and duely
executed in al pointes with the addicios
vnder written, notwithstāding any de-
claration or that, made hereafter to ẏ
contrary that is to say, that euery per-
alien, of what degree or condicion that
he be, that bringeth any Marchandise

England

Aliens

into England, shal find sufficient secur-
ties before the customers, in the port
where the Marchandise shalbe brought
to buy other Marchaundise to the valour
of halfe ẏ said marchandises, so brought
at ẏ least, as woolles, leather woolfelles
Lead, Tinne, Butter, Cheese, clothes
or other commodities of the land. An.
14. R. 2. cap. 1.

Suerties

Woolles Leather Lead, Tin Butter cheese, cloth

29 ¶ In euery port & place where the
staple shalbe, the Maiors, Constables,
Wardens, & al other officers & ministers
of the staple shalbee sworne first to the
king, and after to the staple. An. 14. R.
2. cap. 3.

Maiors Constables Wardens Oths

30 ¶ The said statut that is to say An.
27. E. 3. ca. 9. before 8.) bee fermely
kept & holden. And that no maior of the
staple take or receiue any recognisance
of debt contrary to ẏ forme of the saied
statuts, upon paine to pay to the kinge
the moitie of the summe recognised be-
fore him. An. 15. R. 2. ca. 17.

Maior Recognisā

31 ¶ An. 21. R. 2. ca. 17. it was enacted
that the statute concerning marchants
of the staple should be kept, & the licen-
ces contrary thereunto should be void,
but this parliament of An. 21. R. 2. was
repealed by 1. H. 4. ca. 3.

Parlement Repealed

32 ¶ All the statutes (S. concerning
the staple at Calleis) thereof made &
not repealed, be holden and kept, & putt
in due execution, and that the whol re-
paire of woolles woolfelles, lether, lead,
whole tinne and shoten tinne, and al o-
ther marchādises pertaining to the sta
ple passing out of the realme of Englād
and of the countries of Wales & Irelād
be at the said place of Caleys, & at none
other place beyond the sea, as long as ẏ
said staple shalbe at Calais, upon pain
of forfaiture of ẏ very valour of ẏ mar-
chādises which shal passe els where but
to the parties towards ẏ west, named
in the said statutes thereof made. And
that no licence from hencefoorth be gra-
ted to the contrary, except for woolles,
felles, and lether of Northumberlande
Westmerland, Comberland, and the
Bishoprycke of Durham, sauing the
kings

wales felles Lether lead Tynne Merchādize

Calles Forf.

Lycence woolen felles Leather

Prerogative kynges prerogative, Prouided alwaies that if any marchaunts vnder colour of
Woolles any licēce ship any wolles of the growing of any partie of Northhere or of any other cōuntrey of ỹ realme, except of the growing of ỹ same parties of Northumberland, Westmerland, Cumberland, and the bishoprieke of Durham,
Forf. they shal forfait to the king the valour of al ỹ wolles so shipped, and also they shal lose the benefit of the same licēce And he that the same espieth, and therof geueth knowledge to the treasorer of England for the time being, shal haue ỹ
Fourth part fourth part of the forfaiture so by him notified. An. 2. H. 6. ca. 4.

33 ¶ Anno. 8. H. 6. ca. 18. an act was
Woolles made that an ordinance made for wolse & merchandises of the staple should endure for iii. yeres which ordinance was that the prices should bee enhaūsed, ỹ ready payment should bee made, that
Bullion Bullion should be brought to the mint, that egal partition should be made, and that acquitances should be made. This statut is cōfirmed by An. 11. H. 6. ca. 13. as it semeth. Tamen quere, & see both these statutes.

34 ¶ An. 8. H. 6. ca. 15. it was enacted
Maior that the maior of the staple then should continue Maior for a certain time, notwythstandynge any statute or ordynaunces,

35 ¶ Al the recognisances of debts be
Recog. Maior fore the said Maior and Constables of Calleis, made or to be made by any persons beyond the sea, shalbe as effectuall and executorie, & of such force in al pointes within the realme, and in the same fourme executorie, as the said recognysaunces made before the said Maior and constables of the staple of Westminster or before any other maiors or constables of ỹ staple within the said realme bee An. 10. H. 6. ca. 1.

36 ¶ Anno. 20. H. 6. ca. 2. an act was made to endure for vii. yeares to auoid an ordinaunce of a partition made vpō
Woolles Felles woll and felles in the Staple at Calleis, and concerning the sale of woolles and felles there, and tynnage of Bullyon there.
Bullion

37 ¶ An. 27. H. 6. cap. 2. an act was made to endure for v. yeres for confirmation of ỹ liberties of the staple, & a-
Liberties Lycences gainst licences for carring of wolle felles or tin to any other place then to the staple of Calleys.

38 ¶ An. 4. H. 7. was an act (not print-
ted) made that none inhabitaunt of Calies should be factor or attorney to any
Factors merchant of the staple there dwellinge in England, but that act was repealed
Repealed An. 19. H. 7. c. 12.

## ¶ *Steele.*

WHere diuers persones of late haue deceiptfully forged & made of certein yron called Bilbow yron like to ỹ fashion and maner of gaddes of steele and haue sold ỹ same so forged to diuers of the kinges subiectes for steele, where by the greatest part of edged toles, weapons, & other necessary thinges hauing edges are of litle or no value or goodnes to the great hurt of the kinges louinge subiects. For reformatiō whereof Be it &c. that if any persone after the first day of May nert comming, do forge or make any such gads of yron, or to vt-
Gads of Iron ter or put to sale, any such gades of any yron, shal forfait for euery gadde so forged or vttered, or put to sale xl. pēce
Forf. The moity &c. In the which action &c.
Moytie An. 2. E. 6. ca. 27.

## ¶ *Stylyard.*

FOr marchants of the same house in Almaine hauing the house in ỹ Cytie of London commonly called Guldehalde Theutonicorum, That by auctority of this said parliament euery act Statute or ordinaunce, actes statutes or Ordinaunces heretofore made not concerning marchants, marchandyses or other wares entend not to the prendice hurt or charge of the said merchants of the hanse contrary to their auncient liberties, priuiledges, Arte vsages, and customes, of the xiii. Kyng granted to the

ſaid marchants of the houſe, aſwell by ẏ kings noble progenitours, & ratified & confyrmed by the kinges grace, as by auctho3itie of diuers parliaments. But that al ſuch act, ſtatute, and o3dinaunce actes, ſtatuts, & o3dinaunces ſo made o3 to be made in de3ogation of their ſayed libertics, p3iuiledges, free vſages and cuſtomes, ſtand and be againſt the ſaid marchaunte and their ſucceſſours and euery of them, void repealed, annulled, and of none effect, any act, ſtatut o3 o3dinaunce, actes, ſtatutes o3 o3dinances to the cõtrary made, o3 to be made, not withſtanding. P3ouided alway ẏ thys act o3 any thing therein contained ers ſed not o3 be in any wiſe p3eiudiciall o3 hurtfull to the Maio3, Sheriſes, Citizens, o3 communaltie of the city of London, o3 any of thẽ, o3 to ẏ ſucceſſours of any of them, of o3 fo3 any intereſt, liberte p3iuileges, franchiſes, o3 other thing to them o3 any of them geuen o3 granted by the kynges moſt noble p3ogenitors o3 p3edeceſſo3s kynges of this realme, o3 by auctho3itie of parliament o3 otherwiſe: This p3eſẽt act o3 any thyng therein contained not withſtãding. An. 19. H. 7. cap. 23.

Maio3 Sheriſes London

¶ *Steward of the Queenes houſhold.*

A Statute was made An. 32. H. 8. ca. 39. concerning the great Maſter of the kings houſhold, but it is repealed by 1. M. ſecundo parliamento cap. 4. & the office of the Lo3d Steward of the kinges houſhold is renued, and dyuers thinges at large be in this ſtatut concerning that office.

L. Steward

¶ *Stile.*

An. 35. H. 8. ca. 3. an act was made concerning the kinges ſtile wherein the ſupremacy was. But it is repealed by 1. E. 2. P. & M. ca. 8. as appeareth in Rome 4.

Supremacy

¶ *Strode.*

An. 4. H. 8. cap. 8. an act was made fo3 one Richard Strode that was condempned in the courts of the Stanery in Deuonſhire.

¶ *Surueiours.*

Enquier Caſtels

FIrſt it is to be inquired of ẏ caſtelles & alſo of other buildings ditcht about what the walles, buildinges, timber, ſtone, lead, & other maner of couerings is wo3th, And how they may be ſolde acco3ding to the very value of the ſame walles & building. And fo3 how much the buildinges without ẏ ditch may be ſold, and what they be wo3th with the gardeins, curtilages, doue houſes, and al other iſſues of the court yards by the yere. It is to be enquired alſo, how many fields ar of ẏ demeanes & how many acres ar in euery field and what euery acre is wo3th by the yere. And how many acres of meadowe are of the demeanes, and how much euery acre by it ſelfe is wo3th by the yere to bee lette out. Alſo how many acres of paſture there be, and fo3 what beaſts o3 cattels the ſame paſture is moſt neceſſary, & how many it will find, & of what manner, and what the paſture of euery beaſt is wo3th to be let out by the yere. Alſo fo3en paſture, that is common, howe many & what beaſtes & cattell ẏ Lo3d may haue in the ſame, and how much the paſture of euery beaſt is wo3th by the yere to lette. Alſo it is to bee enquired of parkes, and demeane woodes, which the lo3d may aſſert and impro3ue at his pleaſure, and how many acres they containe, and how much ẏ beſture of an acre is wo3th, and how much the land is wo3th after the wood is felled, & how many acres it containeth, & howe much euery acre is wo3th by yere. Alſo it is to be inquired of fo3ein woodes, where other men haue common, and howe much the Lo3d may impro3ue to him ſelfe of the ſame woodes, and howe many acres, and fo3 how much the beſture of euery acre may bee ſold, and how much the ground is wo3th yerely after that the wood is felled, and how many

Demeanes

Wedow

Paſture

Common

Parkes Woodes

many acres it contayneth, and what euery acre is worth by the yere. Also it is to be enquired, whether ỳ Lord may geue or sel any thing of the residue of ỳ foresaid woodes, and what such gyftes or sales are worth by the yere. Also it is to bee inquired of pawnage and herbage of the towne, and al other profits of forestes, woodes, ryuers, moores, hethes, and waste, and how much it is worth by the yere. Also of mylles, fysh ponds, seueral and common, what they bee worth by the yere. Also it is to bee inquired of freeholders, the which dwell without as well as within, that is to say, howe many freeholders there bee, and what manner landes and tenementes, and what fees they hold, and by what seruices, whether it be by forage or knightes seruice, or otherwise. And what they pay yearely of rent of assise, and who hold by Charter, and who not, and who by olde tenure, and who by new feffement. Also it is to be inquired of the said free tenaunts, which shal follow the court of the countie, and which not, and what & how much falleth to the Lord after the death of such free tenaunts. It is to be enquired also of customary tenauntes, that is to witt how many there bee, and howe much land euery of them holdeth, and what seruices & customes he doth, & what ỳ woorkes and customes of euery tenant bee worth yerely, and how much rent of assise he paied yerely, besides the woorkes and customes, and which of them may be taxed at ỳ will of the Lord and which not. It is also to bee enquired of cotages, that is to say what cotages, and curtelages they hold, and by what seruice, and how much they doo pay by the yere for al their cotages and curtilages. It is also to bee enquired of pleas and perquisities of the counties of the courtes of the forestes, with lawinge of dogges, and how much they be worth by the yeare in all issues. It is also to bee inquired of churches that belong to the lordes gyft, how many there bee, and what, and where and how much euery church is worth by ỳ yere after the trewe estimation of the same. It is also to bee inquired, what be the value of herriotes, fayres, markettes, eschates, customes, seruices, and forayne woorkes and customes, and what the pleas & perquisities of courts fynes, reliefes, and al other casualties are worth by the peare, that may fall in any of these thinges. An. 4. E. I.

Pawnag
Herbage
Riuers
wast
Mylles
Freholders
Seruice
Rent
Cotages
Pleas
Perquisites
Churches
Heriots
fayres
Markets
Courts
Reliefes
Feoffement
Distrayne
Seruice

¶ Suyt.

LOr doing suites vnto the courtes of great lordes, or of meaner persons from hence forth this order shalbee obserued, that none that is enfeffed by dede, from henceforth shall bee distrayned to doo such suyt in the Court of hys Lord, without hee bee specially bound thereto by ỳ fourme of his dede. Those onely being except, whose auncestours or they them selues, haue vsed to doo such suit before the first voiage of the said king Henry into Britaine, sithens which xxxiii. yeres and an halfe are passed vnto the tyme that these statutes were enacted. Likewise from henceforth none that is infeffed without dede from the time of the conquest, or any other auncient feffement, shalbee distrayned to do such suites, vnles ỳ he or hys auncestours vsed to doo it before the said voiage. And they that are infeffed by dede to do a certaine seruice, as for seruice of so many shillyngs by yere, to be acquited of al seruice frõhence forth shal not be bounden to such suites or other like, contrary vnto the fourme of their feffement. And if any inheritaunce (whereof but one suit is due) discend vnto many heirs as to parteners, who so that hath the eldest part of the inheritance shal doo that one suit for himselfe and his fellowes and the other others shalbee contributaries accordynge to the portyon for doinge such suit. And if many feffees bee seysed of an inheritaunce, (whereof but one suit is due) ỳ Lord of the fee shal haue but ỳ one suit

Sowt dede

and shal not exact of the said inheritaūce but that one sute, as hath ben vsed to be done before. And if shole tenures haue no warrat or meane whych ought to acquite them, that al the lettes according to their portion, shal be contributaryes for doing the suyt of them. And if yt chaunce that the lords of the fee do distraine their tenauntes for such sutes, contrary to this act, then at yᵉ instaūce of the tenauntes the lordes shalbe attached to appeare in the kinges court at a shoꝛt day, to make aunswer thereto, and shall haue but one essoine there (if they be within the realme). And immediately yᵉ beastes or other distresses taken by this detaynor, shalbe deliuered to the playntiffes, and to that tenaunte vntil yᵉ plee betwixt them bee determined. And if the lordes of the courtes, which make distresses come not at the day that they were attached, or abide not beyonde the day geuen to them by essoine: then the sheriffes shalbe commaunded to cause them to come at another day, at which day if they come not, then shal be commaunded to distraine them by al the goods and catelles, that they haue in the shyre so that the sheriffe shall aunswer to the king of the issues of the said inheritaūce. And that they haue their bodies before the iustices at a certaine day limited. So that if they come not at that day, the party plaintife shal go without day and his beastes or other distresses taken by that colour shal remaine detayned vntill the same lordes haue restored the same sute by awarde of the kinges court and in the meane time such distresses shal cease. Hauing to the lordes of the court their right to recouer their sutes in forme of law, when they will plead thereof. And when the lordes of the courtes come in to the court to see the playntiffes of such replaies, and be nonsuit thereupon, then by awarde of the kinges court yᵉ plaintiffes shall recouer against them the damages, that they haue sustained by occasion of the said detayner. Lykewise if the tenauntes after they

Distraynt

Lordes attached

Sheriffes

Distraynt

Counsel

Damages

Tenant

act withdrawe from their Lordes such suttes, as they were wont to doo, and which they dyd before the tyme of the said voiage, and hetherto vsed to doo, the lyke perdy nelle of iustice as bee to symmitting of daies, and awarding of distresses, the Lordes of the Courtes shall obtayne Iustice to recouer theyr suites with their damages in lyke maner as the tenauntes should recouer theirs. And that recouering of damages must be understand of withdrawinges from themselues & not of withdrawing from their auncestours, nevertheless the Lordes of the courtes shall not recouer suche of such suites against theyr tenauntes by default, as they were wont to make. Now touching suites withdrawne before the tyme afore mencioned let yᵉ cōmon law runne as it was wont before tyme. Stat. cap. 9. An. 52. H. 3

## Swannes.

NO person of what estate, degree, or condicion he bee, other then the Sonne of our soueraigne lord yᵉ kyng, from the feast of S. Cuthell next comming that haue or posses any such mark or game of his own or any other to his vse shal haue or possede any such marke or game, except he haue landes mote-neimentes of the estate of freeholde to the yerely value of x. markes aboue all yerely charges. And more ouer that euery person or persones now lyuynge any such swanne or game, shall sell or geue the same betwixt thys and the feast of Saynct Cuthell next comming to such of them to whom they shalbee so sold or geuen. And if it happen any person or persones, not hauing landes or tenementes to the said yerely value haue or possede any such swanne or game after the said feast: that then it shalbe lawfull to any of the kynges subiectes, hauing landes or tenementes to the sayed value, to seaze the sayed swannes as forfayt vnto the kynge shall pertayne the one halfe, and the

Game

x. marks

Seale

Foꝛt.

Wayfis

that

that shal so lease, the other halfe. An. 22. E. 4. ca. 6.

## ¶ Tayle.

Condition

COncerninge landes, that many tymes are geuen vpon condityon, that is to witte, where any geueth his land to any man and his wife, & to the heirs begotten of the bodies of ỹ same man and his wife, vñ such condytyon expressed, that if the same man and his wife die wtout heirs of their bodies betweene them begotten, the land so geuen should reuert to the geuer or hys heire. In case also where one geueth lands in free mariage, which gift hath a condition annexed, though it bee not expressed in the deede of gift: which is thus: What if the same husband and wife die without heire of their bodyes begotten, the land so geuen shal reuert to the geuer or his heire. In case also where one geueth land to an other, & to the heires of his body issuing: it seemed very hard, and yet seemeth vnto the geuers and their heires, that their will beinge expressed in the gyft, was not heretofore, nor yet is obserued. In all the cases aforesayed, after issue begotten and borne betweene them (to whom the landes were geuen vnder such condition) heretofore such feffees had power to alien the land so geuen, and to dysherit their issue contrary to the mindes of the geuers, & contrary to the fourme expressed in the gift. And further where the issue of such feffee is fayinge, the land so geuen ought to retourne to the geuer or hys heire by fourme of the gyft expressed in the deede, though the issue (if any were) had died: yet by the deede & feoffement of them (to whom land was so geuen vpon condition) the donors haue heretofore been barred of their reuerdyon; which was direct by repugnant to the fourme of the gift, wherefore our Soueraigne Lord the kynge perceyuing how necessary and expedient it should bee to prouyde remedy in the aforesaid cases hath ordayned, that the kynges

Frank mariage

Dysherit

of the geuer, according to the fourme in the deede of gift manifestly expressed, shall bee from hencefoorth obserued, so that they, to whom the land was geuen vnder such condition, shal haue no power to alien ỹ land so geuen, but that it shall remayne vnto their issue after their death, or shall reuert vnto the geuer or his heires (if issue fayle) where as there is no issue at all, or if any issue be, and fayle by death, or heire of the body of such issue faylynge.

Alien

Neither shall the second husband of any such woman frõhencefoorth haue any thinge in the land so geuen vpon condition after the death of hys wyfe by the lawe of England, nor the issue of the second husband and wyfe, shall succede in the inheritaunce, but immediatly after the death of the husbãd and wyfe (to whom the land was so geuen) it shall retourne to their issue, or to the geuer, or his heire, as beefore is sayed. And for asmuch as in a newe case newe remedy must bee prouided, this maner of writt shalbee graũted to the party that will purchase it.

Second husband

Precipe A. quod iuste &c. redd. B. manerium de F. cum suis pertinentiis qd. C. dedit tali viro, & tali mulieri, & heredibus de ipsis viro, & muliere exeuntibus. Or thus, Quod C. dedit tali viro in liberum maritagium, cum tali muliere, &c. & quod post mortẽ predictorum viri & mulieris, predicto B. filio eorundem viri & mulieris descendere debeat per formam donationis predicte, vt dicit. & c, vel quod C. dedit tali & heredibus de corpore suo exeuntibus, & qd. post mortem illius talis, predicto B. filio predicti talis descendere debeat per formam &c.

The writt whereby the geuer shall recouer (when issue fayleth) is common enough in the Chauncery. And it is to witte, that this estatute shal hold place touchinge alienation of land contrarie to the fourme of the gift hereafter to bee made, and shall not extend to gifts quod bene fiat. And if a fine bee leuyed hereafter

Fine

hereafter vpon such landes, it shalbee vold in ỹ law. Neither shal the heires, or such as the reuercion belongeth vn to, though they be of ful age wthin Eng land, and out of prison, neede to make their claime. Wil. 2. ca. 1.

*¶ Taxes, tenthes, Fifteenes, subsidies, reliefes, contributions, & benevolences.*

An. 25. E. 1. it is ordained that the taxes taken shall not bee taken in Custome, nor but by the common assent of thys Realme, except the auncient aydes and tares. And the tares of Woolles of xl. shillinges of a sacke was released.

2 ¶ No Tallage or ayde by vs or our heires in our Realme bee put or leuyed wout the wyl and assent of the Archbishoppes, Byshoppes, Earles, Barons, Knightes, Burgesses, and other free commons of our realm, no thing be take frõhenceforth, in ỹ name or by occasiõ of maletout of a sacke of wool. Stat de tallagio non concedendo.

3 ¶ Because the commons haue felt great griefe where as they graunted any aide to ỹ king of their goods, & certaine were assigned to tare theyr goodes, and the taxers haue leuied the same tare, and yeelded their accompt for the same at the Eschequer, & there payed money: Iustices haue ben assigned afterward to enquire vppon their doinges, which Iustyces haue taken raunsomes and fines of the taxers and other by colour of their Commissyons to the great oppression and empouerishing of them, the kynge wyll that fromhencefoorth, they shalbee tared after the olde manner and not otherwyse. Anno. 1. Edwardi. 3. statut 2. capit. 6.

Tax

4 ¶ Anno. 14. Ed. 3. capitulo. 20. & Ann. 14. Ed. 3. statut Prelatorum capitulo 1. It appeareth that a tare was graunted to the kinge for two yeares, of the ix. sheafe. ix. fleece and ix. lambe; and of Citizens and Burgesses the ix. part of their goodes, and of other that lyued not by game, the xv. part of their goodes, and it was there enacted that that graunt should not be drawen in example and preiudyce in tyme commynge. ix. parte xv. part

Tax

5 ¶ An. 14. E. 3. ca. 21. & An. 14. E. 3. stat prelatorum ca. 4. it appeareth ỹ a tare was graunted to the king vpon woolles and felles, & other marchaundise for a time. Tax Woolles Felles

6 ¶ An. 18. E. 3. a statute containing seuen chapters concernynge a tare of woolles, fleese, and lambe graunted to the king. Woolles Fleese Lambe

7 ¶ An. 18. E. 3. cap. 1. ỹ temporalty graunted to the kinge certaine dismes and fifteenes. Dismes Fifteenes

8 ¶ An. 18. E. 3. pro clero ca. 1. the clergy graunted to the kinge a disme for three yeres. Clergie Disme

9 ¶ An. 25. E. 3. stat de forma leuationis quindecim, fines, issues, amerciamentes, and oyuers other forfaitures were graunted to the Commons in aide of a tenth and fifteene graunted to the kyng.

10 ¶ Anno. 36. E. 3. capit. 14. it was enacted that certaine fines and amerciamentes should be leuied to the payment of the fifteene graunted for three yeares. Fifteenes

10 ¶ Anno. 5. R. 2. statut 2. capitulo. 3. a Subsidy was graunted for two yeres. Subsidie

11 ¶ Item that no imposition nor charge be put vpon woolles, leather, or woolfelles other then the custome & Subsidie graunted to the kynge in this present Parliament, and if any bee, the same shalbe repealed and annulled as it was an other tyme ordained by statute saluing alway to ỹ king his auncyent ryght. Anno. 11. R. 2. cap. 9. Clergie Woolles Felles

12 ¶ All manner forfeynes, hauyng landes or tenementes, goodes, & catels, wtin any townes at the day of ỹ graunt of any tyme or quinsime, of

any

any other tare, although they leade away their beastes, or cary away their goodes and cattelles out of the same Townes after the day of the said graūt that the same forreynes and cuerie of them, shallbee contributorie with the inhabitauntes of such Townes to such disme ryo. or tare, and that the collectours of the same disme quinzyme or tare for the tyme beinge, within such Townes, shal haue power by auctoritie of their office, to tare and assesse such forreines according to the quantitie of their goodes, cattels, & possessiōs being in the said townes at the day of ỳ graunt of the said dismes, quinzeme, or tare, and for the same summes, whereto they bee assessed or tared, to distreine in euery place within ỳ countie, as well before that our sayed souereaigne lord the kyng be answered of the hole summes that attayneth to the sayed Townes as after, prouided alwayes that no man nor woman bee twoo times charged for any such bells, goodes, nor cattels in any wise by occasion therof. An. 9. H. 4. ca. 7.

Forreines

Collectors

Tare

Distreyne

13 ¶ An. 31. H. 6. a subsidy of Pōdage & a subsidy of wool was graunted to ỳ kinge for his life. And after the same yeres. An. 31. H. 6. cap. 8. part of those subsidies were discharged for certayne yeares.

Pondage
Woolle

14 ¶ An. 12. E. 4. cap. 3. a subsidie of Tonnage and Pondage was geuen to ỳ king for his life, for certain wares expressed in ỳ act.

Tonnage
Pondage

15 ¶ The Subiectes and comminaltie of this his realme frōhencefoorth shall in no wyse bee charged by anie such charges or imposition, called a Benenolence, nor by such like charge. And that such exaccyons, called a Benenolence before tyys tyme takē shall be taken for no example, to make such or any like charge or any of hys sayed subiectes of this realme hereafter but shallbee dampned & annulled for euer An. 1. R. 3. ca. 2.

Benenolēce

Voyd

16 ¶ An. 11. H. 7. capit. 10. an act was made for the leuyinge of a benenolēce granted to the kyng.

Benenolence

17 ¶ If any Maior, Shiriffe, bailiffe or other officer in any Citie, borough or towne within this Realme distrain take and leuy any custome called Scauage, otherwise called shewage of any marchaūt denizen, or of any other the kinges subiectz denizens, of or for any maner of marchaundise to our Souerayne Lorde the kynge before truely customed, that is brought or conueyed by lande or by water to be vttered and solde in any Cytie, borough & towne in this land. Or if ỳ any Maior, Shirife bayliffe, or other officer in any Cytie, borough & towne for non paymēt of the said Scauage, let or disturbe any marchaunt, or any other personne or personnes beeyng Denizens to sell and vtter their marchaundise by them brought into any Citie, Borough, or towne, that then euery Maire, sherife Bailife, or other officer distreininge, leuyinge, or takinge any such scauage, or otherwise offendinge in any thing contrary to this present act, shall forf. for euery time that he so offendeth xx. pound, the one moitie thereof to the kynge and the other moytie thereof to the partie in that behalfe greeued, or to any other that first sueth in that part by accion of debt in anie Shire within thys Realme to bee sued, and that the defendauntes in any such accyon bee not admitted to wage or doo their lawe &c. Prouided alway that ỳ Maior, sheriffes and comminaltie of ỳ Citie of London, and euery of them shal haue and take all such summes of money for the said Scauage, and of euery person Denizens, as by our Souereaigne lord the kinge and his honorable councell shalbe determined to be the right title of the Maior, Shirifes, & comminaltie of the sayed Cytie of London, or of any of them, this act in anywise not withstandinge. An. 19. H. 7. cap. 8.

Distourbe

Forf.

Moytie

Maior
Shirifes
London

18 ¶ Ann. 6. H. 8. cap. 14. the subsidie of

Tonnage Pondage

of Tonnage and Pondage graunted to king Ed.4. Anno.12.Ed.4. cap. 3. during his life was enacted to stande good and effectuall during the lyfe of Henry 8.

Englishe men

19 ¶ See Englishmen &c. that Englishmen sworne to forayne Princes shal pay subsidies and impositions as straungers.

Subsidie iiij.s. Clergie

20 ¶ Ann.32.H.8.ca.23. an act is made concerninge a subsidie of iiij. s. of the pound graunted by the clergie of the province of Caunterbury to the kinge.

Tẽporalte Subsidie

21 ¶ Anno.32.H.8.ca.50.the Temporaltie by Parliament, graunted great subsidy to the kynge with many artycles and clauses concernynge the same.

Subsidie Tẽporaltie

22 ¶ An.34.H.8.ca.16. an act was made concernynge a great Subsidie graunted of the temporaltie, with many artides and clauses concernynge the same.

Clergie

23 ¶ Ann.34.H.8.ca.27. an act was made for the confirmation of a subsidy graũted by the clergy.

Clergie

24 ¶ An.47.H.8.ca.24.an act was made for the confirmation of a subsidy graunted by the clergy.

Subsidie Tẽporalitie

25 ¶ Ann.37.H.8.ca.25.an act was made concerning a great subsidy graũted of the temporaltie with manie artycles and clauses concernynge the same.

Tonnage Pondage Woolles Felles Hydes Styplyard

26 ¶ Anno.1.E.6.ca.13. was graunted by the parliament to E.6. during his life a subsidie of Tonnage & Pondage, and an other subsidie for woollfelles, and hides with a proviso for the confirmation of the priuileges of the marchaunts, of the Steelyard, whych proviso to endure to the end of ỳ next parliament.

Subsidie Clergie

27 ¶ Ann.2.E.6.ca.35. an act was made for the confirmation of a subsidie granted by the clergy of vi.s. of the pound.

Reliefe

28 ¶ An.2.E.6.ca.36.a relefe was graunted to the king for thyrte yeares and yearely twelue pence of the pound of goods of the naturall subiectes & corporations, and of aliens two shillings of the pound, and a certaine summe for sheepe, & for woollen clothes, and there be many long articles for the leuying of ỳ sãe. And after An.3.E.6. ca.23. an act was made for the release of the breaches in the sayd act of relefe, for the payment for sheepe and clothes and a graunt of a subsidie to bee payed in one peare.

iij.s. Aliens Sheep Clothes Release

Tẽporalte 2.Dismes 2 fifteenes 2 subsidies

29 ¶ In Anno.7.Ed.6.ca.12.there was graunted to the king by the temporaltie two dismes, two fiftenes & a subsidie of iiij.shillings of the pound vppon landes, and two shillinges and eight pence vppon goodes. And there be many longe articles for the leuying thereof. And after Quẽne Mary by her letters patents, dated 1. Septembris. An.1.M. did pardon & remitt the sayed subsidie of iiij.s.& ij.s.viij.pence. And after An.1.M.1. parliamento ca. 17. she did acquite & discharge the sayd subsidy of iij.s.& ij.s.viij.d. sauinge the ij. fiftenes & dismes &c.

Pardon

Subsidie Clergie

30 ¶ Anno.7.E.6.ca.13.a subsidy of vi.shillinges of the pound graunted to the kinge by the clergy, was confirmed by parliament. And in that act be dyuers artycles for the leuyinge of ỳ same.

Pondage Tonnage

31 ¶ Anno.1.M. was a subsidy graũted her of pondage & tonnage during her life.

Subsidie Clergie Tẽporaltie

32 ¶ An.2.& 3.P.& M.ca.22.a subsidy of vi.s.of the pound, then graunted by the clergy was confirmed by parliament. And in the same parliament ca.3. a subsidie was graunted by ỳ temporalty of iiij.s.of the pound for landes, and two s.viij.pence of the pound for goodes.

Tonnage Wyne

33 ¶ Wee geue & graunt to you our Supreme liege Lady and soueraigne one subsidy called Tonnage, that is to say of euery tonne of wine comming or that shall or is come into this your Realme, by way of marchaundise the

summe

summe of three shillinges and so after the rate. And of euery tonne of sweete wine as well malmesey as other, that shall or is come into the same your realme, by euery or any marchaunt alien, as well by the marchauntes of Haunse, and Almaine, as by anie other marchant straunger of what nation soeuer he be iii. shillings. And so after the rate ouer and aboue the iii. s. afore graunted. And of euery aume of rennish wine, comminge, or ẏ shal or is come into this your Realme, by way of marchaundise, by euerie or any marchaunt Denizen or alyen, of what nation soeuer hee bee xii. d. And also one other subsidie called Pondage that is to say of all manner of goodes and marchandises of euery marchaut Denizen and alien whatsoeuer hee bee caried and to be caried out of this your said realm, or brought or to be brought into the same by way of marchaundise, of the value of euery twenty shillinges of the same goods and marchandise xii. d. and so after the rate. And of euery xx. s. value of tinne and pewter vessell, caried out of this your realme by any and euery marchaunt alien xii. pence ouer and aboue the xii. pence aforesaied. Except and alwayes forprised out of this graunt of Subsidie of Pondage, all maner of wollē cloth made or wrought, or that shalbe made and wrought, within this your Realme of England, and by euery or any marchaunt denizen, and not borne alien caried or to bee caried out of thys your saied Realme. And al manner of woolles woolfelles and hides, & backes of leather, also caried or to bee caried out of this your realme. And al wines & al manner of freeh fish, and bestiall, comming, or ẏis or shall come into ẏ same your realme.

And further wee your sayd poore commons, by the assent, assent and authoritie aforesaied, geeue and graunt vnto you our said soueraign liege Lady and Soueraigne, for thys causes aforesaid one other subsidy of all manner of wool, woolfelles & leather, caried or to bee caried out of this your Realme in maner & fourme following (that is to say) of euery marchaunt denizen, of & for euery sacke of woll. xxiii. s. iiii. d. and for euery C Ctrl. woolfells xxxvj. s. iiii. pece. and of and for euery last of hides and backes of euery such marchant Denizen xlvi. s. viii. pence. And of euery marchant stranger, not borne your liege manne as well those that bee made denizens, as hereafter shall bee made by letters patentes, or otherwise, as all other marchaunt straungers, of and for euery sacke of woolle iii. li. vi. s. viii. pence, and of, and for euery C Ctrl. woolfells iii. li. vi. s. viii. d. and also for euery last of hides & backs iii. li. xiii. s. lower pence. And so of all ẏ said woolles, woolfelles, hydes & backs and euery of them, after the rate, that so is or shalbee caried to haue, take, enioy, and receiue the subsidies aforesaid, and euery of them, and euerie part and parcel of them to your highnesse, from the sixteenth day of November last past, during your life naturall.

And further wee your sayed poore commons moste humbly desire your maiestie, that it may bee enacted by your highnesse, by thaduise and assent of the Lordes aforesayed, and by your sayed commons, and by the aforesayd auctoritie of this present parlyament assembled, that the gifts and graunte aforesayed, shalbee good and effectuall, according to the true meanynge of the same.

And that it may be further enacted by auctoritie aforesayed, that if any wines, goodes, marchaundise, woolles, wolfelles, hides, and backes of leather aforesaied, or other thinges afore specified whereof the subsidies aforesaid, or any of them is or shalbee hereafter due, shal at any time hereafter during ẏ time aforesaid, be shipped or put into any boate, crater, shippe or vessell, to ẏ intent

Rentes wyne

Pondage

Subsidie

Woollen clothes

Denizen

Woolles Felles Leather wynes Fresh fishe

Subsidie Woolle Lether

Denizen

Merchant strangers

Wynes Merchādize

Shipped

intent to bee caried into the parties of beyond the Seas, or else bee brought from the parties of beyonde the Seas, into any port, Hauen, creeke, or other place of this your Realme by way of marchaundise, and there laid on land (the subsidies aforesaid of the premisses due or to bee due, by the reason of this graunt not payd) or the collectour of that same Shire or hys deputy, wt and by the consent, knowledge and agreement of the comptroller and surueiour, or one of them at the least, not agreed with for the same in the Custome house, according to the true meaninge and intent of these aforesayed graūtes and euery of them, that then from the sayed xvi. day of November last past, and not before, all the sayed wynes, goods, marchaundise, woolles, woolfelles, hides & backes, and other ỹ premisses aforesaied, and euerie part and parcel therof so shipped, or else put into any boates, craier, or other vessel aforesayed, to the entent aforesayd, or brought into thys Realme, and there layed on land, as is also aforesayed, shalbee and remaine forfayt to your highnesse during the time aforesaied, ỹ one moitie of the value therof to your highnesse, & the other moitie to him or the, that shal sease the same, or sue for the same. And that it may please your highnesse, that al marchauntes, as well denizens as straungers, comming into this your realme, be wel & honestly entreated & demeaned, for such things as subsidy by this act is graunted for as they were in the time of your sayd noble progenitours, without oppressiō to them to be done, payinge the subsidies aforesaid.

And further that it bee enacted by ỹ authority aforesayed, that if anie goods, marchaundises, woolles, woolfelles, or lether aforsaid, or any part therof, of any marchaunt denizen, naturally borne, your liege man, which hath or shal passe out of this your said Realme, after the sayed fyftenth day of November last past, during ỹ terme of this gift & graunt, hath or shall happen to be taken with enemies or pyrates vppon the sea, or perished by infortune in any shipp or ships, that shal happen to be taken, or perished within ỹ time of the said graunt, wherof the subsidies aforesayed, or any of them to your highnesse due, or to bee due, is or shalbe in forme aforesaid duely payed or agreed for, without fraud or collusion, & such losse or losses as bene before rehearsed, be found and proued before ỹ Treasourer of England, or ỹ chiefe Baron of your Eschequer, for ỹ tyme being by the examination of the same marchaunts if they be alue, or of their executours or administratours if they bee dead, or two true credible persons sworne, or other reasonable witnesse, and proues sworne witnessing ỹ same marchandises so to be lost or perished, that then the same marchauntes denizens that were or shalbee owners of the aforesaid goodes, marchaundises, woll, woolfelles, hides or other marchaundises aforesayed as shalbe so perished, or lost if they bee on lyue, their executours & administratours if they bee dead, and euery of them, by force & vertue of thys act when them lyketh during the sayed terme, shall, or may newly ship as much woll, woolfelles, hides or other goodes and marchaundises in the same port or portes in the which the same woll, woolfelles, hides or other goods and marchaundises aforesaied so lost and perished were or shalbee shipped, without any of the subsidies aforesaied nowe graunted to bee had or payd therefore to your highnesse in any wyse. And that all such profitts of the premisses so to bee lost or perished, be certified into your Chācery by your saied Treasourer or chiefe Baron, there to remayne of Record. And after such certy first made, the Chaūcellour of England, or the Lord keeper of your great seale for the time being, shall make and deliuer into the

sayd

Collectour

Wynes Merchādize

Fort.

Moitie

Merchants

Merchādize

Pyrats

Treasorer Chefe barō

Merchādizes lost

Newly ship

without subsidis

Certified Chaūcery

said marchauntes their executours or administratours or anie of them, or to their attourney or attourneis in the behalfe of any of them, as many and such writtes and warrauntes to bee directed as well to the collectours of ỹ subsidies aforesayed, or anie or euerie of them for the time beeing, as to the Treasourer & Barrons of your Exchequer for the tyme beeinge shallbee thought requisite & nedeful for the said marchaunts their executours or administratours, or their attourney or attorneis or any of them, or the said collectours or any of them, to haue for the obtaining as wel of the shippinge, as of the allowaunce therof. And further that euery marchaunt denizen, ỹ shal shipp hereafter any wooll, woolfelles hides, or any other good & marchandise in any Carricke, or Galley, shal pay to your maiestie during the tyme aforesaid, al maner of customes, and al the subsidies aforesayd, as any alyen borne out of this your Realme.

writts

Denizen
Wooll
Felles
Hydes

34 ¶Anno. 4. & 5. P. & M. a subsidie of eight shyllinges in the pound graunted by the Clergy, was confirmed, and a Subsidie graunted by the Temporaltie of fower shillings of the pound for landes, and ii.s. viii. pence, goodes, and the like subsidie graunted 1. Elizab.

35 ¶Ann. 5. El. cap. 29. a subsidie of vi. shillinges the pound was graunted by the Clergie, and a subsidie two fiftenes and tenths graunted by the temporaltie, The like graunted. 8. El. ca. 17. & 18.

36 ¶Ann. 13. El. cap. 26. a subsidy of 6.s. the pound graunted by the spiritualtie was confirmed and ii. fiftenes and tenths graunted by the temporaltie, & a subsidy of viii. grotes the pound of cattels &c. and for landes iiii.s. to bee payed at ii. seuerall paymentes wyth many long articles for the collection of the same.

37 ¶Anno. 18. El. cap. 22. a subsidie of vi.s. in the pound was graunted by the clergie. And two fiftenes and tenthes by the Temporaltie and one Subsidie of iiii.s. the pound lands & ii.s. viii.d. goods.

¶*Templers.*

ANn. 17. E. 2. it was enacted, that neyther the kyng nor the Lordes should haue by eschete the landes that were the Templers, (which order was then dissolued.) But that these landes should remaine to the priour and brethren of the order of the hospital of S. Jhons of Jerusalem, which order was then erected for the defence of Chrystendome.

Eschеat

S. Jhons Jerusalem

¶*Tenure.*

NO man shalbee distrayned to doe more seruice for a knyghtes fee, nor for any freeholde, then thereof is due. Magna Charta. 10.

Distrayne

2 ¶If any man hold of any eschеate as of ỹ honor of Wallingford, Notingham, Boloin, or of any other eschetes which be in our handes, and are baronies, and die, his heire shal geue none other relefe, nor do none other seruice to vs, then he should to the baron, if it were in the barons hand. And wee in the same wise shall hold it as the baron held it, neither shal we haue by occasion of anie such baronie or eschеate, anie eschеate or keeping of anie of our men, vnlesse they do holde of vs other where in chiefe, or els he that held the barony, or eschеate, other where holde of vs in chiefe. Magna Charta. cap. 31.

Eschеat

Reliefs
Seruice

3 ¶No free man from hereafoth shal geeue nor sel any more of his land, but so that of the residue of the landes the lord of the fee may haue ỹ seruices due to him which belongeth to ỹ fee. Magna Charta. cap. 32.

Free man

Seruice

4 ¶From henceforth it shalbe lawful to euerie free man to sel at his own pleasure, his landes and tenements or part of thē, so that the feffee shall hold the same land or tenement of the chiefe lord

Free man

Feoffee

Lord of the fee, by such seruice and customes as his feffour held before.

And if hee sell any part of such landes or tenements to any, the feffee shall immediatly hold it of the chiefe Lord, and shalbee forthwith charged wyth the seruices, for so much as pertaineth or ought to pertaine to the sayd chiefe lord for the same parcell accordinge to the quantitie of the land or tenemẽt so sold. And so in this case the same part of the seruice shal remaine to the lord to be taken by the handes of the feffee for the which he ought to be attendant and aunswerable to the same chyefe lord, accordinge to the quantitie of the land or tenement sold for the parcel of the seruice so due. Seruices

And it is to be understanden, that by the said sales or purchases of lands or tenementes, or any parcels of them, such landes or tenementes, shall in no wise come into mortmaine, either in part or in whole, neither by policy, ne craft, contrary to the fourme of ỳ statut made thereuppon of late. And it is to witte that this statut extendeth but onely to landes holden in fee simple. Mortmain

An. 28. Ed. 1. called quia emptores terrarum. Fee simple

5 ¶ Whereas diuers people of the realme, complaine them selfe to be greeued by that that landes & tenementes, which bee holden of the king in chiefe and alienedwithout lycence, haue ben seysed heretofore in the kings handes, and holden as forfayt: The kyng shall not hold them as forfayt in such case, but will and graunt fromhence forth of such landes and tenements, so alienedthere shalbee reasonable fine taken in the Chauncery by due proces. Ann. 1. E. 3. ca. 12. Chiefe

Fine

6 ¶ Where as diuers haue complayned that they bee greued by reason of purchasinge of landes and tenements, which haue bene holden of the kinges progenitours that nowe is, as of honours, and the same landes and tenements haue bene taken into the kings handes, as though they had ben holden in chiefe of the king, as of his crowne: The king will, that fromhencefoorth no manne be greeued by any such purchase. An. 1. E. 3. ca. 13. Chiefe

7 ¶ Item it is accorded, that the alienations of lands and tenementes, made by people, which hold of kynge Henry great graundfather to the king that nowe is, or of other kings before hym to hold of them selfe, that the alyenations shall stand in their force, saynge alwayes to our Soueraigne Lord the kinge his prerogatiue of the tyme of hys graundfather hys father and of his owne tyme. Anno. 34. E. 3. ca. 15. Alienation

8 ¶ All landes, tenementes, hereditaments, and other possessiõs, whych the first day of March next before the fowerth day of March the first yere of the kings raigne, were holden by fealtie & rent, or other seruices, of any personne or persons not attainted, which landes, tenementes, hereditamentes or other possessions, the fowerth date of March in the first yeare of ỳ kinges raigne, or any tyme after came into the kinges hands or possession by reason of any attainder of treason. And after passed from the kinge by any of hys letters patentes, to any person or persones, or hereafter shall passe from the king by any of his letters patents to any personne or personnes, that the same personne or personnes, and euery of them, and euery their heire and heires, assignee & assignees, successour and successours, shall haue perceyue & take such rent and rents, as to any of them were due and ought to bee due of the same landes, tenements, hereditaments or other possessions, or any of them, beeinge in the handes of anie other person or personnes then ỳ king as if the said attainders had not beene had. And that it shalbee lawfull to euery personne or personnes not attainted, and to euery of them, and to euery of their heire or heires, assignee and assignees, Fealtie

Attainder

Letters p.

Rent

assignees, successour & successoures, in ỳ same lands, tenements hereditaments or other possessions, being in the hands of any other person or persons then of the lordge, for the said rent or rents to be distrayned, after such maner and fourme as they & every of them might have dõ if ỳ same attendres had not ben had. This act to bee in force the first day of this saied parliament. Anno. 7. Ed. 4. cap. 5.

Distrayne

9 ¶ From & after ỳ xviij. day of Aprill in ỳ xxv. yere of your most noble raigne that your said highnesse your heires or successours, shal or may at your will & pleasure upon your letters patents, of any mynours, landes tenements, reuersions, rentes services, tithes, pensions, porcions, annuytons, patronages, or other hereditamentes, not exceding the clere yerely value of xl.s which were belonging to any of the said houses, compiled in ỳ said act whereby any estate of inheritance doth or shall passe from your said highnesse, your heires successours houses, tenementes, cotages and gardeines, whereunto no landes, tenementes, or hereditamentes doo appertaine only excepted) reserued unto your saied highnes, your heirs & successours either a tenure by knyghtes seruyce in capite, or els a tenure in socage or free burgage, and not in capite at your free will & pleasure, with the yerely rent of the tenth part of the said landes and tenements to be compiled in every such letters patentes, according to such rate & value, as the same manours landes, & tenements shal be expressed and rated to bee ỳ yerely value in the same letters patentes, ỳ said rit to bee paid to ỳ officers of your highnesse saied court of the augmentations of the reuenues of your crowne, to your said highnesse due accordyng as other reuenues there be & shalbe paied by the auctoryte of ỳ sayd act. And that of houses, tenements, cotages, & gardeines whereunto no landes tenementes, or hereditamentes do appertaine, not being any of the lordges

Letters p.
Landes
xl.s by yere
Knyghts seruice Capite Socage Tenthe
Howses

pruncelie houses, reserued and kept by a keper thereof to ỳ kinges vse, whych were belonging to any of the said houses compyled in the said act, vpon euery the letters patentes of any the saied houses, tenements cotages, and gardeines to the which nor lãds do appertaine, whereby any estate of inheritãce doth or shal passe therin from your said highnesse your heires or successours, to reserue vnto the same your highnesse, your heirs and successours at your own will and pleasure, either a tenure by knights seruice in capite or els a tenure in socage, or free burgage, & not in capite with that yerely rent of the tenth part as is aforesaid: any law, statute, custome vlage or any other thyng or thinges heretofore to ỳ contrary therof in any wise notwithstanding. An. 36. H. 8. ca. 14.

Letters p.

Knights seruice Capite Socage Tenths

10 ¶ All manours, landes, tenements rentes, reuernes, personage, tithes and other hereditamẽts, not being at ỳ time of the making of any such letters patentes, heretofore made sithen the said xviij. day of Aprill (s. mencioned in the act of 35. H. 8. cap. decimo quarto before 9.) above the clere yerely value of xl.s. and all houses, messuages, cotages, curtilages, orchards, pardes and gardeins whereunto no other lands, tenements or hereditaments, were belonging or appertaining, not being any of ỳ kings princely houses, reserued and kept by a keper thereof to his graces vse by what soeuer title or tytles they or any of thẽ came vnto his maiesties handes heretofore geuen or graunted by hys maiestie, to any personne or personnes or bodies politike, sithen the saied xxvij. day of Aprill in ỳ said xxv. yere of his raigne, by his letters patentes, wherby any estate of inheritance hath passed from his highnesse to hold the same of his highnesse, his heires and successors by fealty onely, or by fealty only & not in capite, or in socage or free burgage, or by fealty onely in free & cõmen socage & not in capite, or by any maner

Landes
xl.s by yere
Letters p.
Fealties

of such like wordes in effect. Or to hold the same by fealtie, as of any of his graces honours, manours, or lands or by fealtie onely, as of any of his graces honours, manours or landes, and not in capite, or by any like wordes in effect: shal from the date of euery such letters patents, be adiudged, taken and demed, to al intents and purposes to be holden in Socage or burgage, & not in capite, according to the very expresse & plaine wordes contained in any such letters patents, without any further implication, construction or explanation of the law thereof to be made or had by any person or persons against the same & in no maner of wise to be demed adiudged or taken, to bee holden in capite. Any ambiguity, doubt, or other thinge heretofore risen or moued, or hereafter to be moued, stirred, or sett forth to the contrary thereof notwithstanding.

Socage
Burgage

King

And bee it &c. that the kynges highnesse, his heyres or successors at any time or times within v. yeres, next after ỳ first day of November last past, shal and may at his or their owne wils & pleasures vpon any letters patentes, made or hereafter to bee made of any manors, lands tenements, rents, reuercions, seruices, personages, tithes, portions pēcions, and other hereditamēts not being rated or valued at the time of the making of any such letters patents

Letters p.

xl.s. by yere

aboue ỳ sūmes of xl. s. by yere whereby any estate of inheritāce hath or shal passe from his highnesse, his heires or successours, (houses, mesnages, cotages, orchardes, yards, & gardens, whereunto no other landes, tenementes, or hereditamēts, do appertaine onely except.) And also shal and may vpō any like letters patents hereafter to be made within the said five yeres, of any houses, mesnages, cotages, orchards, yards, curtilages, or gardeins, whereunto no other lands, tenements, or hereditaments do appertaine, not being any of the kinges princely houses, reserued & kept by a keper thereof to his graces vse, by whatsoeuer title or titles ỳ said manors lāds tenementes, rents, reuercions, seruices personages, tithes, portions, pencions, houses, tenemēts, cotages, gardeines & other premisses, or any of thē so to bee geuē or grāted, bee cōe or hereafter shall cōe to his graces hāds, his heirs or successors reserue either a tenure by knightes seruice in capite, or els a tenure by fealty or in socag, or burgag & not in capite.

Tenure

And that al & singuler the said seuerall tenures, as well heretofore reserued & made sithen the said xxiii. day of Aprill in the said xxvb. yere of our saied Soueraigne Lord the kings raigne, as hereafter within the said five yeres next after following to bee reserued or made, & hauing these wordes, & non in capite, shal from the date of euery such letters patents be demed, adiudged, and taken to be tenures in socage or burgage, and not in capite.

Socage
Burgage

And that the patentees of ỳ same manours, landes, tenements, and other the premisses, or any part therof, their heires & assignes & euery other persone or persōs, hauing ỳ same or any part therof, shal hold ỳ sāe manors, lands, tenements, houses, cotages, & other hereditamēts, cōprised in any such letters patēts of our said soueraigne lord ỳ king, his heirs & successors, & hauing the sayd wordes, & non in capite, by ỳ seruice of fealtie in socage or burgage, according to ỳ expresse wordes contained in any such letters patents, & shall not hold the same or any part therof, of our said soueraigne lord, his heirs or successors in chief or in capite, nor shalbe cōpelled by reason only of ỳ sāe, to sue any liuery, make fine for alienation, or sue any ipcēe or pardō for alienatiō only therof. And ỳ heire & heirs of euery such patētees or of their heirs or assignes, or of any other hauing any estate, right or title of, in, or to ỳ same manors, lāds, tenemēts, or hereditamēts & hauig no other lāds, tenemēts, or hereditamēts holden of the kinges highnes in capite, shall & may freely & lawfully enter the deuise of

Fealtie in socage

Liuerie
Licence

Letters p.

Holden

Heires

Enter

Lyuery
Ouster le mayne

Capite
Knights seruice

Attayndor
Misprisiõ
Premunire

Vtlagary

of any such patentee, their heires or assignes, or other persone or persones hauing any such estate, right or title, enter into ỳ said manors, lands tenemẽtes, houses, cottages & other hereditamentes comprised or to bee comprised in any such letters patentes, without suing of liuery, ouster le mayne, or any fine or fee to be paied for any lyuery or lyke thereof, to our soueraigne lord the kinge, hys heires or successours for the same by reason only of suche tenure in soage or burgage expressed or to bee expressed in any of ỳ said letters patẽts any lawe custome or vsage heretofore had or vsed to ỳ contrary thereof in any wise notwithstãding. An. 37. H. 8. ca. 20.

¶ Where before this tyme ambyguities questions & doubtes haue bene moued and stirred in diuers and sundry the kinges courtes of record, whether such honours, castelles, manours, lands, tenements, and other hereditamentes are holden of the king in capite which any of hys louing subiectes, do hold by knights seruice, soage or other seruices of the king, as of his Duchies, Earldomes, Baronies, honours, castels, manours, landes, tenements, fees & seignories, which haue come to ỳ hãds & possessiõ of diuers of his highnes most noble progenitors, by attainder of treason, misprision of treason, attaindours of premunire, & prouision, had and done by act of parliament, by verdict, cõfession, conuiction or vtlagary, and offices or no offices thereupon found, or by the dissolution, surrender or geuing vp to ỳ king, or to any his noble progenitours of any religious or ecclesiasticall houses or places, or of any manours, landes, tenementes, or other hereditamentes, to any of the same religious or ecclesiasticall houses or places in any wise appertaining or belonging or no: By reason of which doubt so moued, his said humble and obedyent subiectes and tenants haue bene heretofore much vnquieted, molested and greeued, wherefore the king our soueraigne lord mynding, and entierly desiring ỳ quietnes of his said subiectes and that the certeinty of hys lawes in that behalf might be knowen and declared to his said louing subiectes for a plaine declaration and resolutyon to be had of, for, or concerning the premisses at the humble petition and suyt of the lordes and commons in this present parliament assembled doth ordeine &c. That al such honours, castels, manours, landes, tenements, and other hereditamẽts, & euery of thẽ, which now be, or at any time hereafter shalbe holden of the king or of any of his heirs or successors, or by any of his said subiects by knightes seruice, soage or other wise as of any of hys or their dukedomes, earldomes, baronies, castels, manors, landes, tenementes, fees or segnories, which bee cõe to ỳ king, or his most noble progenitours, or hereafter shall cõe to the kyng, his heires or successours, by meanes of any such attaindor, conuictyon, vtlagary, or of any such dissolution, surrender, or geuing vp of any religious or ecclesiasticall houses or places or of any manors, landes, tenemẽtes or hereditaments, to any of the said religious or ecclesiasticall houses or places, in any wise belonging, or appertayning, shal not from henceforth bee adiudged, demed, taken or construed to any intent, construction or purpose, to bee holden in capite, or as seruice in capite, any ambiguitie, questyon or doubt heretofore moued to the contrary not withstanding.

Lands

Knights seruice
Soeage

Lands

Capite.

¶ Prouided alwaies & be it &c. ỳ this act or any thing therein contained, shal not in any wise be preiudicial nor hurtfull to ỳ king his heirs or successors to, for, or cõcerning any wardship, liuery, primer seasin, fine for alienation, or to or for any other profit or aduãtag, which now is cõe, or hereafter shal or may cõe, fall or grow to ỳ kyng, his heires or successours, by or frõ any person or persones which now doth, or hereafter shall hold any honors, seignories, castels, manors lãds, tenemẽts or other hereditamẽts,

wardship
Fine
primer seasin

Chiefe

of the king in chiefe, as of hys perſō, or of any other his auncient poſſeſſions, & being not come to the king by any ſuch attainder, confeſſion, conuiction bi lagary, diſſolution, geuing vp, or ſurrēder as be aboue ſaid.

Tenant

Prouided alſo, and be it &c. that thys preſent act, or any thinge therein contained, or ſpecified, ſhal not in any wiſe or by any meanes, giue any aduantage. libertie or profit to any tenāt or owner in fee ſimple of any honours manors, lands, tenementes, or other hereditaments which haue heretofore ſued any ſpeciall or generall liuerie, or ouſtre le maine out of the hands of ỹ king, or of any hys noble progenitours, of any honours, manours, lands, tenements or other hereditaments, by what tenour or ſeruice they were or be holdē or that haue, or ſhal confeſſe by any matter of record, any tenure in chiefe of the king, but that they, theyr heires and aſſignes ſhall haue and holde the ſame manours lands, tenemēts & other hereditamēts. in like maner and fourme as they dyd before the makyng of this preſent act, and as though thys preſent act had neuer beene had ne made, any thinge aboue declared and enacted to the contrary notwithſtanding. An. 1. E. 6. ca. 4.

Liuery Ouſter le maynt

Confeſſe Tenure

## ¶ Tiles.

ALL & euery perſon or perſons which hereafter ſhall vſe the occupation of making of any ſuch tile, as before is ſaid ſhall make in good reaſonable, able, and ſufficient. & well whited and anealed. And that the ground whereof any ſuch tile ſhalbee made, ſhalbee digged and caſt vp before the firſt day of Nouember next before that they ſhalbe made, and that the ſame yearth be ſteared and tourned, before the firſt day of Februarie, then next following, and that the ſame ground, before it be put to making of tile, be truely wrought and tried frō ſtones. And alſo that ỹ vaynes called Maline or Marle, & Chalke lying commonly in the grounde, nere to the land conuenient to make tile, after the dygging of the ſaid ground, whereof any ſuch tile ſhalbee made, ſhalbe well, lawfully & truely ſeuered & caſt frō the land whereof any ſuch tile ſhalbe made. And that euery ſuch plaine tile ſo to be made ſhal cōtaine in length x. ynches and an halfe, & in breadth vi. ynches, & a quarter of an ynche. And in thickneſs, halfe an ynche & halfe a quarter at the leaſt. And that euery ſuch roofe tile or creſte tile ſo to be made, ſhal cōteine in length viii. ynches, and the thickneſs of halfe an ynche and halfe a quarter at the leaſt. with conuenient deepneſs according. And that euery gutter tile & couertile to bee made, ſhal containe in length x. ynches and an halfe, with conuenient thickneſs breadth & depeneſſe according. And if any perſon or perſones ſet to ſale to any perſon or perſones, any ſuch tile aboue ſpecified, made or to bee made againſt the ſaid ordinance: then ỹ ſeller thereof ſhal forfait to the buier of ỹ ſame, the double value of the ſame tile & beſides that ſhal make fine & raūſome to the king at his will. And that euery perſon that feeleth him ſelfe greued, & will ſue in this behalfe, ſhal haue an action of debt againſt ỹ offendours, where in ſhalbe made and had like proceſſe, recouerie and execution, as is or may bee at this day, in any other actions of debt purſued at the common law. And that the plaintife in euery ſuch action (if it be found with him) may recouer againſt the defendant in the ſame action, his reaſonable coſts & expēces of his ſuit. And that the defendant in any ſuch action, ſhal not be admitted to wage his lawe, or to haue any eſſoins or protection allowed, nor no aduauntage by ſturching of eſſoine or diſtreſſe. And alſo that the Juſtices of peace for ỹ tyme being, within any county of this realme, and euery of them ſhal haue full power to enquire, heare & determine, by their diſcretions, aſwell by examination or other wiſe, the defaults, offences and treſpaſſes, which ſhall happen to bee done againſt

Anealed

Maline Marle Chalke

Lengthe Wyeadthe

Roofetyle

Gutter tile

Forf. 2. Poūs Fine

Coſts

Juſt. of p. Enquier Dut & tr.

gainſt this ordinaunce, aſwell at the kyngs ſuit, as at the parties which ſhal feele himſelfe greued in that behalfe. And if it be found, or may appeare to ẏ Juſtices of peace, or any of them by examination, or otherwiſe by their diſcretion, that any perſon or perſones hath offended, contrary to this ordinaunce, that then the ſame Juſtices, before whō it ſhalbe found or appeare, ſhall aſſeſſe vpon the offendour in thys behalfe no leſſe fine, then for euery .M. of plaintile ſett to ſale contrary to this ordinaunce .vi.s. And euery C. rofetile .vi. s. viii.d. And for euery hundred corner tyle or gutter tile .ii.s. ſold contrary to this ordinaunce. And that leſſe fine bee made after the rate of the ſame by the diſcretion of the ſaid Juſtices, or any of them And that the ſame Juſtices ſhall haue full power, to call before them, or any of them, at any time and place requiſite ſuch and ſo many perſons, as by theyr diſcretion haue, or ſhall haue beſt experience or knowledge, in the occupation of making of tyle, to ſerch and examine the digging, caſting tourning, departing making whityng, & anelyng afore ſaied. And that the ſame perſon or perſons which ſo ſhalbe aſſigned ſerchours ſhal haue ſul power to make ſuch ſerch And that no perſon put no ſuch tile to ſale, before that it be ſearched by ẏ ſaied ſerchours, vpon paine of forfaiture of ẏ ſame tile. And if the ſame ſearcheours, or any of them doe find, that any perſon or perſones exerciſing the occupatiō of tile making, do them offend contrary to thys ordynaunce, that then the ſame ſearchours ſhall preſent ſuch defaultes, before the Juſtices of peace at their nert ſeſſions. And that euery ſuch preſentment, be as ſtrong and effectual in the lawe, as the preſentment of xii. mē. And ẏ ſuch ſearcheors ſo to be ordained, aſſigned & deputed, ſhal haue of euery ſuch tile maker, for his labour of ẏ ſayed ſearch, for euery .ii. M. plaine tile ſearched .j.d. Of euery C. rofe tile .i.od. And euery C. couer tile and gutter tile .q. And that the ſame ſearchours ſhall doe and execute theyr effectuall deuoir and diligence in this behalfe, according to this ordinaunce vpon pain of forfait. to our ſouereigne lord the kinge for euery default in this behalfe .r.s. And that the Juſtices of peace ſhalhaue power to examine, enquire and determyne, the faultes of ſuch ſearchours in the premiſſes, in lyke fourme as aboue is ordayned for the defaultes of tyle makers. This ordinaunce to beginne to take effect at the feaſt of Saint Michael nert comming, and not before. Anno. 17. Ed.4.cap.4.

Fine

Examin

Serche Forf.

Juſt. of p. Seſſions

Forf.

Juſt. of p.

## ¶ *Tyndale, Riddeſdale, & Exhamſhire.*

IF any perſone of the ſaied fraunchiſes of Tyndale and Erhamſhere, reſraunt or dwellynge in the ſame, of what eſtate or cōdicion that hee be, do any murders, treaſons, manſlaughters, or roberies, or conſent to do them out of the ſayd fraunchiſes of Tyndale and Erhamſhyre, proceſſe ſhalbe made againſt hym by the common law, vntyll hee bee outlawed. And that after ſuch outlagarie pronounced and returned, the Juſtices, before whom ſuch outlagaries is returned, ſhal make thereof certification to ſuch miniſter or miniſters of the ſaid fraunchiſes, as to them beſt ſhal ſeme in this behalfe according to their diſcretion, & ſuch felons ſhalbe taken by ſuch miniſter or miniſters, & his landes and tenementes, goods and cattals beeing within the ſame fraunchiſe ſeaſed in to the handes of the lords of ẏ ſame franchiſes of Tyndale & Erhamſhyre for the tyme beeing as forfayt. And that the other landes & tenements goods and cattals of ſuch felons, beeing out of the ſame fraunchiſes, ſhal holy remaine to the king & to other lordes having therof fraunchiſe as forfait. Saving alwaies to the kinge the forfaitures of ſuch murderers, traitoures, māſleers robbers, & other offenders, and of other thyngs which to him do belōg as of the

Murder. Treaſon Felonie Proces

Deade landes

Kyng

right of his Crowne. Anno. 2. Henrici. 5. cap. 5.

2 ¶ Such processe, certification, & execution, shal be made from henceforth against such Murderers, Mãslears, Robbers, consenters and offendoures, abyding or resiaunt within the saied fraunchise of Ridesoale, because of their offences done out of the said fraunchise of Ridesdale. And also such maner forfaiture shal renne in al points, aswel towards our soueraigne Lord ỳ king, as against al other persons, as it was ordained for the said offenders of Tindale and Exhamshere, by the saied statute made at Leicester, and according to the forme and equitie of the same Statute. Sauing alwayes to the kyng that, that pertayneth in thys behalfe, as of the right of his Crowne. Anno. 9. Henrici. 5. capitulo. 7.

3 ¶ The said lordship and bounds of North & South Tindale nowe beinge in his handes, and al lands & tenemẽts within the same in whole possession soeuer they bee, and euery part thereof stand and bee from henceforth gildable and part of the shiere of Northumberland aforesaid, & no franchise ne franchises: but that all maner of the kinges writs shal runne and al his officers aswell ỳ Wardein or wardẽs of ỳ East & Middel marches of Englãd towards Scotland ỳ liuetenaũt or liuetenaũts ỳ Justices of peace, shirife, eschetor, coroners baillifes and other officers and their deputies, and euerie of them, of & within the coũtie of Northumberland aforesaid, & al their warrants and precepts shalbe obeyed, & of as great authoritie in the lawe by reasõ of this act within the said Lordshippe & bounds of North and South Tyndale and euery part thereof as in any other partie of the said shire of Northumberlãd. And ouer thys, that noe personne or personnes, of what estate degree or cõdicion hee or they been of, that nowe hath, or that hereafter shall haue authoritie or power in hys or there owne ryght or ante other mannes to dimitt or lett to ferme for yeare or yeares, terme of lyfe or at wyl, any Landes or Tenementes wythin the Lordshippe and boundes of North and South Tindale aforesayd. But that the lessee or lessees before hee or they take or occupie by force of any such leafe, any such landes or Tenementes, find good & sufficient suertie at the least two persones hauing landes and tenementes within the saied shire of Northumberland not beeyng wythin the sayed Lordshippe and boundes of north and South Tindale to the full yearely value of fortie shillinges ouer and aboue all manner charges and reprises, by recognysaunce to the kynge our Soueraigne Lord in twenty pound before two at the least of the Justices of the peace of the saied shere of Northumberland for the time beeinge, whereof one shalbee of the Quorum vppon thys condycion, that if the sayd lessee or lessees within eight dayes warning to them or any of them personallie, or openly, at hys or theyr owne houses: or in hys or theyr parish Church geeuen by any of the saied Justyces of the peace, the Sheryffe of the saied Countie of Northumberland and warden of the East and myddle marches for agaynst Scotland, or hys lyuetenaunt personally appeare not beefore the same Justices of the peace, wardeine or liuetenaunt at any Sessyon or Sessions, gaole deliuery, warden court at such place and day wythin the saied shere of Northumberland, or date or dates of truce whereseoeuer it shall fortune them to bee alligned, and as they or any of them shall bee thereunto as beefore is reherced, warned, there and then to answer all such treasons, felonyes, murders, and trespalle or attemptes contrarie to the truce from henceforth by them or any of them to be done, then the said summe of twenty pound shalbee forfayt, thone halfe there-

Gyldable Northumberland

writts wardens

Just. of p. Shirifs Eschetors Coroners Baylifs warrants

Lands

Leases

Suertie

xl.s. land

Recognisãce

Just. of p.

Quorum Condition

Forf. Moytie

thereof to the kynge &c. and the other halfe to him or them that will sue therefore, geevyng thereof to the Justyces; beefore whom the recognisaunce is or shalbee taken after the execution thereof bee had of his saied part so recouered xl. shillinges.

And that the said Justices of whom the sayed recognysaunce is or shallbee taken as beefore is rehearsed, and all other Justyces of the peace wythin the sayed Shere of Northumberland for the tyme beeynge, shall by reason of thys sayed act, haue full aucthoritie to enquyre thereof and to take presentmentes and informatyon thereuppon and to award proces and executyon of and for the same summe vpon any presentments or information made there on in lyke and as ample fourme as the Kynges Justyces of hys Bench shall or may doo, of, or for any recognysaunce taken afore them forfayted for the keepyng of the Kynges peace.

And if any personne or personnes after the feest of Easter next commyng taking vppon him or them to let or dymitt as beefore is rehersed, any lands or tenementes wythin the sayd Lordshyppe or bondes of North and South Tyndall, where no such suertie is beefore hadd and found as beefore is rehearsed, that the personne or personnes that so letten or dymitten shall by the same act for euery acre of ground, and euery mese and mansion or dwellynge place wythin the saied Lordshippe and boundes aforesayed by hym or them so letten or dymitten forfayt forty shyllynges thone halfe to the Kynge and the other to hym or them that will sue therefore.

And that the Justyces of the peace of the sayed Shyre of Northumberland for the tyme beeing shall haue like aucthoritie in all thynges concerning thys forfayture as by thys act or ordinaunce is geeuen to them in the recognysaunce afore rehersed, and that all manner of leases, dymissions, made or to bee made of any landes, tenementes wythin the sayed Lordshyppe and boundes of Northe and Southe Tyndall, for the whych no such suerty shalbee hadde and found at the sayed feast of Easter, and so forth as to fore is rehearsed bee and stande from thence forwarde voyde, and of none effect.

And if any personne or personnes, of what estate degree or condition hee or they bee of, take vppon him or them after the sayed feast of Easter, to enter occupye, dwell, hold, or inhabyt anie Landes, tenements, or ground wythin the sayed Lordeshyppe and boundes, of North and South Tyndall, not beyng hys owne inheritaunce in fee simple or in fee tayle, wythout lawfull or sufficyent suertie by hym or them found as beefore rehearsed, except he be a Lord Spirytuall or temporall of thys Realme, that hee and they soo dooynge haue imprysonment by the space of a whole yeare wythout baile or mayneprise, & so for to continue til he haue found sufficient suerite vnto our soueraygne Lorde the Kynge by recognysaunce afore the Justyces of the sayed County to bee of good abearyng against the kyng and all hys liege people. An. 11. H. 7. ca. 9.

Leases

Suertie

Voyd

Suertie

Lord

Imprison

Maineprise

Just. of p. Good abearing

## ¶ Tynne.

Anno. 14. R. 2. capitulo 7. It was enacted that the passage for Tynne to bee caried out of the Realme should bee at the Port of Dertmouth and no where els. And after Anno. 15. R. 2. capitulo octauo. that statute was repealed and that to the feast of Saynct John next comming, Tinne to bee caried out might bee charged in any Port in England.

2 ¶ After ỳ said feast they shal repaire to Caleys for the tyme that ỳ resort of woll shal bee there, paying alway the

cuſtomes ſubſides and deuoyers therof due before the paſſage of the ſaied tyme An. 15. R. 2. Cap. 8.

¶ *Tithes*

Scire facias

Where as writtes of Scire facias haue ben graunted, to warne prelates religious and other clerkes, to aũſwer of diſmes in our chauncery and to ſhewe if they haue any thing, or can any thinge ſaie, wherefore ſuch diſmes ought not to bee reſtored to the ſaid demaundaunts, and to aunſwer aſwell to vs, as to the partie of ſuch diſmes, that ſuch writtes from henceforth bee not graunted. And the proceſſe hanging vpon ſuch writtes, be annulled & repealed. And that the parties bee demiſſed from the ſeculer iudges of ſuch manner of pleas. Saving to vs our right, ſuch as wee and our aunceſtors haue hadd, and were wont to haue of reaſon. An. 18. Ed. 3. cap. 7. pro clero & ca. 14.

Chaſicery

Diſmes

Repealed

2 ¶ At what tyme that any perſon of holy church be drawen in plea in ỳ Seculer court for his own tithes taken by the name of goodes taken away, and he which is ſo drawen in plea maketh an exception, or alleageth that the ſubſtãce and ſuit of the buſines is onely vppon tithes, due of right and of poſſeſſion to his church, and to an other his benefice that in ſuch caſe the generall auerment ſhal not be taken without ſhewing ſpecially, how the ſame was his lay cattal An. 1. R. 2. cap. 14.

Seculer court

Churche Auerment

3 ¶ The fermours and al manner occupiours of the manours, landes tenements, & other poſſeſſions of alyens, ſhall pay and be bound to pay al maner of diſmes therof due to perſons and vicars of holy church, in whoſe pariſhes the ſame manors, landes, tenements, and poſſeſſions be ſo aſſeſſed and due, as the lawe of holy church requireth, notwithſtanding that the ſaied manours, lãds, tenemẽts, or other poſſeſſions be ſeaſed into the kynges handes, or not wythſtandyng any prohibityon made or to bee made to the contrary. Anno. 5. H. 4. cap. 11.

Fermours

Aliens

Seiſed

Prohibitiõ

4 ¶ Se proviſion. 17. & 18. agaynſt them ỳ obtaine bulles from Roome to be diſcharged of tithes.

Bulles Roome

5 ¶ Euery of the ſubiectes of thys realme of England, Ireland, Wales, and Caleis, and marches of the ſame, accordinge to the eccleſiaſticall lawes and ordinaunce of hys church of England, and after the lawdable vſages & cuſtomes of the paryſhe or other place where hee dwelleth or occupieth, ſhall yelde and paie his tithes offringes & other duties of holy church, and that for ſuch ſubtractions of anie of the ſayd tithes, offrings or other duetie, the perſon vicar curat or other partie in ỳ behalfe greued, may by due proces of the kings eccleſiaſtical lawes of the church of England conuent the perſonne or perſonnes ſo offendinge before hys ordinarie or other competẽt iudge of this realme having auctoritie to heare and determyne the right of tithes, and alſo to compell the ſame perſon or perſons offending to doo and yelde their ſayed duties, in that behalfe. And in caſe the ordinary of the dioceſſe, or his commiſſarie, or the Archedeacon or his officiall or any other competent iudge aforeſaid, for any contempt, contumacie, diſobedience or other miſdemeanour of the partie defendaunt, make information & requeſt to any of the kings moſt honorable counſaile, or to the Juſtices of peace of the there, where ſuch offendour dwelleth, to aſſiſt or aide the ſame ordinary, commiſſary, archdeacon, officyal or iudge to order or reforme any ſuch perſon in any cauſe before reherſed, that then he or the kings ſaid honorable counſel, or ſuch two Juſtices of peace, wher of one to be of the Quorum, to whom ſuch informatiõ or requeſt ſhalbe made ſhal haue full power & auctority by vertue of this act, to attach, or cauſe to bee attached, the perſon or perſons agaynſt whome ſuch informatyon or requeſt ſhalbee made. And to committ ỳ ſame perſon or perſons to ward, and there to remaine

Offringes

Subtractions

Proces Eccleſiaſtical lawes

Ordinary

Cõmiſſaris Archdeacõ Officiall

Contempt

Informatiõ K. Counſell Juſt of p.

Quorum

Auctoritie

Attache

Impriſon

remaine without baile or mainprise, tyll that hee or they shall haue found sufficient suerty, to be bound by recognisance or otherwise, before the kings saied Councellour, or Justice of peace, or any other such lyke Counsailour or Justyce of peace, to the vse of our sayd Soueraigne Lord the kinge, to geeue due obedience to the proces proceedings decrees and sentences of ỳ ecclesiasticall court of this Realme, wherin such suit or matter for the premisses shall depend or bee. And that euerie of the kinges said counsailours, or two Justices of peace, whereof one to be of the Quorum, as is aforesaied, shall haue full power and authoritie by vertue of this act, to take, receiue and record recognisances and obligations in any of the causes aboue written.

Mainepryse
Suertie
Recog.
Vse
Obedience
Proces
Decrees
K. Councel
Iust. of p.
Record
Recog.
Obligation

Prouided alway, that this act or any thynge therein contayned, shal not extend to any inhabitaunt of the Cytie of London for or concerninge anie maner of tithe offringe, or other ecclesiastical duety growen and due to bee payed or yelden within the same cities, beecause there is an other order made for ỳ payment of tithes & other duties within the said citie.

London

Prouided also that euery personne and persons, beeing partie or parties to any such suit, shall and may make and haue hys or their lawfull accion, demaund or prosecution, appeals, prohibitions, and all other their lawfull defences and remedyes in euery such suyt, according to the sayed ecclesiastical lawes and statutes of this realme, in as ample and liberall manner and forme, as they or any of them might haue had, if this act hadde neuer beene made, any thing in this act aboue written not withstandinge.

Parties
Accion
Appeals
Prohibitiõs
Ecclesiastical lawes

Prouided alwaies and bee it ec. that this act for recouering of tythes, ne any thing therein contained shall take force or effect, but onely vntyll such tymes as the kinges highnesse, and such other xxxii. personnes, whych his highnesse shall name and appoint for the makinge and establishinge of such lawes, as his highnesse shal affirme & ratifie to bee called the ecclesiasticall lawes of his church of England. And after the sayed lawes so ratified & confirmed, as is aforesaied, that then the saied tithes, to bee payed to euery ecclesiasticall personne, according to such lawes, and none otherwise. Ann. 27. H. 8. ca. 20.

Ratified

¶ Be it ec. that all and euerie the citizens and inhabitaunts of the City of London and suburbes, within ỳ liberties of the same shal at this present time of Easter nert comminge, paie vnto the curates of the said Cytie and suburbes, all such and lyke summes of money, for tithes oblatiõs and other duties, as the said citizens and inhabitaunts, by the order of my lord chancellour, and other of the kinges most honorable counsaile, & the kinges proclamation, payd or ought to haue payd by force and vertue of the said order, at Easter, that was in the yeare of our lord god. 1535. And the same paymẽts so to continue from time to time, vntil such time as any other order or lawe shalbee made, published, ratyfied, and confirmed by the kings highnesse, and the xxxii. persons by his grace to be named, as wel for the full stablyshment concerninge the payment of al tithes, oblations and other duties of thinhabitaunts within the said citie & suburbes within the libertes of the same, as for the makinge of other ecclesiasticall lawes of thys Realme of England.

London Suburbes
Oblations
Chancellor
Proclamation
Order

And that euery personne denyinge to pay as is aforesaid, shall by the cõmandement of the Maire of London for ỳ time beeing, bee committed to prison, there to remayne vntill such time as hee or they haue agreed with the curat and curates for the saied tithes, oblations and other duties, as is aforesaid An. 27. H. 8. ca. 21.

Denye
Maior
Imprison
Agree
An. 27. H. 8. cap. 21.

¶ Forasmuch as in the statute of the payment vnto the kings maiestie, his

First fruits

his heires and succeſſours of the firſt fruits of the ſpirituall promotions, offices, benefices & dignities within thys Realme, and other the kinges dominions, a playne declaracion & declaratyon is not yet made, frō what time the yeare ſhalbe accompted, in whych the firſt fruits ſhalbe due & payable to hys highneſſe that is to wit, whether immediatly frō the death, reſignation or deprivation of euery incumbent, or from the time of admiſſion or new takinge of poſſeſſion in euery ſuch promotyon.

And alſo by reaſon that in the ſame ſtatut it is not declared who ſhall haue the fruites, tithes, and other profitts of the ſaid benefices, offices, promotions and dignities ſpirituall, durynge the time of vacatyon thereof, diuers of the Archbiſhoppes and biſhoppes of thys Realme, haue not onely when ỳ time of perceiuinge and taking of Tythes, (that is to ſay wooll, lambe, corne, and hay & tithes vſually payed at the holy time of Eaſter) hath approched, differred the collation of ſuch benefices as haue ben of their owne patronage, but alſo haue vpon preſentations of clerkes made vnto the by ỳ right patrons, protracted and deferred to inſtitute, induct, admit the ſame clerkes, to ỳ intent ỳ they might haue & perceiue to their owne vſe the ſame tithes growing, during the vacatiō: So ỳ through ſuch delayes (ouer and aboue the firſt fruites, which be iuſtly due to ỳ kings highneſſe) they haue beene conſtrayned alſo to loſe all, or the moſt part of one yeares profitts of their benefices and promotions, and to ſerue the cure at their and their frendes proper coſts and charges, or vtterly to forſake and geeue ouer their benefices and promotions, to their great loſſe and hynderance: For reformation whereof it is &c. ỳ the ſayed yeare, in whych the firſt fruites ſhalbe paid to the kynges grace ſhall begine and bee accompted immediatly after the auoydaunce or vacation of any ſuch benefice or promotion ſpirituall afore rehearſed. And ỳ the tithes, fruites, oblations, obuencions, emoluments, commodities, aduantages, rents, & all other whatſoeuer reuenues, caſualties, or profittes certaine & vncertaine, afferringe, or belonging to any Archdeacōry, Deanry, Prebende, Perſonage, vicarage, Hoſpitall, wardēſhip, prouoſt ſhipp, or other ſpiritual promotion, benefice, dignitie, or office, (chauntries onely except) within this Realme, or in other the kings dominions, growing, riſing, or cōming, during the time of vacation of the ſāe promotion ſpiritual ſhall belonge, and after to ſuch perſon, as ſhalbe therunto next preſented, promoted, inſtituted, inducted or admitted, & to his executors towards the paiment of the firſt fruits to the kings highneſſe, his heires and ſucceſſours: any vſage, cuſtome, liberty, priuiledge, or preſcripcion to ỳ contrary had vſed, or being in any wyſe notwithſtanding.

Executors
First fruits
Cuſtome

And it is alſo &c. ỳ if any Archbiſhop, Biſhop, Archdeacon, ordinary or any other perſon or perſonnes to their vſe & behouſe at any time heretofore ſith the firſt day of May laſt paſt haue perceiued, receiued or take, or at any time hereafter doo perceiue, receiue or take the fruites, tithes, obuencions, oblatyons, emoluments, commodities, reuenues, rents, aduantages profittes, or caſualties, comming, growing, or belonging, or which hereafter ſhal come, growe, afferre or belong to any Archdeaconry, deanry, prebend, parſonage, vicarage, hoſpital, wardēſhip, prouoſtſhip, or other ſpiritual promotion, benefice, dignitie, or office (Chauntries onely excepted) within this Realme, or other the kinges dominions, during the vacation of ſuch Archdeaconry, Deanry, prebend, perſonage, vicarage hoſpitall, wardenſhip, prouoſt ſhippe, or other ſpiritual promotion benefice, dignitie, or office (Chauntries onely excepted. And the ſame vppon reaſonable requeſt frombenceforth to bee made,

Archbiſhop
Biſhop
Ordinary
Receiue
Vacation

Wooll
Lambe
Corne
Hay

Begynne
Vacation
Auoydance

made, dooth not render reſtore, ſatiſfie content, and pay to the next encumbent beeynge lawfully inſtituted inducted or admitted to ſuch Archdeaconry, Deanry, prebend, perſonage, or vicarage, or other promotion, benefice, dignitie, or office ſpiritual, except beefore excepted, or doo let or interupt the ſaied incumbent to haue ỹ ſame: that then euery Archbiſhop, Biſhop, Archdeacon, Ordinary, or other perſo to doing, ſhall forfait and loſe the treble valus of ſo much as hee ſhal then haue receyued of the frutes of euery prebend Parſonage, Vicarage, Hoſpitall wardenſhippe, prouoſtſhippe, or other ſpiritual promotion, whereof hee ſo ſhal perceiue, receiue, or deteigne, lett or interupt the incumbent to perceyue, receiue, and haue the frutes, tithes, obuencyons, oblatyons, emoluumentes, commodities, reuennes, rents, aduantages, profits, or caſualties, ỹ one moytie of which forfaiture ſhalbee to the king &c. and the other moitie therof to the incumbent of the ſame prebend, perſonage, or vicarage, or other ſpirituall promotion, to bee recouered in any of the kynges courtes by accyon, byll, plaint, information, or otherwiſe in which accion or ſuit the defendaunt ſhall not bee admytted to wage hys lawe &c.

Pay
Incumbent
Inſtituted
Interupt

Forf.
3. valus

Moytie

Accion
Bill

Prouided alway, that it ſhalbe lawfull to euerie Archebiſhoppe, Biſhoppe, Archdeacō, and Ordinaries, their officers and miniſters, to retaine in his or their cuſtody, ſo much of the Tythes, frutis, obuencions, oblations, emoluumentes, commodities, aduauntages, rentes, reuenues, caſualties, and profits, as ſhall amount to pay vnto ſuch perſonne or perſonnes, as hath or ſhall ſerue to keepe ỹ cure of ſuch Archdeaconry, Deanry, Prebend, perſonage, or vicarage, or other ſpirituall promotion during the vacatiō of his or their reaſonable ſtipend or ſalarie. And alſo for the collection gathering & leuying of ſuch tithes, frutes, emoluumentes, rentes, and other profittes, riſinge and growinge, during the vacation aforeſayed, any thynge in this act contained to the contrary in any wiſe notwithſtanding.

Reteine

Vacation

Colleccion

Prouided alſo and bee it &c. that in caſe any of ỹ Incumbentes aforeſayd happen to die, & beefore hys death hath eaſed ante of hys glebe landes to bee manured & ſowen at hys proper coſtes and charges wyth any corne or grayne, that then in that caſe all and euery of the ſame incumbents may make and declare their Teſtamentes of all the profits of the corne growynge vppon the ſame glebe landes ſo manured and ſowen: Ante thynge conteyned in thys preſent acte in ante wyſe not withſtandynge. Prouyded allway, that if the frutes of the vacation of the ſayed ſpirituall promotion bee not ſufficient to paie the curates ſtypend and wages for ſeruing the cure the vacation time, that then the ſame to bee borne & paied by the next incumbent wythin foureteene dayes next after that hee hath the poſſeſſion of ante the ſayed promotiones ſpirituall. Anno. 28. H. 8. capitulo. 11.

Incūbents

Glebe landes

Teſtamentz
Corne

wages

8 ¶ Where diuers & many perſons inhabiting in ſundry counties and places of this Realme, and other ỹ kinges dominions, not regardinge their duyties to almighty God, and to the kinge our ſoueraigne Lord, but in fewe yeres paſt more contemptuouſly and commonly preſumynge to offend and infringe the good and holeſome lawes of this realme and gracious commaundementes of our ſaid ſoueraigne lord, then in tymes paſt hath beene ſeene or knowē, haue not letted to ſubtract and withdraw the lawefull and accuſtomed Tythes of corne hay paſturages, and other ſort of Tythes and oblatyons, commonly due to the owners proprietaries and poſſeſſions, of ỹ parſonages Vicarages, and other eccleſiaſticall places, of and wythin the ſayed realme and dominions, being the more

Subtract

Corne
Hay
Paſturage

encouragey

encouraged therunto for that, that diuers of the kynges subiectes being lay persons hauing personages, vicarages and tythes to them and to their heirs or to them and to their heires of their bodies lawfully begotten, or for terme of life, or yeares, cannot by the order & course of the ecclesiastical lawes of this realme, sue in any ecclesiasticall court for the wrongful withholding and detayning of the said tithes or other duties, nor cannot by the order of ỹ common lawes of this Realme haue any due remedy against any persoune, or persones, their heires or assignes that wrongfully detayneth or withholdeth the same, by occasion whereof much controuersie, suit, variaunce and dyscorde is lyke to ensurge, and ensue among the kynges subiects, to the great detriment, damages, and decay of many of them, if conuenient and spedie remedy therefore bee not had and prouided. Wherefore it is &c. that all and singuler persounes of this said realme and other his dominions, of what estate, degree or condition so euer hee or they be, shal fully, truely & effectually deuide, set out yelde or pay al and singuler tithes & offerings aforesaid, according to the lawful customes & vsages of the parishes and places where such tithes or duities shal grow arise, come or be due. And in case that it shal happen any person or persones of this or their vngodly & peruerse wil & mind to deteigne or withhold any of the said tithes or offerunges or part or parcell therof: then the person or party beinge ecclesiastical or lay persone, hauynge cause to demaund or haue ỹ said tithes or offerings beeing thereby wronged or greued, shal & may conuent the person or persons so offending before the ordinary, his commissarie or other competent mynister or lawful Judge of ỹ place where such wrong shalbe done, accordinge to the ecclesiasticall lawes, and in euery such cause or matter of suit, the same ordinary, commissarie, or other competent minister or lawful iudge hauing the parties or their lawful procuratours before him or them, shall and may by vertue of this acte proceede to the examination, hearing and determination of euery such cause or matter, ordinarily or sumarily according to the course & proces of ỹ said ecclesiastical lawes, & therupon may geue sentence accordingly. And in case that any of the parties, or any cause or matter concerning that suit, do appeale from the sentence order and diffinitue iudgement of the said ordinary, or other competent iudge, as is aforesaid: Then the same Judge by vertue of this act, forthwith, vppon such appellation made shall aiudge to ỹ other partie the reasonable costes of his suit therein beefore erpended, & shall cõpel the same partie appellaũt to satisfie & pay the same costes so adiudged by cõpulsory proces and censures of the said lawes ecclesiastical, takinge suerty of the other partie, to whom such costes shalbee adiudged and payed, to restore the same costs to the party appealant if after the principall cause of that suit of appeale shallbee adiudged agaynst the same partie, to whom ỹ said costes shalbee yelden: And so euery ordinary or other competent iudge ecclesiastical by vertue of this act sha aiudge costes to the other party vpon euery appeale to be made in any suit or cause of subtraction or detencion of any tithes, offrings, or in any other suit to be made for or concerninge the duties of such tithes or offerings. And further be it &c. that if any person or persons after such sentence diffinytiue geeuen agaynst them, obstinatly and wylfully refuse for to pay their tithes or duities, or such summes of money so adiudged, wherein they bee condempned for the same: that then the two Justices of the peace of the same shire, whereof one to be of the Quorum shall haue auctholity by this act vppon information, certificat, or complaint to them made in writing by

Ecclesiastical lawes

Common lawes

Deuid Sett out Customes

Deteigne

Ordinary Commissarie

Procuratours

Sentence

Appeale Judgment

Costs

Proces Censures Duerties

Appeals

Detencion

Sentence Refuse

Just. of p.

Complaint

by the saied ecclesiasticall iudge ẏ gaue the same sentence to cause ẏ same partie so refusing, to be attached & committed to the next gayle, and there to remaine without baile or mainprise, till hee or they shal haue found sufficient suerties to bee bound by recognisaunce or otherwise before the same Iustyces to the vse of our soueraygne Lord the kinge, to perfourme the said diffinitiue sentence and iudgement. Prouided alwayes and bee it &c. that no persone or persons shalbe sued, or otherwyse cõpelled to yelo geue or pay, any maner of tithes for any mannors, landes, tenementes or hereditamentes, wherby by the lawes or statuts of this realme are discharged or not chargeable with the payment of any such tithes. Prouided also and be it &c. that this act or any thing therin cõtained, shall not in anywise bind thinhabitãts of ẏ citie of London & suburbes of the same, for to pay their tithes & offrings within the sãe citie & suburbs otherwise then they ought or should haue done before ẏ making of this act. any thyng in this act contained to the contrary notwithstanding. And be it &c. ẏ in al cases, where any person or personnes, which now haue, or which hereafter shall haue, any estate of enheritaunce, freeholde, terme, right, or interest, of, in or to any parsonage, vicarage, porcion, pencion, tithes, oblations, or other ecclesiastical or spirituall profit, which now to be, or which hereafter shalbe made temporal, or admitted to be, abide & go to or in temporall handes or lay vses and profits by the lawes or statutes of this realme shal hereafter forthe to be disseised, deforced, wronged, or otherwise kept or put from their lawfull inheritaunce, estate, seison, possession, occupation, terme, right, or interest, of, in, or to the same, or of, in, or to any parcell thereof by any person or persons, claiminge or pretendinge to haue interest or title in or to the same, that then in al and euery such case or cases the person or personnes so disseised, deforced, or wrongefully kept or put from hys or their right or possession as is afore rehearsed, their heires, wines, and such other to whom such iniury or wrong shalbee done or committed, shall and may haue their remedy in the kinges temporall courtes or other temporall court, as the case shall require for ẏ recouery, getting or obtaining of such inheritaunce, estate freehold, seyson, possessiõ, term, right or interest, by writs original of Precipe quod reddat, Assi. of nouel disseisin, Mordaunc. Quod ei deforciat, writs of dower, or other writs original as the case shall require, to be deuised and graunted in ẏ kings court of Chauncery, of euery such personage, vicarage porcion, pẽcion or other profit called ecclesiastical or spirituall, so to be demaunded according to the nature and cause of the suit therof, in like maner & fourme as they should, ought or might haue had of or for landes, tenements, or other hereditamentes, in such maner to be demaided. And that writs of couenaunt and other writtes for fynes to be leuied, and all other assuraunces to be had made or conueied of any such personage, vicarage, porcion pencion or other profit, called ecclesiasticall or spirituall, as is aforesayed, shalbee hereafter deuised and granted in the sayed Chauncery, according as hath been vsed for fines to bee leuyed, and assurance to bee had made or conueyed of landes, tenementes, or other hereditamẽts. And that al iudgments to bee geuen vppon any of the sayed writtes original, so to bee deuised and graunted of or for any the premisses or any of them, and all fines to be leuied & knowledged in any of the kings said courts therof, shalbe of like force and effect in the law to all intents and purposes, as iudgemẽts geuen & fines leuied of lands, tenementes, & heritamẽts in the said courts vppon writts original therfore duely pursued & prosecuted albeit no such fourme of writtes

original

Attache Imprison Mainepryse

Recog.

Vse

Not charged

London Suburbs

Freehold

Lay vses Diffeyed

Heires wynes

Recouery

Precipe quod reddat

Mordaunc estor

Quod ei deforciat

Chauncery

writts Assurances

Chauncery Fines

Iudgmẽts

Force

Writs original

original out of ỹ said court of chaunce-
ry haue hertofore proceded or be awar-
ded. Prouided alwayes, that thys laſt
act ſhal not extend nor bee expounded,
to gene anie remedy, cauſe of action or
ſuit in the courtes temporal againſt a-
ny perſon or perſõs which ſhall refuſe
or denie to ſet out his or their tithes, or
which ſhal detein, withhold or refuſe to
pay his tithes or offrings or anie par-
cel therof, but ỹ in al ſuch caſes the per
ſon or party, bring eccleſiaſticel or lay
perſon hauing cauſe to demaund or to
haue the ſaid tithes or offrings ỹ there
by wronged or greeued, ſhall take and
haue the remedy for their ſaid tithes or
offrings in ſuche ſuch caſe in the ſpirit-
tual courtes according to the ordinance
in the firſt part of this act mencioned,
and not otherwiſe: any thing herein or
preſſed to the contrarie therof notwith
ſtanding. Anno. 32. Henrici octaui ca-
pitulo. ¶ Within which act (s. An. 27. H.
8. ca. 20. before.) diuers variances,
contentiõs ỹ ſtrifes, are newly ryſen
and growen betwene the ſaid perſons
vicars and curates and the ſaid Citi-
zens and inhabitauntes (s. of Londõ)
touching the payments of their tithes
oblations, and other duities by reaſon
of certaine wordes and termes ſpecy-
fied in the ſayd order, which are not ſo
plainlie ỹ fully ſet forth, as is thought
conuenient and meete to bee, for appea
ſing whereof al well the ſayd perſones
vicars and curates as the ſayd citizens
and inhabitaunts haue compromitted
and put themſelues to ſtand to ſuch or-
der and decree touchinge the premiſſes
as ſhalbee made by the ſayed ryght
reuerẽd father in God Thomas Arch
biſhoppe of Canterbury Metropoli-
tane ỹ primate of Englãd, the ryght
honorable Sir Thomas Wriothelly
knight, Lord Wriothelly and Lord
Chauncellour of England, the ryght
honourable Thomas Duke of Norff.
the Lord Treaſourer of England, the
right honorable ſir william Paulet
knight, Lord S. John, lord Preſident
of ỹ Counſaile, and Lord great Maſ-
ter of the kings moſt honorable houſe-
hold, the right honorable ſir Jhon Ruſ-
ſell knight, lord Ruſſel, and lord priue
Seale, the right honorable Edward
Earle of Herforde, lord great Cham-
berlain of England, ỹ right honorable
John Vicont Liſle, high admirall of
England, Sir Richard Liſter chiefe
Juſtice of Englãd, ſir Edward Mon-
tague knight, cheife Juſtice of the com
mon bench at Weſtminſter, ỹ ſir Ro-
ger Cholmeley knight, chiefe Barron
of the Eſchequer, for a final end ỹ con-
cluſion to be had and made touchynge
the premiſſes for euer. And to thintẽt
to haue a full peace and perfect vnde-
ſtandinge betwene the ſaid parties, their heirs and
ſucceſſours, touching the ſaid tithes ob
lations and other duties for euer. Be
it ꝛc. that ſuch end order and direccyon
as ſhalbee made, decreed, and conclu-
ded by the forenamed Archbiſhoppes
Lordes ỹ knightes, or any vi. of them
before the firſt day of March next en-
ſuynge, of, or for and concernynge the
payments of the tithes oblations and
other duties within the ſaid city ỹ the
liberties of the ſame, ỹ enrolled in the
kings high court of Chauncery of Re-
cord, ſhall ſtand, remaine, and bee as
an act of Parlyament, and ſhall bind
as well all citizens and inhabitauntes
of the ſaied Citie and liberties for the
tyme being, as the ſaid parſons, vicars,
curates, and their ſucceſſours for euer
according to the effect, purpoſt and con
tent of the ſaid order and decree, ſo to
be made and enrolled. And that euerie
perſon denyinge to pay any of hys or
their tithes oblations, or other duties
contrary to ỹ ſaid decree ſo to be made ỹ
ſhall by the commaundement of the
Maior of London for the tyme being
and in his default or negligence by ỹ
Lorde Chauncellour of England for
the time being, be committed to priſon
there to remaine til ſuch time as he or
they haue agreed with the curat or cu-
rates

Refuſe

Remedy

Spiritual courts

Cõmytted

Arbitrato̅rs

Refuſe

Maior

L. Chaſtice for Impriſon

eates for his or their said tithes, oblations and other duties as is aforesayed. An. 37. H. 8. ca. 12.

*The decree.*

London

AS touchinge the payments of tythes in the citie of London and the liberties of the same: It is fully ordered and decreed by the most reuerend Father in god Thomas Archbishopp of Canterbury primate and Metropolitane of all England, Thomas lord Wriothesley Lorde Chauncellour of England, William lord Saint John Lorde president of the kynges maiesties counsell, and lorde great maister of hys highnesse houshold, John lord Russell, Lord priuy Seale, Edward Earle of Hertford Lord great Chamberlayne of England, John vicont Lisle hygh admirall of England, Richard Lister knight chiefe Justice of England, and Roger Cholmeley knight chiefe baron of his graces Eschequer, thys present twenty and foweorth day of February

Anno domini secundum cursum & cõputationem ecclesie Anglicane millesimo quingentesimo quadragesimo quinto, according to ỹ stat. in such case lately prouided. That the citizens and inhabitants of the said city of London & liberties of the same, for the time beinge, shall yearely without fraud or coulne for euer pay their tithes to the parsons vicars and curats of the sayed citie and their successours for the tyme beinge, after the rate hereafter following: that is to witte, of euerie ten shillings rent by the yeare of all and euery house and houses, shopps, warehouses, Sellers and Stables, and euery of them, within the said citie and liberties of the same rot. d. ob. And of euery xx. s. rent by yeare of all and euerie such house and houses, shopps, warehouses, Sellers and Stables, and euery of the within the said Citie & liberties ii. s. & ii. d. And so aboue the rent of xx. s. by yeare ascendinge from x. s. to x. s. according to the rate aforesaid.

Persons Vicars Curats

Tithes

Item that where any lease is or shall be made of any dwellinge house or houses, shopps, warehouses, Sellers or stables, or of any of them by fraud or coulning, reseruing lesse rent then hath be accustomed, or is, or that any such lease shalbe made without any rent reserued vppon the same, by reason of anie fine or income payed beefore hand, or by any other fraud or coulne: That then in euery such case the tenaunt or fermour tenaunties or fermours there of shal pay for his or their tithes of ỹ same, after the rate aforesayd, according vnto the quantitie of such rent or rentes, as the same house or houses, shops, warehouses, Sellers or stables or any of them were last letten for, without fraud or coulne beefore the makinge of such leale:

Item that euery owner or owners, inheritour or inheritours of any dwelling house or houses, shops, warehouses, Sellers, or stables, or any of them within the said Citie and liberties, inhabitinge or occupying the same himselfe or themselues, shal pay after such rate of tithe as is aboue sayed after ỹ quantitie of such yerely rent as ỹ same was last letten for, without fraud or coulne.

Item if any person or persones haue taken or hereafter shal take any mease or mansion place by leale, and the taker or takers thereof, his or their executors or assignes both or that inhabit in part thereof, haue or hath within eight yeres last past beefore thys ostor, or hereafter will or shall let out ỹ residue of the same: That the in such case the principall fermer or fermers or first taker or takers thereof, hys or their executours or assignes, shal pay his or their tithes after the rate aforesaid, according vnto his or their quantity therin, & ỹ his or their executours assigne or assignes shal pay hys or their tithes after ỹ rate aboue said according to the quantitie of his or their rent by yere. And ỹ if any person or persones

Lease

haue

howe or shall take diuers mansion hou-
ses shopps warehouses, Sellers or sta-
bles, in one lease, and letteth or shal let
out one or more of the said houses, and
keepeth or shall keepe one or more in
his or their owne handes, and inhabi-
teth or inhabit in the same: That then
the said taker or takers and his or their
executours or assignes shall pay his or
their tithes after the rate aboue said ac-
cording to the quantitie of the yearely
rent of such mansion house or houses,
retained in his or their handes. And ye
hys assignee or assignees of ye residue
of the saied mansion house or houses,
shal pay his or their tithes after ye rate
aboue said according to the quantity of
their yerely rents.

Item if such fermour or fermours,
or his or their assignees of any mansi-
on house or houses, warehouses, shops
sellers or stables, hath at any time wi-
thin eight yeres last past, or shall hereaf-
ter let ouer al the saied mansion house
or houses cõtained in his or their lease
to one person or to diuers persons, that
then the inhabitants, lessees or occupi-
ers of them and of euery of them, shal
pay their Tithes after the rate of such
rents as the inhabitants lessees, or oc-
cupiers, and their assignee or assignees
ben or shalbe charged withal without
fraud or couin.

Item if any dwellinge house within
eight yeares last past was, or hereafter
shallbee conuerted into a warehouse,
storehouse, or such lyke, or if a ware-
house, storehouse, or such lyke wythin
the said eight yeares was or hereafter
shalbe cõuerted into a dwelling house:
That then the occupyer or occuppyers
thereof shall pay tithes for the same,
after the rate aboue declared of mansi-
house rents.

Item that where any person shal re-
mise any diehouse or brewhouse, with
implements conuenient and necessary
for dying or brewing, reseruing a rent
vpon the same as wel in respect of such
implements as in respect of such die-
house or brewhouse: That then the te-
nant shal pay his tithes after such rate
as is aboue said, the third peny abated.
And that euery principal house or hou-
ses with key or wharfe hauinge anie
crane or gibit belonginge to the same
shal pay after ye like rate of their rents
as is aforesayed the third peny abat-
ted. And that other wharfes belon-
ging to houses hauing no crane or gy-
bet, shall pay for their tithes as shalbe
payed for mansion houses in forme as
foresaid.

Item that where any mansion house
with a shop stable warehouses wharfe
with crane, timber yard, tenter yard,
or garden belonging to the same, or as
parcell of ye same, is or shalbe occupied
together, that if the same bee hereaf-
ter seuered or deuided or at any time
within eight yeres last past were se-
uered or deuided: That then ye fermour
or fermours, occupier or occupiers ther-
of shal pay such tithes as is aboue said
for such shoppes, stable, warehouses,
wharfe with crane, timber yard, ten-
ter yard or garden aforesaid so seuered
or deuided after the rate of their seue-
rall rents thereupon reserued.

Item that the sayd Citizens and in-
habitauntes shal pay their tithes quar-
terly that is to say, at the feast of Eas-
ter, the natiuitie of Saint Iohn Bap-
tist, the feast of S. Michael the archan-
gell, and the natiuitie of our Lord by
euen portions.

Item that euery householder paying
x. shillinges rent or aboue, shal for him
or her selfe be discharged of their iiii.
offering daies, but his wife child or ser-
uant or others of their familie, takyng
their rightes of the church at Easter,
shal pay fiue pence for their former of-
fringe daies yearely.

Prouided al wayes and it is decreed,
that if any house or houses, which hath
been or hereafter shallbe letten for ten
shillinges rent by yeare or more, be or
hath at any time within eight yeares
last passed or hereafter shallbe deuided

and

and leased into small parcels or mem-
bres, yelding lesse yerely rent then ten
shillinges by yere: That then the own-
ner or owners, if he or they dwell in a-
ny part of such house, or els the princi-
pall lesser or lessers, if the owner or own
ners doo not dwell in some part of the
same, shal from henceforth pay for his
or their tithes after such rate of rent,
as the same house was accustomed to
be letten for before such devision or de-
viding into partes or membres: And
the under formour & fermoures, lessee,
and lessees, to be discharged of al tithes
for such smal parcelles partes or mem-
bers rented at lesse yerely rēt then x.s.
by yere without fraud or couin, paying
ii. pence a peece yerely for ther sower
offring dayes.

Prouided alway, and it is decreed,
ẏ for such gardeines as appertayne not
to any mansion house, and which any
person or persones holdeth or shall hold
in his or their handes for pleasure, or to
his owne vse, that then the person so hol
ding the same shal pay no tithes for the
same. But if any person or persones,
which holdeth or shal hold any such gar
dein, containing halfe an acre or more,
doth or shall make any yerely profyt
thereof by way of sale: that then he or
they shall pay tithes for the same after
such rate of his rent as is herein first a
bove specified.

Prouided also that if any such gar-
deines now being, of the quantitie of
halfe an acre or more, bee hereafter by
fraud or couine deuided into any lesse
quantitie or quātities, then to pay tithe
according to the rate aboue said.

Prouided alway that this decree shall
not extend to ẏ houses of great men or
noble men or noble womē, kept in their
owne handes, & not letten for any rent
which in time past hath paid no tithes,
so long as they shall so continue vnlet-
temor to any halles of crafftes or com
panies, so long as they be kept vnlettē,
so that ẏ same halles in tyme past haue
not vsed to pay any tithes.

Prouided alwaies and it is decreed,
that this present order and decree, shall
not in any wise extend to bind or charge
any sheds, stables, cellers, timber par-
des, ne tenter yardes, which were ne-
uer parcell of any dwelling house, ne ap
pertaining or belonging to any dwel-
ling house, ne haue accustomed to pay a
ny tithes: but that the said citizens and
inhabitātes shal thereof be quite of pay
ment of any tithes, as it hath ben vsed
& accustomed.

Prouided also and it is decreed, that
where lesse summe then after xvi. pence
halfepeny in ẏ r.s. rent, or lesse summe
then two shillinges nyne pence in the
rr.s. rēt, hath bē accustomed to be paied
for tithes: ẏ then in such places the said
citizēs & inhabitāts shal pay but onely
after such rate as hath bē accustomed.

Item it is also decreed, that if any va-
riaunce controuersie or strife, do or shal
hereafter arise in the said citie for none
payment of any tithes: or if any vary-
aunce or doubt arise vpō the true know
ledge or diuisiō of any rent or tithes vō
in the liberties of the said citie or of any
extent or assessement thereof, or if any
doubt arise vpon any other thing conte
ned within this decree: that then vpon
complaint made by the partie greeued
to the Maior of the citie of London for
the time being, the said Maior by the ad-
uice of counsaile, shall call the said par-
ties before him and make a finall end
in the same with costes to be awarded
by the discretion of the said maior & hys
assistents according to the intent & pur
port of this present decree.

And if ẏ said Maior make not an end
thereof vōn two monethes after com-
plaint to him made, or if any of the said
parties find them selues greeued: That
then ẏ Lord Chauncellour of England
for the time being, vpon complaint to
him made vōn three moneths thē next
following, shal make an end in ẏ same
with such costes to be awarded as shal
bet hought conuenient, according to thin-
tent & purport of this said decree.

Prouided alwaies, that if any person or persons take any tenement for a lesse rent then it was accustomed to be letten for, by reason of any great ruin or decay, brenning, or such like occasions or misfortunes: That then such person or persones, his executors or assignes, shall pay tithes onely after the rate of the rent reserued in his or their lease, & none otherwise as long as ỳ same lease shall endure.

10 ¶ Not only the said actes made in ỳ said xxvii. & xxxii. yeres of ỳ raigne of the said late king Henry the eight (before. 5. & 8.) concerning true payment of tithes, & euery article & branch therin conteined, shall abide & stand in their full strength and vertue: but also be it &c. ỳ euery of the kinges subiectes, shall from hence forth truely & wholly without fraud or guile, deuide, set out, yelde and pay all maner of their predial tithes in their proper kind as they rise and happen, in such maner and forme as hath ben of right yelded and paied within xl. yeres next before the making of this act or of right or custome ought to haue bē paied. And ỳ no person shal from hence forth take or carie away any such or like tithes which haue bē yelded or paid within ỳ said xl. yeres, or of right ought to haue ben paied in the place or places tithable in the same, before he hath truly deuided or set forth for ỳ tithe thereof the tenth part of the same, or other wyse agreed for the same tithes with the person, vicars, or other owner proprietarie or farmour of the same tithes vnder the pain of forfaiture of treble value of the tithes so taken or caried away. And be it &c. that at all times whensoeuer & as often as ỳ said predial tithes shal be due at the tithing time of ỳ same, it to be lawful to euery party to whom any of the said tithes ought to be paied or his deputy or seruant, to viewe & see their said tithes, to be iustly and truelie set forth & seuered from ỳ nine parts, & ỳ same quietly to take and carie away. And if any person carie away his corne or hay, or his other predial tithes, before the tithe thereof be sett forth, or willingly withdraw hys tithes of the same, or of such other thinges whereof predial tithes ought to be paied, or doe stoppe or lett the parson vicar, proprietary owner or other their deputies or farmoures, to view, take, & carry away their tithes, as is aboue said, by reason whereof the said tithe or tenth is lost impaired or hurt, that thē vpon due proofe thereof made, before the spiritual iudge, or any other iudge to whom heretofore he might haue made complaint, the party so carrying away, withdrawing, letting, or stopping, shal pay the double value of ỳ tenth or tithe so taken, lost, withdrawen, or caryed away, ouer & besides the costes, charges, & expences of ỳ suit in the same, ỳ same to be recouered before the ecclesiastical iudge according to ỳ kinges ecclesiasticall lawes. And be it &c. that al & euery person which hath or shal haue any beastes or other cattel tithable, going, feeding, or depasturing in any waste or common ground where of ỳ parish is not certainlie knowne, shall pay their tithes for ỳ increase of the said cattel so going in ỳ said waste, or common to the person, vicar, proprietarie portionarie, owner, or other their farmers or deputies of the parish, hamlett, towne or other place where ỳ owner of ỳ sayd cattell inhabiteth or dwelleth. Prouided alwaies & be it &c. ỳ no person shalbee sued or otherwise cōpelled to yelde, geue or pay any maner of tithes for any manours, lands, tenements, or hereditamēts, which by ỳ lawes & statuts of this Realme, or by any priuiledge or prescription, are not chargeable with ỳ payment of any such tithes, or that bee discharged by any compositiō real. Prouided alwaies & be it &c. that al such barren heath or waste ground, other thē such as be discharged for ỳ paiment of tithes by act of parliament, which before this time haue lien barrē, and paid no tithes by reaso of the same barrennesse, & now be or hereafter shalbe emproued & conuerted

Deuide
Set out
Predial tithes

Cary away

Tenth parte

Witnesse

Disturbe

Spiritual Iudge

2. Maine

Costs

Beasts

Waste

Lands not charged

Priuilege

Heathe
Waste ground

verted into errable ground or medow, shall from hence forth after thend and terme of vii. yeres next after such improvement fully ended & determined, pay tithe for the corne & hate, growing vpon the same, any thing in this act to the contrary in any wise notwithstanding. Prouided alwaies & bee it &c. that if any such barren, waste, or heath ground hath before this time ben charged with the payment of any tithes, and that the same bee hereafter improued and conuerted into errable ground or medow, that then the owner or owners thereof shall during seuen yeres next following, from and after the same improuement pay such kind of tithe as was paid for the same before the said improuement, any thing in this act to the contrary in any wise notwithstanding. And be it &c. that euery person exercising marchandises, bargaynynge and sellinge, clothynge handycraft, or other art or facultie, being such kind of persons, & in such places as heretofore with these xl. yeres haue accustomably vsed to pay such personal tithes, or of right ought to pay, other the such as be common day labourers, shal yearely at or before the feast of Easter pay for his personal tithes, the tenth part of his clere gaines, his charges & expences according to his estate, condition, or degree, to be therin abated, allowed, and deducted. Prouided alway & bee it &c. that in all such places where handicraftes men haue vsed to pay their tithes with these forty yeres, the same custome of payment of tithes to be obserued, & to continue any thing in this act to the contrary not withstanding. And be it &c. that if any person refuse to pay his personal tithes in forme aforesaid, that then it shalbe lawful to the Ordinarie of the same diocesse where the party that so ought to pay the said tithes is dwelling, to cal the same party before him, and by his discretion to examyne hym by all lawful & reasonable meanes, other then by the parties owne corporal oth concerning the true payment of the sayed personall tithes. Prouided alwaies and bee it &c. that all and euery person and persones which by the lawes or customes of this Realme, ought to make or pay their offrings, shal yerely from hencefoorth well and truely content and pay his or their offringes to the person vicar, proprietary, or their deputies, or their fermers of the parish or parishes where it shal fortune or happen him or them to dwel or abide. And that at such fower offring days as at any time here tofore within the space of fower yeres last past, hath ben vsed and accustomed for the payment of the same and in default therof to pay for their said offrigs at Easter then next following. Prouided also & be it &c. that this act or any thing therein contained shal not extend to any parish which standes vpon and towards the Sea coastes, the commodities and occupying wherof consisteth chiefely in fishing, & haue by reason ther of vsed to satisfie their tithes by fish, but that all & euery such parysh & parishes shal hereafter pay their tithes according to the lawdable customes as they haue heretofore of auncient time within this xl. yeres vsed and accustomed, and shall pay their offringes as is aforesaid. Prouided alwaies & be it &c. that this act or any thing therein contained shal not extend in any wise to the inhabitauntes of the citie of London & Cauterbury & the suburbes of the same, ne to any other Towne or place that hath vsed to pay their tithes by their houses, otherwyse then they ought or should haue done before the making of this act, any thing contained in this act to the contrary in any wise not withstanding. And be it &c. that if any person do subtract or withdraw any maner of tithes oblacions, profits commodities, or other duties before mencioned, or any part of the contrarie to the true meanig of this act, or of any other act heretofore made, that then the party so subtracting or withdrawing the same, may or shalbe conuented & sued in the kings eccleſi asticall court by the partie from whom the same shalbe subtracted or withdra-

drawen, to the intent the kynges iudge ecclesiasticall, shall and may then and there heare and determyne the same according to the kynges Ecclesiasticall lawes. And that it shal not bee lawfull vnto the person vicar, proprietarie, owner, or other their fermours or deputies contrary to this act, to conuent or sue such withholder of tithes, obuentiõs or other duties aforesaid before any other iudge then ecclesiasticall. And if any Archbishop, Bishop, Chauncellor, or other iudge ecclesiasticall, gene any sentence in the foresaid causes of tithes obuencions, prestites emoluments and other duties aforesaid, or in any of the (and no appeale ne prohibitiõ hãging) the partie condempned do not obey the said sentence, that then it shalbe lawfull to euery such iudge ecclesiasticall to excommunicate the said party, so as afore condempned and disobeying, in the which sentence of excommunication if the said partie excommunicate wilfully stand & endure still excommunicate by the space of xl. daies next after, vpon denunciation & publication thereof in ỳ parish church of ỳ place or parish where the partie so excommunicate is dwelling or most abiding, the said iudge ecclesiasticall may then at his pleasure signifie to the king into his court of Chauncery, of the state and cõdition of the said partie so excommunicate & thereupõ to require procss De excommunicato capiendo, to bee awarded against euery such person as hath ben so excommunicat. Be it &c. ỳ if any party at any time hereafter for any matter or cause before rhersed limitted or appointed by thys act, to be sued or determined in ỳ kings ecclesiasticall court or before the ecclesiasticall iudge do sue for any prohibition in any of ỳ kinges courtes where prohibitiõs before this time haue ben vsed to be graũted: That then in euery such case, the same party before any prohibiction shal be graunted to him or them, shal bring and deliuer to the handes of some of ỳ Iustices or iudges of ỳ same court where such party demaũded prohibition, ỳ very true copy of ỳ libel duly ing in ỳ ecclesiasticall court cõcerning the matter wherefore the party demaũdeth the prohibition, subscribed or marked with the hand of the same partie. And vnder ỳ copy of ỳ said libel shalbe written the suggestion wherefore ỳ party so demaundeth the said prohibition, & in case the said suggestiõ by two honest and sufficient witnesses at the least bee not proued true in ỳ court where ỳ said prohibition shall bee so graunted, within fiue moneths next following after ỳ sayed prohibition shalbe so graũted and awarded, that then the partie that is letted or hindered of his or their suit in the ecclesiasticall court by such prohibition shall vpon his or their request and suyt without delay haue a consultation graũted in the same case in the court where the said prohibition was graũted, and shall also recouer double costes and damages against the party ỳ so pursued ỳ said prohibition, the said costes and damages to bee assigned or assessed by ỳ court where ỳ said cõsultatiõ shalbe so graũted, for which costs & damages, ỳ party to whome they shalbe awarded may haue an actyon of debt by bill plaint or informatiõ in any of ỳ kyngs courts of record, wherein ỳ defendaunt shal not wage his or their law nor haue any essoine or protection allowed or admitted. Prouided alwaies & be it enacted by the auctho͂itie aforesaid ỳ this act or any thing therein contained shal not extend to geue any minister or iudg ecclesiastical, any iurisdictiõ to hold plee of any matter cause or thing being contrary or repugnãt to or against ỳ effect intẽt or meaning of ỳ statut of West. secõd ỳ v. chapter, the statutes of Articuli cleri. Circũspecte agatis, Sciue ea dua, ỳ treatise de regia prohibitione, ne against ỳ statute of An. 1. E. 3. the 10. chapter or any of thẽ ne yet hold plee in any matter whereof the kings court of right ought to haue iurisdictiõ, any thig herin cõtained to ỳ cõtrary in any wise not

Dier & trr.

None other Iudge Archebishop Bishop Chaũcelor

Dilobey Excõmunicate

xl. daies

Chauncery

Excõmunicato capiẽdo

Prohibitiõ

Copy

Suggestiõ

Consultatiõ

2. Costs & Damages

K. court

notwithstanding. Prouided neuertheles, where heretofore such a custome hath ben in many partes of wales, that of such catell and other goodes as hath ben geuen with the mariage of any person, their tithes haue ben exacted and leuied by the persons and curates in those parties, which custome being dissonant from any part of this Realme, as it seemed when the said countrey of Wales was through ciuill dissencion inculted for want of other sufficient profits that might otherwise growe to the Curates and ministers there to haue before that time tollerable, so that nowe the countrey beeing well manured and husbanded, & that tithe is truely paied thereof corne, hey, wool, & cheese, and of other increase, of all maner of cattell, as is in commonly in all other parties of this Realme, the same custome semeth to be greuous and vnreasonable, specially where the benefices are sufficient for the finding of the said ministers and curates. Be it therefore enacted by the authoritie aforesaid, that from & after the first day of May next cumming no such rites of mariage, gouernde exacted or required of any person within the said dominion of Wales or marches of the same. Any thinge in this act contained or any other act, custome, presumption, had or made to the contrarie hereof notwithstanding. An. 2. Ed. 6. capitulo 13.

Custome Wales

Mariage goodes

*Fallers.*

¶ Touching them that take vntrue grosse tolle contrary to the common custome of the realme in market townes: It is prouided, that if any do so in the kinges townes which be geuen in fee ferme, that the king shall seaze into his owne hand the franchise of the market, and if it be not other wise ordered, and the same be vsed by the owne, the king shall dow it like maner. And if it be done by a bailife, or any meane officer, without the commaundement of his lord, he shall forfaite by plaintife

Fee ferme Seaze Fraunches

Bayliffe

as much more for the outrageous taking as hee had of him if hee hadd carried his tolle, & shal haue xl. dayes imprisonment

Imprison

Touching citizens & burgesses, to whō the king or his father hath graunted murage to enclose their townes which take such murage otherwise then it was graunted vnto them, and thereof be attainted It is prouided that they shall lose their graūt for euermore & shal be grieuously amerced vnto the king W. i. ca. 30.

Citizens Murage

Fost.

*Townes.*

FOrasmuch as diuers & many houses messuages & tenements of habitations in the townes of Notingham, Shrewesbury, Ludlow, Bridge north Mumbourow, Northampton, & Glocester, now at & of long time haue ben in great ruin & decay, & specially in the principal & chiefe stretes there being, in the which chiefe stretes in tymes past haue ben beautifull & wellynge houses, there well inhabited, which at this day much part thereof is desolate, and void grounds with pittes cellers & vaultes lying open & vncouered, verie perilous for people to go by in the night, without ieopardy of life, which decayes ar to the great impouerishing & hinderance of the same townes. For the remedy whereof, it may be, that if the owner & owners of any such voyd and decayed houses or grounds within the precinct of the said townes of Notingham, Shrewesbury Ludlowe, Glocester, Bridgenorth, Mumbourow, & Northampton, within three yeres next after proclamatiō therof be made by the Maiores, sheriffes, & bailiffes of any of the said townes, by what name or names so euer they be incorporated, in & vpon any such vacant or decayed houses & grounds in any such townes as is aforesaid, and according to this act do not enter and sufficiently reedifie & build the said decayed houses or void grounds, that then it shalbe lawful to the lord of whō such vacant grounds or decayed houses ben, or shalbe held, to enter immediately after the said three

Howses

Chiefe stretes

yeres Maiors Shiriffes Bayliffes

Reedifie

Lord

Enter

yeres expired, & to haue ỳ same groũds to them and their heires or successours for euer. So ỳ the said lords do sufficiẽtly reedifie and build the same vacant or void grounds wherin he or they may enter by this act, wtin three yeres next & immediatly following the determinatiõ of the former iiii. yeres in the which ỳ owners ought to haue entred, reedified & builded the same by vertue of this act. And if such lords as may enter by this act, do not enter, & wel & sufficiently reedifie & build ỳ same void & decaied houses and groundes, in the saied three yeres to them limitted by this act, that then it shalbee lawfull to ỳ maiors sheriffes, bailifes, & communaltie of ỳ saied towns, by what name or names soeuer they be incorporated, & their successours for the time being immediatly after the saied three yeres expired, to enter into euery such void or decayed groundes or groũd, to hold & retain, without interruption of them & their successors for euer, clerely discharged of all rentes, goinge out of the same as well against the lord or lords of whõ such ground or groũds be holden, as all other, so that al mayes the same maiors, sheriffes, bailifes, or communaltie, or their successours for ỳ time being, do wel and sufficiently reedifie & build the same ground or groũd wherin they may so enter by this act, wtin three yeres next & immediatly following the determination of the former three yeres in ỳ which ỳ aforesaid lords of whom such ground or groũds were holden, should or ought to haue entred reedified & builded ỳ same. And in case the said maiors, sheriffs, baylifs, & communaltie or their successors for the time being, do not enter & sufficiently reedifie and build the same voide or decayed houses or grounds, in forme aforesaid wythin the said terme of three yeres, according to this act, ỳ then it shalbe lawfull to the first owner & owners of such decaied & void grounds, their heires or successours, immediatly after the same three yeares expyred, into the same ground & grounds to reenter, & them to retaine to thẽ their heirs or successours as in their first estate: any thing in this act to the contrary notwithstanding. Prouided alwaies, that this act nor any thing therin cõtained, be in any wise prejudiciall or hurtfull to any person or persons being at the time of ỳ said proclamation made, under the age of xxi. yeres, or to any woman couert baron, or any person or persons being in prison or beyõd the sea in ỳ kings warres or his other lawful affaires during such times as such person or persons shalbe within age, couert barõ in prison or beyond ỳ sea, so that ỳ same person or persons after he or they be come to ful age or being not couert baron, out of prison & come againe within this realme, wtin iii. yeres next ensuing doo reedifie ỳ same houses so decayed. An. 27. H. 8. cap. 2. ¶ For asmuch as there hath bene in time past diuers & many beautiful houses of habitation within the walles & liberties of the cities, boroughes & townes of Yorke, Lincolne, Canterbury, Couentry, Bathe, Chichester, Salesbury, Winchester, Basyldon, Scarburghe, Hertford, Colchester, Rochester, Portesmouth, Poole, Lyme, Fenerham, Worcester, Stafford, Buckingham, Pomfret, Grantham, Exceter, Ipswich, Southhãpton, great Yarmouth, Dreuk. Great Wicomb, Cirencester, Estredsford, Kingston vpõ Hull, Newcastel vpon Tine, Beuerley, Bedford, Leicester, & Barwike, & now are fallen downe, decayed, & at this day remaine vnreedified, & lye as desolate and vacant groundes many of them nigh adioyning to the high streets, replenished with much vncleanes & filth with pittes celles & hoyls lying open & vncouered to ỳ great perill & daunger of the inhabitants & other the kings subiects passing by ỳ same, & some houses besides & nere like to fall downe to ỳ great time powerfully & hinderaunce of the same cities & townes. Wherfore it may please that

Maiors Shirifes Baylifes

Enter

Reedifie

First owner

Reenter

Under age Woman couert

In prison

Reedifie

Houses

ẏ if any person or person̄s, or bodies politike, being owners or possessioners of any such desolate or void grounds, that haue bene at any time wᵗin xxti. yeres, immediatly past before ẏ xii. day of Aprill in ẏ xxxi. yere of his maiesties raign builded for houses of habitation or of any other house or houses of habitation, now or hereafter being in decay, & not fully fallen downe, wᵗin the libertie or precincts of any of ẏ said cities boroughs or townes do not sufficiētly reedifie build & repaire, or cause to be reedified builded & repaired ẏ said desolate voyd grouñdes or decaied houses cōueniēt for habitation & dwelling, wᵗin iii yeres next after proclamation thereof to be made in or vpon ẏ same void ground or groundes, decaied house or houses by ẏ maiors, shirifes, bailifs or other head officers of euery of ẏ said cities, boroughs or townes by what name or names soeuer they be incorporated, euery of thē wᵗin the precinct of their owne auctoritie, ẏ thē it shalbe lawfull to ẏ lord or lords of whō such desolate void grounds or decaied or ruinous houses hen holden after ẏ said iii. yeres expired, to enter into ẏ same, & to haue ẏ same grounds or houses to thē & to their heyres & successours to theyr owne proper vses for euer, so that ẏ said lord or lordes so entring by auctoritie of this act, do sufficiently rēedifie build & repaire ẏ same void grounds or decaied houses wᵗin two yeres next & immediatly following ẏ determinatyon of ẏ said iii. yeres. And in case such lord or lordes as may enter by this act doo not enter & well & sufficiently rēedifie build or repaire ẏ same voyd groundes or decaied houses wᵗin ẏ said ii. yeres, to them ỹmitted by this act, ẏ then it shalbe lawful to all such person or persones or bodies politike, as shall then haue any rēt charge going seuerallie out of any of ẏ said void ground or grouñds, or decaied house or houses in any of the said cities, boroughs, or townes, immediatly after the said two yeres expired, to enter into the same, & to haue ẏ same void grouñdes, or decayed houses to them theyr heires or successours for euer, to theyr owne proper vse, so ẏ the said person or persons or bodies politike, hauing ẏ said rēt charg, entring by auctoritie of this act do sufficiently build reedifie and repaire the same desolate and void ground or groundes, or decayed house or houses wythin one yeare next and immediatly followyng the determination of the said ii. yeres, to ẏ said lord or lords appointed by this act. And in case such perso̅ or persons, or bodies politike hauing ẏ said rēts charges, as may enter by this act, do not enter & wel & sufficiently reedifie, buyld & repaire ẏ sāe void grouñds, or decayed houses wᵗin the said one yeare to thē appointed by vertue of this act, ẏ then it shalbe lawfull to the maiors, shirifes, bailifes, or comminaltie, or other head officers of ẏ said cities boroughes, and townes, by what name or names soeuer they be incorporat, or their successors, euery of them wᵗin the limits of their auctorities, immediatly after the said yeare expired into euery such desolate or voyd grounds, decaied or ruinous houses to enter, & ẏ same grouñdes and houses & euery of them to hold & enioy to them & their successours for euer, clerely discharged of al rēt going out of the said grouñds or houses, as well against ẏ said lord or lordes, as all person or persons, or bodies politike, hauing any such rent or rēts, as before is said, so ẏ the same maiors, shirifes, bailifs, & cōminaltie, or other head officers as is afore said, or their successors for ẏ time beig, do reedefie, build or repaire, or cause to be reedefied, builded, & repaired ẏ same ground & grounde, house or houses, within three yere next and immediatly following the determination of the said yeare, to such person or persons or bodies politike ẏ shall haue any such rent as is afore said. And in case ẏ said maiors, shirifes, bailiffes, comminalty or other head officers, as is afore said or their successors, do not enter & reedefie, buyld, & repaire ẏ sāe void grouñd or grouñds, or decaied house or houses, in



Reedifie

3. yeres

Maiors Shirifes Baylifes

Lords

Enter.

Reedifie.

Reedifie

3. Yeres.

One yere

forme aforsayd with in the sayde terme of three yeares after their sayed entry, that then it shalbe lawful to ỳ first owner or owners possessioner or possessioners of such voyd ground or grounde or decayed house or houses, their heirs or successoures, immediatly after the sayed three yeres to the sayed maires, shirifs, bailifs, comunalty or other head officers as is afore limitted rehersed, into the sayde ground or grounde, house or houses, to reenter and ỳ same to retayne to them their heyres or successours, as in their first estate, any thing conteined in this present act to the contrary notwithstanding. Provided alwayes that this present act nor any thing therin contained, be in any wise prejudicial or hurtfull to any person or persones, being at the time of ỳ said proclamation made under the age of xxi. yeares, or to any woman being maried to any person or persons being in prison or beyond ỳ sea in ỳ kynges warres or in his other lawful affairs, during such time as such person or persons shalbe vnder age, maried, in prison, or beyond the sea, so that the same person or persons after he or they shal come to the age of xxi. yeres, or being not maried, out of prison, or come again within this realme, within thre yeres next ensuing, do reedifie the same desolate or void grounds, or repaire the decayed houses. An. 32. Henrici 8. capit. 18.

First owner
Reenter
Vnderage
Couert
In prison

3 ¶ An. 32. H. 8. ca. 19. a like act is made (almost word for word to thys last act) concerning ỳ repayring of the boroughes and Townes of Shafton, Shireburne, Birtport, Dorchester, & Weymouth vnder the county of Dorset, & the boroughes & Townes of Plymouth, Plimpto, Barstable, tauistock, & Dartmouth, vnder the county of Deuonshire, & the boroughes & townes of Launceston, Liskerd, Lestuthiel, Bodman, Truru, & Helston, within ỳ countie of Cornewall, & the boroughes and Townes of Bridgewater, Taunton, Somerton, & Ilchester, within ỳ countie of Somerset, & the borough of Paldon in the countie of Essex, & also ỳ borough and shire towne of Warre in ỳ countie of Warr.

4 ¶ Forasmuch as in times past, diuers & many beautifull houses of habitatiõ haue ben vnder ỳ walles & liberties of ỳ citie of Canterbury ỳ city of Rochester, ỳ boroughs & townes of Stapford, & great Grimesby in ỳ countie of Lincolne, the Towne of Cambridg in the county of Cambridge, the borough, or towne of Derby in the County of Derby, the borough or towne of Cylford in the county of Surrey, ỳ towne of Dunwich in the County of Suffolke the boroughes or townes of the Cinque ports with their members, ỳ town of Lewes in the county of Sussex, and the towne of Buckingham in the county of Buckingham, which now ar fallen downe, decayed, and at this time remaine vnreedified, lying as desolate & void grounds, & many of them adioyning nigh vnto the high streets replenished wt much odure filth & vncleanesse with pittes, cellers, and vaults, lying open and vncouered to the great peryll and daunger of al the inhabitantes, and other the kinges subiectes passing by ỳ same, and some houses bee very weake and feeble ready to fall downe, and bee very daungerous to passe by, to the great decay and hynderance of the sayde Cities, Boroughes, Townes, & Cinque ports.

Houses

It may therefore be enacted &c. that if any personne or personnes or bodies politike, being owners or possessioners of any such desolate or void grounds that at any time within xlv. yeres next beefore the making of thys act, haue bene buylded for houses or habitatyons or for any house or houses of habytatyon nowe or hereafter beeing in decay, and not fully fallen downe, wythin the lyberties and precinctes of any of the sayed Boroughes, Townes and places doe not sufficiently reedifie, beild & repaire or cause to be reedified, buylded

45. yeres
Houses
Reedifye

Decayed houses

builded and repaired the sayed desolate void grounds and decayed houses conuenient for habitation, & dwelling in them two yeares next after proclamatiõ to be made vpon ye sayd void ground or grounds, decayed house or houses by ye Maiors Aldermen and Burgesses or other head officers within the precinct of their owne auctorities, ye then it shalbee lawfull for the chiefe Lord or Lordes immediat, of whom such desolate and void grounds decayed and ruinous houses bee holden after the said two yeares bee expired to enter into the same and to haue the same grounds or houses with the curtelage backside, and gardeine adioining to ye same, if they bee of the inheritaunce of the owner or owners of the sayed decayed house or ground, and exceede not one acre of ground, to thē and to their heires or successours, or to their owne proper vse for euer, so that the sayed Lord or Lordes immediat entring by the auctoritie of thys act, do sufficyently reedifie buylde or repaire the same void ground or decaied houses, within two yeares and a halfe next and immediatly following the determynatyon of the forsaid first two yeares. And in case such Lord or Lords as may enter by thys act doo not enter, and well and sufficiently reedyfie, buyld or repaire the same void groũds or decayed houses within the said two yeares and an halfe to them lymitted by this act: Or if such Lord or Lords immediat, as may enter by this act doo sufficiently reedifie, build and repaire the same voyd groundes or decayed houses, within the sayed two yeares and an halfe to them lymitted, & after they their heires or successours suffer the same houses or void groũds to fall in ruine and decay, and doo not build to reedifie the same sufficyently within two yeares and an halfe of such ruine or decay, that then it shalbe lawfull to all persons or persones, or bodies politike as shall then haue any rent charge iointly or severally going out of the said void ground or grounds or decayed house or houses in any of the said cities, Boroughes, Townes or places, immediatly after ye said two yeres & an half expired, to enter into ye same, & to haue such void groũds or houses them their heires & successours, to their owne proper vse, as shall so build the sayed void grounds or decayed houses by auctoritie of thys act, the same void ground or houses with the curtelage, backeside and gardeyne adioyninge to the same, if they be of the inheritaunce of the owner or owners of the sayed decayed houses or ground, and exceede not in quantitie one acre of ground, discharged of al rentes goinge out of the same grounds or houses, as well agaynst the sayed Lord & Lordes immediat as al other persons or personnes or bodies politike, hauinge any rent, or rentes charges, or rent seeke out of the same, other then the fee ferme of the said citie, borough, Towne or place or some parcel therof so that the sayed personne or persones, or bodies politike hauinge the said rēt charge entring by thauctoritie of this act doo sufficiently reedifie, build & repaire the same desolate & voyd ground or groundes or decayed house or houses, within one yeare & three quarters next and immediatly followinge ye determination of the said two yeres and an halfe to the said Lord or Lords immediat appointed by thys act. And in case such personne or personnes or bodies politike hauinge any of the sayd rentes Charges as may enter by this act, do not enter and well and suffycyently reedifie, build, or repaire ye same void groundes or decayed houses with in one yeare and three quarters to thē appointed by vertue of thys act, or if they or any of them hauinge such rent charge and that may enter by this act doo sufficiently buyld and repaire the same voyd ground or groundes, or decayed house or houses within the sayd

Maiors

Chiefe lord

Enter

Garden

Reedifie

1. yeres & halfe

Enter

Garden

Reedifie

One yere 3. quarters

one

Ruine

Maior

Enter

Fee ferme

Maior

Reedifye

3. yeres

Reedifie

mne yeres & iii. quarters to the limitted, & after they their heires or successours shuld enter the same bond ground or groundes house or houses to fall in ruin & decay & do not build or reedifie the same sufficiently within one yeare & iii. quarters after such ruine or decay, ỳ then it shalbe lawful to the Maires, Aldermen & Burgesses, and other the head officers of the said cities boroughes Townes & places by what name or names soeuer they be incorporated, & their successors & euery of them within the limittes of their auctorities immediatly after ỳ said yeare and three quarters expired into euery such desolate & bond groundes decayed or ruinous houses, to enter, & to haue, hold, and inioy to them and to their successours for euer, to their owne vse, the same ground or houses, and euery of them with the courtilages, gardeins and backsides to the same, if they bee of the inheritaunce of the owner or owners of the said decayed house or ground, and excede not in quantity one acre of ground, clearely discharged of al rents going out of ỳ same grounds or houses, as wel against the said Lord or Lords immediat as al other persons or persons, or bodies politike, haunting such rent charge, or rent seeke as before is said, other then the fee ferme of the said citie, borough, towne, or place or parcel thereof, so that ỳ the Maires Aldermen & Burgesses or other head officer as is aforesaid or their successours for the time beinge, doo reedifie, build or repaire, or cause to bee reedified, builded or repaired the same ground or groundes, house or houses within iii. yeres next & immediatly following the determinatiō of the said yeres & iii. quarters limitted or appointed vnto any person or persons, or bodies politike, ỳ same or shal haue any rent as is aforesaid. And in case the said Maires, Aldermen & burgesses, or other head officers as is aforesaid, or their successours do not enter and reedifie, build and repaire the same bond ground, or groundes decayed houle or houses in forme aforesaid within the said terme of iii yeres after their said entre, or if they sufficiētly reedifie, build & repaire the same bond ground or grounds, or decayed house or houses, within the said iii. yeres to them limitted by this act, and after they or their successours suffer the same house or houses, bond ground or groundes to fall to ruine & decay, & doo not build & reedifie the same sufficiently within iii. yeres after such ruine or decay, ỳ then it shalbee lawfull to the first owner or owners, possessour or possessours of such bond ground or grounds, decayed house or houses, their heires or successours, immediatly after the sayed three yeres (to the sayd Maires, Aldermen, & burgesses, & other head officers as is afore limitted) expired, into the same houses, ground or grounds, curtilages, gardeins, and backsides to enter, & the same to retaine to them their heires & successours, as in the first estate, any thinge contained in this present act to the contrary notwithstanding.

Provided alway that this act, or any thing therein contained, be not in any wise hurtfull or prejudicial to any person or persons being at the time of the said proclamation made vnder the age of xxi. yeres, or being feme couert or in prison, or beyond the sea in the kinges warres, or in his other lawful affairs, or to any person or persons not being the of whole and perfect memory during ỳ time ỳ such person & personnes shalbe vnder age, maried, in prison, or of no perfect memory, or beyond the sea, so ỳ ỳ same person or personnes, their heirs or successours after ỳ he or they come to their full age of xxi. yeres, or be vnmaried, out of prison, or be again within this realme, or be of whole & perfect memory, vnder iii. yeres then next ensuing, do reedifie the same desolate or bond groundes, or repaire the sayed decayed houles. An. 33. H. 8. ca. 7.

¶ An. 35. H. 8. ca. 4. a like act is made (almost word for word) to this last

Under age

last act) for the repairing of the towne of Shrewesbury in the county of Salop, ỳ City of Chester in the countie of Chester, the towne of Ludlowe in the county of Salop, Haverford west in ỳ county of Haverford in south Wales, the townes of Pembroke tẽbi in ỳ county of Pembroke, the Towne of Karmardin the county of Karmardin, the Towne of Montgomery, in ỳ county of Montgomery, Cardife, Swanesse, Cowbridge, new Radnor, ỳ Presteyn in the county of Radnor, ỳ towne of Brecknoke in ỳ cõty of Brecknocke & ỳ towne of Monmouth, in ỳ countie of Monmouth, ỳ towne of Malton in the county of Eller, the townes of Abergavenny, Vske, Carlion, & Newport in the county of Monmouth, the Townes of Lancast. Preston, Lerepole, & Wigam in ỳ county palantine of Lancaster.

6 ¶That any perso̅ or persons which do nowe inhabit & dwell, or hereafter shall inhabit & dwel in the countrey any where or county within this Realme of England, out of any of ỳ sayd Cities boroughes, townes corporat or market townes, from and after the feast of saint Michaell the archaungell next comminge, shal not sell or cause to be sold by retayle, any wollen cloth linnen cloth, haberdash wares, Grocery wares, Mercery wares &c. or wine any of the saied Cities, Boroughes, townes corporat or market townes or within the fraunches or libertyes of the said Cities, boroughs, townes corporat and market Townes within ỳ said Realme of England (except it be in open faires) vppon paine to forfayt and lose for every time so offendinge the summe of vi. shillinges eight pence, & the whole wares so sold, prefixed and offered to be sold contrary to the forme intent & effect of this prefixed as above is sayed, the one moitie of all which forfaitures to be to ỳ vse of our saied soveraigne Lord and Ladie, the king & the Queenes majestie, and the other halfe to him or them that shall seyse and sue for the same in any of the kinges and Quenes courts of record by bill, plaint action of debt information vpon or otherwise wherein no essoine protection or wager of lawe shall be had or allowed. Provided alway that this act shall not in any wise extend nor bee hurtfull to any person or persons, that bring any of the sayd wollē cloth, linnen cloth, haberdashe, Grocery, Mercery ware, na wares to any of the said cities, boroughes townes corporat or market townes, to be sold or cause to be sold by whole sale in grosse & not by retaile, but they and every of them may lawfully sell the same, in as large & ample maner, fourme, & condition by whole sale in grosse, & not by retaile, as they & every of them might have done at any time or times before the makinge of this act. Anie thynge therin to the contrary notwithstanding. Provided alway that this present act shall not extend to any person or persons that nowe dwell or inhabit in ỳ countrey or hereafter shall dwel or inhabit out of any of the said cities, Boroughes, Towns corporat or market townes, but that they and every of them at any time hereafter, when they or any of them shalbe free of any ỳ guilds or liberties of any the said cities, Boroughes, townes corporat, or market Townes, and dwell or inhabit within any of the same cities, Boroughes, townes corporat, or market townes, that they and every of them so being free shall and may sell or cause to be sold any of the wares aforesayed, by retaile, in as ample and large maner, as they and every of them might have done being free of the said Cities, boroughes and townes aforesayd, before the making of this acte. Anie clause or article in this act to the contrarie notwithstanding.

Provided alway, and be it ẽ. that it shall be lawfull to all persons, to sell or cause to be solde by retaile as otherwise

Countie

wollen clothe wares

Market townes Fayres Fayr.

Moyties

wares

whole sale Retayle

Countrie

Free

Retayle

Wares

other wise all maner of cloth, hymen or lynnen, of their owne makinge in euery Cytie, Boroughe, or towne corporate and market towne within this realme, as fully and frankelie as they might haue done before the makyng of this act: Anie thyng in the same contained to the contrarie hereof notwithstandyng.

Prouided allwaie, that this act or anie thynge therein conteyned, shall not be preiudiciall or hurtfull to the liberties and priuiledges of the vniuersities of Oxforde and Cambridge or either of them, anie thynge in this acte heretofore mencioned to the contrarie notwithstandyng. Prouided also, that this acte or anie thynge therein conteyned, shall not extende to the Boroughe Towne of olde Woodstocke, in the County of Oxforde, is fallen into great pouertie, ruine and decaye, which hath growen for the moste parte happened by reason of the late dissolucion of the Colledge and Churches of the Kinges Maiestie, the Queenes graces noble progenitours, vnto their Mannor of the saide Colledge, which hath very seldome happened by many yeres here past, whiche Boroughe being restored, maie be very necessarie for many artificers of sundry occupations resident there, plenty of all kynde of victualles might there be had & maintained, whereby the said Artificers daylie resorting thither might liue and maintayne themselues and their families.

Free buying

And where it is thought and estemed by many wel disposed persons, that the free buying & selling of wooll, yarne, or cloth vsed in the saied Boroughe, by the Kinges Maiestie, his heires and successours, to be graunted, shall be a great meane to allure many clothiers and other artificers to resorte thither, and to inhabite there, to the great profite of the Realme, & encrease of the Kinges Maiesties Customes, which by the erection of the saied Colledge and Churches, and the dissolucion of the same, is greatly decayed, and the Kinges Maiestie hath no benefite thereof, but rather losse, by reason of the great number of poore people there, which are not able to liue without some speciall meane whereby many poore people there, and in the countries adioyninge, should be well set on worke, & relieued, as in planting, carding, combing, weauinge, fullyng, & such like.

Hatpls

And forasmuch as the saied Towne & Borough, as a very fit place both to dispatch and make a Staple of woolles which would bee also very commodious and profitable to the countrey there aboutes: Be it therefore enacted by the authoritie of this present parliament that from henceforth it shall & may be lawfull to and for all and euery person and persones, freely to buy and sell within the saied borough of new Woodstocke, all maner of woolls and yarnes brought or to be brought into the saied Borough, vpon the dayall markets & faire dates, and the same woollen and yarnes to vse and employ to their best profit and aduauntage any statute or statutes, vsage or prescripcion heretofore had, made, or prouided to the contrarie in any wyse notwithstanding. An. 18. El. ca. 21.

Wooles

## Treason.

Where as diuers opprobrious hath ben before this time in what case treason shalbe saied, and in what not: The kynge our soueraigne Lord the kynges most excellent Maiestie, the Lordes spirituall and temporall, and the commons in this present parliament assembled, for the auoyding of such diuersities, doubtes and questions, haue declared what offences onely in the future shall be iudged treason, and that by the expresse wordes of this present statute in manner and forme following, that is to say, That if a man do compasse or imagine the death of our Soueraigne Lord the kynge, or of my Lady his Queene, or of their eldest sonne and heire, or if a man doth violate the kynges companion, or the kynges eldest daughter vnmaried, or the wife of the kinges eldest sonne & heire, or if a man do leuye warre against our soueraigne Lord the kynge in his realme, or be adherent to the kynges enemies in his realme, giuing to them aide and comfort in the realme or elsewhere, and thereof be prouably attainted of open deede by the peoples of their condicion, and of a man counterfeit the kinges great or priuie Seale or his money, and if a man bringe bullion money into this Realme counterfeit to the money of England,

Imagen K. death

K. wife

Sonne

Daughter

Warre

Cossterfait

Great seale

Priuate seale

Money

land, as the money called Rushburgh or other like to the said money of England, knowing the money to bee false to marchaundise or make payment in diseipt of our sayed Soueraigne Lord the kinge & of his people. And if a man slea the Chauncellour, Treasourer, or the kynges Justices of the one bench or the other, Justyces in eire or Justices of Assise, and all other Justyces assigned to heare and determine being in their places doynge their offices.

Chaūcellor Treasorer Justice

And it is to understand that in the cases aboue rehearsed it ought to be iudged treason which extendeth to our soueraigne lord the kinge and his royall maiestie. And of such treason the forfaiture of ỳ eschetes partayneth to our Soueraigne lord aswell of the landes and tenementes holden of other as of him selfe. And moreouer there is an other manner of treason, that is to say when a seruaunt sleeth hys master or a wife her husband, or when a manne seculer or religious sleeth his prelate to whom hee oweth faith and obedience. And of such treason the eschets ought to pertayne to euery lord of his owne fee. And bycause that many other like cases of treason may happen in tyme to come which a man can not thynke nor delay at this present time: It is accorded that if anie other case supposed treason which is not aboue specified do happen before any Justices, the Justices shall tary wout any going to iudgment of the treason till ỳ case bee shewed and declared beefore the king and hys parliament whether it ought to be iudged treason or felony. And if percase any man of this Realme ryde armed couertly or secretly with men of armes agaynst any other to slee him or robbe him, or to take him or retaine till hee hath made fine or raunsome or to haue his deliueraunce, it is not ỳ mind of the kinge nor his Counsayle that in such case it shalbee iudged treason, but shallbee iudged felony or trespas according to the lawes of the land of old time vsed, & according as ỳ case requireth. And if in such case or other like, before this time any iustices haue iudged treason, and for this cause the lands and tenementes haue commen vnto the kinges handes as forfayt, the chiefe Lordes of the fee shall haue the eschеates of the tenementes holden of thē whether that the same tenemētes bee in the kynges handes or in others by gift or in other manner. Saueynge alwaies to our Soueraigne Lord the king the yeare & waste, and the forfaytures of cattels, which pertaine to him in the cases aboue named. And that writtes of Scire facias be graunted in such case against the land tenāts without other originall, and without allowinge any protection in the sayd suit. And that of the landes which bee in the kinges handes, writs be graunted to ỳ shiriffes of the counties where the landes bee, to sett them out of the kings hands without other delay. An. 25. E. 3. ca. 2.

Eschete

Yere & waste

Scire facias

Shiriffes

Fozf.

Master Husband Prelate

Fozf.

Justices Doubtfull

Wide armed

Felonie Trespas

2 ¶ The kynge straytly defendeth to all manner of people, vppon payne of as much as they may forf. agaynst him in body and goods, that none frō hencefoorth make nor beginne againe any manner ryot and rumour nor other like. And if any the same doo, and that duly proued, it shalbe done of him as of a traytour to the kynge and to hys sayed Realme. An. 5. R. 2. ca. 6. Thys riot, rumour, and assemblies here spoken of, bee intended of insurrections as appeareth by thys statute, and by the statute of 5. Richard. 2. capitulo. 5. therefore See these two statutes at large in the great booke of statutes.

Riot

Insurrections

3 ¶ An. 11. R. 2. c. 4, it was made treason to sue to breake any thing in ỳ parliament. But after An. 2. H. 4. ca. 22. it was enacted that none should bee greeued for suinge contrary to ỳ act in 11. R. ca. 4.

4 ¶ That no Justice haue power to geue iudgment in other case of treasō or in

or in other manner, then they myght beefore the beginninge of thys present parliament An.11.R.2.ca.4.

5 ¶An.21.R.2.ca.3.4.&20. certain thinges were made treason, but thys parliament was repealed by Ann. 1. H.4.ca.3.

6 ¶In time to cõe, no treason shalbe adiudged otherwise then hath ben ordayned in ỳ time of his noble graund father kinge Ed.3. whom god assoyle. An.1.H.4.ca.10.

7 ¶An.8.H.6.ca.6. burning of houses by them that send billes to appoint money to bee laid in a certaine place was made treason. But it is repealed by An.1.M.1.sessiõe, as apperetly here following.20.

8 ¶An.20.H.6.ca.3. it was enacted to endure for vi. yeres, ỳ the taking of the persons or goodes of certaine persons by Welshmen in wales or in the marches, was treason. And after An. 27.H.6.cap.4. that act was made to endure to the next parliament, & then to expire.

9 ¶Forasmuch as by the kynges sufferaunce diuers coines of gold and siluer which be not of the kings proper coine of England, be currant in payment wiin this Realme, diuers & many euil disposed persons perceiuinge ỳ the forging and counterfaitting of such coines is neither felony nor treason, presume & take vpon them for their singuler auayle & profit, to counterfait and forge such coines, to the great hurt and preiudice, aswel of the king our soueraigne lord, as to the hurt of all the kinges subiectes. It is therefore ordained and established by authoritie of the saied parliament, that the counterfaitinge and forginge of euery such coine bee adiudged treason, as it is of the counterfaitinge of the proper coine of the kinge of this realme. An. 4. H. 7.cap.18.

10 ¶Anno.22.H.8.capit.9. poisoninge was made treason, and that the offendours should bee boyled to death, and should not haue their clergie, and that Iustices of peace might enquyre thereof and of counterfaitting of coyne of outward Realmes, and make proces by Cap. onely, and that Iustyces of Assise might heare and determyne the treason by poysoninge as ỳ counterfaitinge of such coine, and the lands of the offenders by poysoninge to eschcate to the Lordes. But Anno. 1. Ed.6. capitulo 12. And Anno primo M.1. Sessione, these treasons bee repealed.

11 ¶Anno.26. Henrici.6. cap. 13. It was made treason to wish, wil or desire by woord or writinge, or by craft imagine, inuent, practyse or attempt any bodyly harme to the king or Quene, or their heires apparaunt, or deprive them of the dignity, title, or name of their royall estates or to publishe by writinge or woordes, the kinge to bee heretike, Scismatike, tirant, infidel, or vsurper of ỳ crowne, or deteigne from the kynges fortresses, shyppes, or munition of Warre, that ỳ offenders should not haue sanctuary. But thys act was repealed by 1. Edwardi 6. capitulo. 12. & by 1.M.1. Sessione.

12 ¶If anie of the kinges Subiectes Denizens or other doo commit or practise out of the lymittes of thys Realme in any outward partyes, any such offences whych by thys act are made or heretofore haue bẽ made Treason, that then such Treasones whatsoeuer they bee, or whersoeuer they shall happen so to bee doone or committed, shallbee inquired, and presented by the othes of twelue good and lawfull menne, vpon good and probable euydence and wytnesse, in such Shire and Countie of thys Realme, and beefore such personnes, as it shall please the kynges hyghnesse to appoint by Commyssyon vnder his great Seale, in lyke manner and fourme

Wales

Forrayne coygne

Counterfait

Counterfayting

Poisoning

Boyled

Iust of p.

Forgeins Coygne

Proces

Iust. of all.

Escheat

Repealed

Withe

Attempt

King

Quene

Deprive

Writing

Woords

Shyps

Munition

Repealed

Subiects

Denizens

Outward partes

Enquier

Othes

Cõmission

fourme as treasons committed within thys Realme haue beene vsed to bee inquired of, and presented, and ỳ
Indictmẽt vppon euerie indictment and presentment founden and made of any such
Proces. Treasons, and certified into ỳ kings Bench, lyke proces and other circũstaunce shallbee there had and made agaynst the offenders, as if the same Treasons so presented hadd beẽ lawfully found to bee doone and committed within the lymittes of this Realme.

And ỳ all processe of outlawry hereafter to bee made and hadde within this Realme, against any offenders in Treason, beeinge resiaunt or inhabited out of the limittes of thys Realme, or in anie of the parties of beeyond the Sea at the tyme of the outlary pronounced against them, shall bee as good and as effectuall in ỳ law to all intentes and purpoles as if such offenders had ben resident and dwellinge within this realme at the tyme of such processe awarded, and outlawry pronounced.

Beyõd sea
Outlary

And bee it &c. that euery offender and offenders beeinge hereafter lawfully
Conuict conuict of anie manner of high Treasons by presentment, confession verdict or processe of outlawry according to the due course and Custome of the common lawes of this Realme, shal
Forf. loose and forfayt to the kinges highnesse hys heires and successours, all
Lands such landes, tenementes, and hereditamentes, which any such offender or offenders shall haue of any estate of inheritaunce in vse or possession, by any right, title, or meanes within thys Realme of England, or else where within any the kinges dominions at the time of any such Treason committed, or any time after. Sauynge to euerie persone and personnes theyr heires and successours, other then the offenders in any treasons, their heirs and successours, and such persone and personnes as claime to any their vses, all such rights, titles, interestes, possessions, leases, rentes, offices and other profittes, which they shall haue at the day of committinge such treasons, or at any tyme afore, in as large & ample maner as if this act had neuer ben had nor made. An. 26. H. 8. ca. 13.

Leases
Rents
Offices

13 ¶ Anno. 27. H. 8. ca. 2. counterfaytinge of the kinges signe Manuell, Signe manuell
prime signet, or prime seale was made Treason. But it is repealed by Ann. Prime seale
1. Edwardi 6. cap. 12. & by An. 1. M. 1. Sessione. Repealed

14 ¶ Anno. 28. H. 8. cap. 18. maryinge and contractinge with any of the kinges children or kinswomen was made Treason. But it is repealed by Anno. 1. E. 6. cap. 12. & by Ann. 1. M. 1. Sessione. Marriage Repealed

15 ¶ If any person or persons haue done or committed, or hereafter shall do or commit any high treasons, whẽ they were in good whole and perfect memory, and after their accusatiõ, examination and confession thereof, before any the kinges maiesties coũsail, shal happen to fall to madnes or lunacy, that yet neuertheless if it shall appeare by the testimony of fower of the kings counsell or mo, that such persõs at the time of doing their treason, and at the time of their accusation, examination and confession thereof were of good perfit and whole memorie, and then not madde nor lunatike, but sithen that tyme fallen to madnesse or lunacie, and so certifyed in the kinges chauncery by writing subscribed with Chauncery
the names of fower of the sayd counsel or moe, that then in euery such case the kynges maiesties commission of Cõmission
Oyer and Terminer of the treasons, shalbee awarded out of the sayd chaũcery vnder his highnesse great seale into such Shire and place, & to such persones, as it shal please the kinges most royal maiesty to limitte and appoint, in which commission shalbee specially mencioned

whole memorie
Madd
Testimony

mencioned and expressed the names of such persons or persons who shall happen to bee accused and examined of treason before any the kinges maiesties Counsaile as is aforesayed, and an expresse mencyon that by the testimony of fower of the kings counsaile such persone or persones so accused or examined of treason, were of good perfit and whole memory, at the time of committinge their offences, and at the time of their accusation, examination and confession thereof, and that sithence that time they be come madd or lunatike. By vertue of whych commissiō the commissioners, limitted by the same commission shal haue power and authoritie to enquire of the treasons done by such persones by the inhabitauntes or freeholders of the shire where such commission shalbee directed to, wheresoeuer the sayd treasons were done, or committed. And if such persone or persones aforesaied, shal happen to bee indicted of high treason, then the said commissioners wythout the personal apparaunce or arraigne ment of such persone or persones so indicted, shall cause the Shirike or his ministers or other hauinge authoritie to returne processe in such cases, to returne a panel before them of sufficient and lawefull free holders of the shire where such persones shalbee indicted for the triall of their treasons contained in their indictment. And after the returne of the sayed panell and apparaunce of the Jury, the sayd commissioners in the absence of the sayd persone or persones indicted, being madde or lunatike, wythout anie arraignement aunswere or plee to the indictment, shall sweare xii. of such of the saied Jury as shalbee returned beefore them, to trie whether the persone or persones indicted be guilty of the treasons contained in the indictment, or of any of them, or not guilty causing onely the indictment to be read to the said Jury, and after the reading

Fourme

Cōmissioners

Enquier

Indict

Partie absent

Shirike

Panell

Free holders

Partie absent

therof, cause and suffer open euydence to bee geuen to the Jury, aswell for ỳ king as for the party touching ỳ treasons contayned in the indictment, as to their discretions shall seeme conuenient. Whereuppon the Jury shalbee bounde to geue their verdict accordyng to their euidence, as if the person indicted had bene present, arraigned, & pleaded to the same. And if it shall happen such person or persōs so inducted to be found guilty by the saied Jury so charged to try such treasons, that then the offenders of such treasons, so found guiltie, shall haue such iudgment and suffer such paines of death, forfaitures of landes, goodes, cattels and al other things, as is commonly limitted in cases of high treason, & as if such persons had ben of good and whole memory, & personally present, arraigned, & pleaded to their indictment, and had been found guilty there of their madnesse or lunacy, or their absence non arraignement, or not pleading to ỳ said indictment, in any wise not letting nor withstandinge. Prouided alway and be it &c. ỳ if any of ỳ Peeres of this realm shall happē to bee accused & examined of high treason beefore any the kinges counsell and do confesse the same, and afterwardes fall to madnesse or lunacy, as is aforesaid, that then such treasons done & committed by any Peere of the Realme, and by him or her confessed vppon examination thereof beefore any of the kinges counsel, as is aforesaid, and their confessions, if they can writ, subscribed with their name shalbee inquired of by vertue of the kings commission of oyer & terminer to bee awarded in maner and fourme aboue rehearsed. And if they shall happen to bee indicted of high treason by vertue of such commission, yet neuertheles their trial shalbee alwaies had by their peeres before ỳ high steward of England, to be assigned by ỳ kings highnesse. And ỳ the high steward to bee assigned by the kinges maiesty in euery

Euidence

Jury Verdict

Judgment Forf.

Mō arraignment Not pleding

Peeres

Contrefe Madd

Enquier

Triall Peeres High Steward

euery such case, shall haue the indycte-
ment brought to him, and shall cause
Hammon to be summoned to appeare before him
the peres of the realme, as hath bee ac-
customed, at a day & place by the sayed
high steward to be limmitted, at whych
day & place the said high steward after
the apparance of the peeres before him,
having the record of the said indictemēt
Party absēt before him, shal in the absence of ỳ per-
sō indicted, which shal happē to be mad
or lunatike, as is aforesaid, & whout his
or her arraignement or pleding to ỳ in-
dictement cause the said indictement to
be read to the peeres, & in their presence
cause to be declared by his discretion al
maner of euidences and witnesse tou-
Euidence ching the treasons cōtained in the sayd
indictemēt, & afterward charge the said
Charge peeres vpon their faithes and duities of
allegiaunce that they owen the kinges
maiestie, to trie whether the person in-
dicted, be guiltie of the treasons conte-
ined in ỳ indictements, or any of them,
Judgement or not guilty. And if they shal fynd him
or her guilty, that then such iudgement
execution and forfaitures, shalbee had
made or done, as if such person indicted
had ben of good memory, and personal-
ly present arraigned and pleded to the
said indictement, and had bene found
guilty of the treasons therein cōtained,
ỳ madnesse or lunacy of such persons in
such cases as is aforesayed notwyth-
standing.

And be it &c. that if any person or per-
sonnes shall happen to bee attainted &
Attaynd conuicted of high treason by authority
Parlement of parliament, or by the due course of ỳ
common lawes or statutes of this Re-
alme, and afterwardes fall to madnesse
or lunacy, that yet neuertheless they
shall haue and suffer execution, there
madnesse or lunacy not withstanding.
Hadd Execution Attaint Cōmō lawe Statutes And that if any personne or personnes
shalbee attainted of high treason by the
course of the common lawes or statuts
of thys Realme, that in euery such
case euery such attaynder by the com-
mon lawes shalbee of as good strength

ynis

value, force and effect as if it had bē dōe
by authority of parlyament.

And that the kinges maiestie his heirs
and successours, shal haue as much bee-
nefite & aduauntage by such attaynder R. aduātage
aswell of vses, rightes, entries, condy-
cions, as possessions, reuersyons, re-
maynders and all other thinges, as yf
it had ben done and declared by auctho-
ritie of parliament, and shalbe deemed
and adiudged in actuall and real posses-
syons of the landes, tenementes, he- Lands
redytamentes, vses, goodes, cattalles Goods
and al other thinges of the offenders so
attainted, which hys highnesse ought
lawfully to haue, and which they so be-
ing attainted, ought or mought lawful-
ly lose & forfait, if the attainder had ben
done by authority of parliament, with Lout office
out any office or inquisytion to be foūd
of the same, any lawe statute or vse of
the Realme, to the contrary thereof in
any wyse notwithstanding. Sauyng
to all and euery person and persons &
bodies politike & theyr heires, assignes Bodies
and successoures, and euery of them, o- politike
ther then such person & persons, wbych
hereafter shalbe attainted of high trea
son and their heires and assignes & eue-
ry of them, & al & euery other personne
and personns clayming by them or a-
ny of thē or to their vses, or to the vses
of any of them, after the sayed treason Right
committed, al such right, title, vse, pos-
session entre, reuersiōs, remainders, in
teresses, conditions, fees, offices rentes
annuities, cōmons, leases, and al other
commodities, profittes, & hereditamēts
whatsoeuer they or any of thē should,
might, or ought to haue had, if this act
had neuer ben had ne made. An. 33. H.
8. cap. 20.

16 ¶ An. 33. H. 8. cap. 21. it is enac-
ted that if the king dyd mary a woman R. maris
thinking her to be then a mayde where Mayde
she was not, if she dyd not declare her
vnchaste life to the king before the mary
age, it is treason. And ỳ if the Queene Treason
or the prynces wife do procure any per- Queene
son to haue carnall knowledge wyth

her, or any do procure any of them to ẏ like, that then the Queene and the prin ces wife and the other so procuring &c. is treason, but these treasons bee repea led by 1. Edwardi sexti capitul. 12. & by 1. M. 1. Sessione as appeareth here fol lowing. 18. & 20.

Princes wife

Carnall knowledg

Repealed

17 ¶ An. 35. H. 8. cap. 3. an act was made concerninge the kinges stile of supremacy, and certeine pointes concer ninig the kings stile and his person and crowne be made treason, but it is repea led by 1. & 2. P. & M. ca. 8. as appeareth Rome 4.

Stile

Repealed

18 ¶ By An. 1. E. 6. ca. 12. al offen ces made treasō or petit treason by any statute, were from thencefoorth repealed but onely such as were treason or pe tit treason by the statut made, An. 25. Ed. 3. stat. de proditionibus capitul. 2. and such offences as in the saied statute of An. 1. E. 6. ca. 12. be expressed and de clared to be treason or petit treason, nor that any paines of death, penalty or for faiture be to any offenders for doing a ny treason or petit treasō, other thē such as bee in the said stat. of 25. E. 3. or by the said statut of 1. Ed. 6. And after in the said statut of Anno. 1. E. 6. ca. 12. it is enacted as followeth. If any person or personnes at any time after the first day of March next comming, by open preaching, expresse woords or sayinges do affirme or set forth, that the king his heyres or successors kinges of this Re alme for the time being, is not, or ought not to bee supreme head in earth of the church of England and Ireland or any of them immediatly vnder God, or that the Bishop of Rome, or any other person or personnes other then the king of England for the tyme being, is or ought to be by the lawes of God, su preme heade of the same Churches, or of any of them, or that the kinge hys heires or successours, kynges of this Re alme, is not or ought not to be king of England, Fraunce and Irelande, or any of them, or after the saied first day of March doo compasse or imagyne by open preaching expresse woordes or sayings, to depose or deprive the kynge his heires or successours, kyngs of this Realme, from his or their roiall estate or tytles, to, or of the Realmes afore said, or doe openly publish or say by ex presse woordes or sayinges, that any o ther person or personnes other then the kyng, hys heires, or successours kings of this Realme, of right ought to bee kinges of the Realmes aforesaied, or a ny of them or to haue and enioy the same, or any of them, that then euery such offendour beeing thereof duely con uicted, or attaynted by the lawes of thys Realme, theyr aydours, com foortours, abbettours, procurours, and counsailours for hys or their such fyrst offence, shall loose and forfayt to the king al his and theyr goodes, & cattels, & also shall haue & suffer imprisonment of his and theyr bodies, at the kynges pleasure.

Deprive

Woords

Aydours

Procurrs

Forf. Goodes

Imprison

And if any personne being once con uicted or attaynted of any of the saied offences, shall after hys conuiction or attaynder eftsones committ or perpe trate any of the offences before men cioned, other then such as bee expres sed in the statute made in the saied yrd. yere of kynge Edward the thyrd, and shalbee thereof duely conuicted or at taynted by the lawes of thys Realme, that then euery such offender, theyr aydors, comfoortoures, abbettoures, procuroures, and counsaylours for his or their second offence or offences shall loose and forfait to ẏ kynge the whole issues and profyttes of all hys and their landes, tenementes and other heredy tamentes, benefyces, prebendes and other spirituall promotions, for terme of lyfe of such offender or offenders, and shall also loose and forfayt to the kynge al his or their goods and cattals, and also suffer during his or their lines, perpetuall imprysonment of hys and their bodyes.

25. E. 3.

Forf. Lands

Spiritual promotions

Forf. goods

Terme of lyfe.

Imprison

And if any persone being two tymes hereafter conuycted, or attaynted of any

Stile

Compasse

any of the same offences, shall after his sayed conuiction or attaynder eftsones committ or perpetrate againe any of the said offences, to be thereof duely conuicted or attainted, by the lawes and statutes of this Realme, that then euery such thyrd offence, or offences, shal bee deemed and iudged hygh treason, and the offender or offenders, theyr aydoures, comforters, abbettours, procurours and counsailours, beeyng therein conuicted or attaynted, accordynge to the lawes and Statutes of thys Realme, shalbee deemed and adiudged high traytours, and shall suffer paines of death, and loose and forfait all their goodes and cattels, lands, and tenementes, to the king, as in cases of high treason.

Hyghe Treason

Traytors Forf.

And be it &c. that if any persomne or persomnes at any tyme after the sayed first daie of March next comming, by wrytyng, printinge, ouert deede or act, do affirme or sett forth that the kynge of thys Realme, for the tyme being, is not or ought not to bee supreme head in earth of the Church of England and Ireland, or of anie of them immedyatly vnder God, or shall by wrytinge Printing ouert deede or act, after the saied first day of Marche, affirme or set forth that the Bishop of Rome, or any other persomne or persones, other then the king of England for the tyme being, is or ought to bee by the lawes of God or otherwyse, the supreme head in earth of the same churches, or of any of them, or do after the sayd first dais of Marche, compasse or imagine by writing, printing, ouert deede or act, to depose or deprive the kynge, hys heirs or successours kinges of this Realme, frō hys or their royall estate or tytles of ỳ kinge of England, Fraunce and Irelād, or of any of thē, or by any wrytyng printing ouert deede or act, do affirm ỳ any other person or persons other then the kyng, his heires and successours is or of right ought to bee kyng of the realmes of England Fraunce & Ireland or to haue and enioy the same or any of them, that then euery such offence and offences shalbee deemed and adiudged high treason, and the offender and offenders their aydoures comforters, abbettours, procurours, & counsailours there in conuicted or attainted, according to the lawes and statuts of this Realme, shalbe deemed and adiudged high traytours, and shal suffer paines of death, & loose & forfait al their goodes & cattails, lands & tenementes to ỳ king, as in cases of high treason.

Writing Printing Ouert deed Supreame head

Pope

Compasse

Deprive

Stile

Hyghe Treason Abbettors

Traitours

Forf.

Prouided alway and bee it &c. that this estatute or any thing therein contained, shal not in any wise extend to repeale, abrulle, or make frustrate or voide, any act or actes of parlyament statut or statutes made, concerning the counterfaiting or forging of any of the coygnes of this realme, or for ỳ coigne of any other realme or realmes currāt within this realme, or for the clipping, washing or fyling any of ỳ said coigne, or for, or concerning the brynging into thys realme, of counterfaite money or coigne, ne to any statute made in the xxvii. yere of the said late kinge Henry the eyght, concerning ỳ falfe forging & coūterfaitting of ỳ kings signe manuell, priuie signet or priuie seale, ne to their coūsailours, procurours, aydours & abbettours, nor to any article or braūch, concernynge the same offences, or any of thē contained in the same statutes or any of them.

Forging Coygne

Clipping Washing Filing

Counterfaits Money

Signe manuell Priuie seale

And be it &c. that if any ỳ heyres of the kynge our saied Soueraigne Lord that nowe is, or any persomne or persomnes to whom the crowne and dygnitie of thys realme is lymitted and appointed by act of parlyament, made in the xxvb. yere of the raigne of ỳ said late kinge Henry the eyght, or the heirs of any of them, do at any time hereafter, vsurpe the one of them vpō the other in the Crowne of thys Realme, or demaund, challenge, or clayme the same otherwyse or in any other fourme or degree of discent or succession, or in any

Heires

Vsurpe

Challange

other

other course, fourme, degree, or condicō but only in such maner & fourme as is declared by ỳ said estatute, or if any of ỳ said heirs, or persons aforesayd, do interrupt or let the kings highnesse that nowe is peaceably and quietly to keepe, haue & enioy ỳ saied imperial crowne: ỳ then all & singuler the offenders, their aydours, comforters, abbetters, procurers and counsailers therin, shalbee demed and adiudged highe traytours, and shall suffer and incurre the paynes of death, losse and forfeitures as is aforesayd in cases of high treason.

Traytors

Prouyded also and be it &c. that thys act of parliament, or any thing therein mencioned, as concernynge the repeale of any estatut or estatutes, made touching treason, or misprision of treason, shall not in any wyse geeue anie maner of benefite, aduantage or commoditie, to any personne or personnes, being the last day of October last past arrested or imprisoned for treason, petite treason or misprision of treason, or to any personne or personnes heretofore beeinge indycted of treason petite treason or misprisyon of treason, or to any other personne or personnes beeing like wise conuicted, outlawed, or attainted of treason, petit treason, or misprisyon of treason, or beeing fledd beeyond the Seas, or into Scotlande, beefore the sayed last day of October last past for any treason, petite treason or misprisyon of treason, but that they and euery of them shall suffer such payne of death, losses, & forfaiture of landes and goods, as in cases of treason, as though this act hadd neuer bene hadd or made any thing in this act, to the contrary in any wyse notwythstanding, and that the lawes and statuts repealed by this act shall stand againste them, and euery of them, in full strength, vertue, force & effect concerning all and euery offence by them or any of them, heretofore cōmitted or done.

Treason Misprision

Conuict Outlawed Fled

Prouided allway, and bee it &c. that no person or persones shall in any wise be empeached, or put to answer for any of the offences aboueiaid, cōcerning treasons, by open preaching or woords onely, vnlesse the party offender or offenders bee thereof accused within thirty daies next after the same open preaching or woords so spoken or declared, if the accusers shall fortune to bee within this realme during the space of thirty daies next after the said offence committed or done. And if the accusour shal happen to be out of this realme duringe the said space of thirty daies, then ỳ party or parties so offending, shalbee accused, as is aforesaid within sixe moneths next after ỳ same preaching, or woords spoken or declared, or els ỳ party or partres so offending, their aydoures, comforters, abbettoures & counsailloures, or any of them not to bee empeached or put to answere for any such offence or offences, and that the same accusation, or accusations so to be had, made and declared, shalbe made to one of the kinges counsaile, or to one of the kynges Justices of assise, or els to one of the kinges Justices of peace being of ỳ Quorum, or to two Justices of ỳ peace, within ỳ shere where the same offence or offences shal happen to be dōe or commited, any thing contained in this act to the cōtrary thereof in any wise notwithstanding.

Preaching Woords
Accuse 30. daies
6. monethes
K. counsail
Iust. of all.
Iust. of p.
Quorum

Prouided also & be it &c. that concelemēt or keping secrete any high treason, shalbee from henceforth adiudged, deemed & taken misprision of treason, & ỳ offender therein shal forfait & suffer as in cases of misprision of treason, or here tofore hath ben vsed, any thing aboue mencioned to ỳ contrary notwithstanding.

Cōcealmēt
Misprision Forf.

Prouided also, & be it &c. that this act or any thing there in contained, shall not extend to charge or make any person or persons to bee offender or offenders, in any of the articles aboueiaid, for calling naming, saying, writing, or prynting, the French king, for the time being, by the name of the kynge of Fraunce or Frēch king, any thing aboue declared & enacted

French K.

enacted, to the cõtrary in any wise not withstanding. Prouided alwayes and bee it &c. that no person or persones after the first day of Februarie next comming, shalbe endicted, arraigned, cõdẽpned, or conuicted, for any offẽce of treason, petit treason, misprision of treason or for any wordes before specified to be spoken after the said first day of Februarie, for which the same offender, speaker, offenders, or speakers, shal in any wise suffer any paines of death, imprysonment, losse or forfaiture of his goods cattals landes, or tenementes, vnlesse ỹ same offender, speaker, offẽders or speakers be accused by two sufficient & lawfull witnesses, or shall willingly without violence confesse the same. An. 1. E. 6. ca. 12.

Endict
Treason
Misprision
wordes
& witnesses

Note that al that is in this last act touching the kinges supremacy, or against the Popes auctoritie is repealed by 1. & 2. P. & M. ca. 8. as appeareth Rome 5. And al that is made treason by thys last act, is repealed by 1. M. 1. sessione as appeareth hereafter.

Repealed

19 ¶ If any person or persons, after ỹ first day of June next comming by opẽ preachings, expresse wordes or sayings do expressely, directly and aduisedly sett forth, and affirme, that the king ỹ now is, is an heritike, scismatike, tyrant, infidell, or vsurper of the crowne, or that any his heires, or successours, to whom the crowne of this realme is limmytted, by auctoritie of parliament, holdẽ in the xxxv. yere of the raigne of ỹ late king H. 8. (ca. 1. which is in crowne 5.) being in lawful possession of the crown is an heritike, scismatike, tirant, infidel, or vsurper of the crowne, that then euery such offender being therof duely conuicted, or attainted, by ỹ lawes of this Realme, their abbettoures, procurers, & counsellers & al & euery their aydours and comfortours, knowing the said offences, or any of them to be don, for his or their such first offence shal lose & forfait to the king al his and their goods, and cattels, and also shal haue and suffer imprisonment of hys and their bodies at the kings will and pleasure. And if any persone, beeing once conuicted, or attaynted of any the saied offences, shall after his saied conuiction or attainder, ẽt sones committ or perpetrate any of the offences before mencioned in forme aforesaid committed, and shalbe thereof duely conuicted or attainted by the lawes of this Realme, that then euery such offendour and offendoures their abbettours, procurers, & counsaylours, & al and euery their aydoures and comforters, knowing the said offences or any of them to be dõe, for his or their second offence or offences shal lose and forfait vnto the kinge the whole issues and profyt of al his and their landes, tenementes, and other hereditamentes, benefices, prebendes, and other spirituall promotions, for terme of the lyfe of such offẽdour or offendours, and shal also lose & forfait vnto ỹ king al his & their goods & cattals, & also suffer during hys & their lyues perpetuall imprisonment of his, & their bodies.

Imprison
Forf.
Lands
Spiritual promotions
Terme of lyfe.
Forf.
Goodes
Imprison

Prouided alwaies that such of the said spiritual promotions as shal be charged with cure, be alwaies by the kings maiestie, and his heires & successours sufficiently furnished of a Curate, for ỹ discharge of the same. And if any persons being two tims hereafter conuicted or attainted of any of the same offences in fourme aforesaid committed, shal after his secõd conuiction, or attainder ẽt sons commit or perpetrate againe, any of the said offences in fourme aforesaid and be thereof duely conuict, or attainted, by the lawes & statutes of thys realme, that then euery such third offence or offences, shal bee deemed & adiudged high treason, and thoffendour or offendoures therein their abbettoures, procuroures and comfaitoures, and al and euery their aydoures and comfortoures knowyng the saied offences, or any of them to bee done, beeyng thereof conuicted or attaynted accordyng to the lawes and statutes of thys Realme,

Curat
High treason

Traitours

shalbee iudged and deemed high traytoures, and shall suffer paines of death and lose and forfait al their goodes and catteis, lands and tenementes, whereof he or they shalbee seysed of an estate of inheritãce, in hys or their own right to ẏ kyng, as in cases of high treason.

Writing
Printing
Publishe
Kinge
Heritike

And be it &c. that if any person &c. by writing, printing, paynting, karuing or graning, do directly, expressely, & advisedly publish, sett foorth and affyrme that the kinge that now is, or any his heirs or successours limitted as is afore said, is an heritike, scismatike, tiraunt, infidell, or vsurper of the crowne, ẏ then euery such offence, or offences, shall bee deemed and adiudged hygh Treason &c.

Vsurper

And be it &c. that if any person &c. rebellyously do retaine, keepe or withold from our saied soueraigne lord his sayd heires & successours any of his or theyr castels, forteresses, fortlettes, or holdes within thys Realme or in any other the kinges dominions, or marches, or rebellyously keepe, detaine, or withhold from the kinges said highnesse, his said heires or successoures, any of hys, or theyr shippes, ordinaunces, artillery, or other munitions, or fortifications of warre, and doo not obediently render and geeue vp to our sayed Soueraigne Lord, his saied heires or successours or to such personnes as shalbe deputed by them or any of them, such castelles, forteresses, fortlettes, holdes, shippes, ordynaunces, artillery or other munytions, and fortifications of warre, rebelyously kept, and detayned within fyre dayes nert after they shalbe commaũded by our saied Soueraigne Lord, his said heires or successours by open proclamation, vnder ẏ great Seale, the same Proclamatyon to bee made in such place and order, so as the party and parties to be charged by this act, may conuenyently haue notice and knowledge thereof, that then euery such person &c. shalbe adiudged Traytours &c.

Castels
Forteresses
Shippes
Munition
vi. dayes
Proclamation
Traytors

And ouer that be it &c. that if any of the kings subiects denizens, or other, do comitt or practise, out of the limittes of this realme, in any outward parties any the offences whych by thys act are made, or heretofore now standing in force haue ben made treason, that thẽ such treasons, whatsoeuer they bee, or whersoeuer they shall happen to bee done or committed, shalbe enquired and presented by the othes of twelue good and lawfull men vpon good and probable euidence & witnesse in such shere and county of this realme, and beefore such personnes as it shall please the king his said heirs or successoures to appoint by commission vnder his great seale, in lyke maner and fourme as treasons committed within this Realme haue ben vsed to bee enquired of and presented. And that vpon euery indictement and presentment founden and made of any such treasons and certified into the kinges bench, like proceese and other circumstance shalbee there made & hadde against the offenders, as if ẏ same treason so presented, had ben lawfully foũd to bee done and committed within the limittes of this Realme. And that all proceese of outlawry, hereafter to bee made and hadde within thys Realme, against any offenders in treason being resiaunt or inhabitant out of ẏ limittes of thys Realme, or in any the parties beyond the sea, at the time of the outlawry pronounced against them, shalbee as good and effectuall in the lawe, to all intentes and purposes as if any such offenders hadde bene resident and dwelling within this realme, at ẏ time of such proces awarded, and outlawry pronounced.

Subiects
Denizens
Outward
parties
Enquire
Othes
Euidence
Commiting
Indictmẽt
K. bench
Proces
Outlary

Prouided alwaies and be it &c. that if the party so hereafter to bee outlawed shal within one yere nert after the said outlawry pronounced or iudgement geuen vpon the said outlawry, yeld hym selfe vnto the chiefe Justice of Englãd, for the time being, and offer to trauerse thendictement or appeale, wherupon the said outlawry shall be pronounced as

Party outlawed
One yere
yeld
Chiefe
Justice
Trauers

as is aforesaid: that then he shall bee receyued to the said trauerse, and being thereupon found not guilty by ẏ verdict of twelue men, he shalbe clerely acquited and discharged of the said outlawry, and of al penalties and forfaytures by reason of the same, in as large and ample maner & fourme as though no such outlawry had bene made, any thynge herein contained to the contrary in any wise notwithstanding.

Trauers
Verdict
Acquite

Offendors

And bee it &c. that euery offender or offendours, beeing hereafter lawfully conuict, of any maner of high treason, by presentment, confession, verdict, or processe, outlawry according to the due course and custome of ẏ lawes of this realme, shal loose and forfait to ẏ kings highnesse, his heires and successours aforesaid, al such lands, tenementes and hereditamentes which any such offender or offenders, shal haue of any estate of enheritaunce, in his owne right, in vse or possession, within thys Realme of England or els where within any the kinges dominions at ẏ time of any such Treasons committed or at any time after.

Forf.

Preaching
words
3. monethes

And be it &c. that no persone or persõs, shal in any wise be empeached, for any of ẏ offẽces aboue said cõmitted, only by open preaching, or wordes, vnlesse the offendour or offendours, bee thereof accused within three monethes, next after the same open preaching, or wordes, And that the same accusation or accusations, bee hadd, made and declared to one of the kinges counsaile, or to one of the kynges Justices of assise, or els to one of the kynges Justices of ẏ peace being of the Quorum, or to two Justices of the peace within the Shere, where the same offence or offences shall happen to be dõe or committed, any thing conteyned in thys act to the contrary thereof, in any wise notwithstanding.

K. counsaile
Just. of ass.
Just. of p.
Quorum

Cõcelement

Prouided also and bee it &c. that concelement or keeping secrete of any high treason bee deemed and taken onely

Misprision

misprision of treason, and the offender therein to forfayt and suffer as in case of any misprysyon of treason as heretofore hath beene vsed, any thyng aboue mencioned to ẏ contrary notwithstanding.

Forf.

Prouided alwaies and bee it &c. that no persone or personnes, after the first day of June next comming, shalbee indicted, arraigned, condempned, conuicted, or attainted for any of ẏ treasons or offences aforesaid, or for any other treasons that now be or hereafter shalbe, which shal hereafter be perpetrated, committed or done, vnlesse the same offender or offenders be thereof accused by two lawful accusers, which said accusers, at the tyme of the arraignement of the party accused, if they bee then lyuing, shalbee brought in persone before the party so accused, & auowe and maintaine that that they haue to say against ẏ said party, to proue him guilty of the treason or offences conteined in the bill of endictment layd agaynst the party arraigned, vnlesse the said party arraigned, shall willingly without violence confesse the same. Sauinge to euery persone and personnes, theyr heyres and successours, other then thoffendours, and theyr heires, and such persone and personnes as claime to any their vses, al such rights titles, interest, possessions, leases, rents, reuersyons, offices and other profittes which they or any of them shall haue, at the day of committing such treasons, or at any tyme after, in as large and ample maner as if this act had neuer ben had nor made. Prouided also, & be it &c. that ẏ wife or wiues, whose husband or husbãds hereafter shalbe attainted of treasons specified in this act, or of any other treasons whatsoeuer they be, shal in no wise be receiued, to aske, challenge, demaund or haue dowry of any ẏ lands, tenemẽts, or hereditamẽts of any ẏ person or persons, to be attainted of treasõ as is aforesaid, during ẏ said attaindour in his force, any thing before mẽcioned to ẏ contrary in any wise notwithstãding

2. Accusers

Confesse

Right

Wynes

Dowery

Anno 5. E. 6. cap. 11.

Note that the treasons made by this act, be repealed by 1. M. 1. Sessione, by generall wordes as appeareth hereafter 20.

Repeale

20 ¶ From hencefoorth none act, dede or offence being by act of parliamēt or statute made treason, petit treason, or misprision of treason, by wordes, writing, ciphering, deedes or otherwise whatsoeuer, shalbe taken, hadd, demed or adiudged to bee high treason, petite treason, or misprision of treasō, but only such as be declared, and expressed to be treason, petyt treason, or misprision of treason, in or by the act of parliamēt or statute made in the xxv. yeare of the raigne of ỹ most noble kyng of famous memory king Edward the third (S. de proui. ca. 2.) touching or cōcerning treason, or of declaration of treasōs, & none other, nor ỹ any peins of death, penalty or forfaiture in any wise, ensue or be to any offender or offēders for the doyng or committing any treason, petite treason, or misprision of treason, other then such as be in the saied estatute made in the said xxv. yere of the raigne of ỹ said kyng Edward the third ordayned and prouided, any act or actes of parliamēt statute or statutes hadd or made at any time heretofore or after ỹ said xxv. yere of the raigne of the said late kinge Edward the third, or any other declaration or matter, to the contrary in any wise notwithstanding.

25. E. 3.

Prouided alwaies and bee it &c. that this act of parlyament, or any thynge therein mencyoned, shall not in any wise extend to geue any maner of benefite, aduauntage or commoditie to any person or persones being the last day of September last past, arrested or imprysoned for treason, petit treason, or mysprision of treason, or to any personne or persōs heretofore being indicted of treason petit treason, or misprysyon of treason, or being outlawed, or attainted of treason, petite treason or misprision of treason, before ỹ last day of September last past, or being commanded to kepe his or theyr house or houses or other mennes houses, or otherwise excepted out of the Queenes highnesse most gracious pardon geuen the day of her coronation, but that they and euery of them for any the offences before mencioned, perpetrated, committed, or done by thē or any of them, before the said last day of September, shall suffer such paines of death, losses and forfaitures of lāds & goods, as in case of treason, as though this act had neuer ben had ne made, any thing in this act to the contrary in any wise not withstanding Anno. 1. M. 1. Sessione.

Arrest

Indicted

Outlawed

21 ¶ That if any person or persōs hereafter falsely forge and counterfait any such kinde of coigne of Gold or siluer, as is not the proper coigne of thys Realme, & is or shalbee currant within this realme by the cōsent of ỹ Quéene, her heires or successors: Or if any person or persones, at any time hereafter, do falsely forge or coūterfait ỹ Quéens signe manuell, prīuie signet, or prīuie seale, that then euery such offence shalbe deemed & adiudged high Treason, & the offendours therin, their counsailors procurers, aydors, & abbettours, being conuict, according to the lawes of thys realme, of any of the said offences, shal be likewise deemed & adiudged traitors against the Queene, her heirs & successours, & the Realme, and shall suffer & haue such paines of death, forfaiture of landes, goodes, and cattels, & also lose the priuiledge of al sanctuary, as in case of high treason it is vsed and ordeyned. An. 1. M. 1. parl. ca. 6.

Coūterfait Golde Siluer current

Signe manuell

Prīuie seale

Treason

Abbettours

Traitours

Sanctuary

22 ¶ An. 1. & 2. P. M. ca. 9. certaine prayers were made treason, but ỹ act is determined by the death of Quéene Marie.

Prayers Determined

23 ¶ Anno 1. & 2. P. & M. cap. 9. diuers offences were made treasō, which are determined by the death of Queene Mary, but certein clauses therein serue to continue, as:

And be it further &c. that al tryalles here-

Trials

hereafter to bee had awarded or made for any treason, shallbee had and vsed onely according to the due order and course of the common lawes of thys realme & not otherwise. Saving to euery personne and personnes, bodyes politike and corporat, their heires and successours, other then ỳ offenders and their heires, and such person and personnes, as claime to any of their vses all such rights titles interestes, possession, leases, rentes, reuercions, offices, and other profittes, which they or any of them shall haue at the day of ỳ cõmitting such treasons, or at any time afore, in as large and ample manner as if this act had neuer bene hadde or made. Prouided alwaies and be it &c. that concealement or keping secret of high treason, be demed and taken only misprision of treason, and the offenders therein to forfait & suffer as in cases of misprision of treason hath heretofore bene vsed: Any thing aboue mẽcioned to the contrary notwithstanding. Prouided neuertheless and bee it &c. that in cases of high treason, concerninge coine currant within thys Realme, or for counterfaittinge the kinge or Quẽnes signet, prime Seale, great Seale, or signe manuell, such manner of trial, and none other bee obserued and kept, as heretofore hath bene vsed by the common lawes of this realme. Any law, statute or any other thinge or thinges to the contrary notwythstandinge.

Comē lawes

Bodies politike

Rights

Cõcelemẽt

Misprision

Triall

24 ¶That if any person or persons, after the xx. day of January next comming shal bring from the partyes beyond the sea into this Realme, or into any the dominions of the same, anie such false & counterfait coine or money beeinge curraunt within this Realme as is afore layed, knowinge the same coine or money to bee false and counterfait, to thintẽt to vtter or make payment with ỳ same within this realme or any the dominons of the same by marchaundizing or otherwise, that all and euery such person or personnes so offending, as is afore saied, their counsellers, procurers, ayders, and abbetters in that behalfe shalbe deemed and iudged to bee offenders in high treason, and shall suffer after lawfull conuycion or attainder thereof, such paines of death, losse and forfaiture of landes goodes and cattels, as other offenders shall doo in cases of high treason. And be it &c. that all and euery persone and personnes, that shal at any time after the said xx. day of January, bee accused or impeached of any the offences contained and prouided for in this statut, or of any other offence or offences, cõcerninge thimpairing, counterfaiting, or forginge of any coine currant within this realme, shal & may be indicted, arraigned, tried, cõuicted or attainted, by such like euidence, & in such manner and fourme, as hath bene vsed and accustomed within this realme, at anie time before the first yere of the raigne of our late soueraigne lord kynge Ed. 6. Any statute, custome, law, or vsage to the contrary thereof in anie wyse notwithstandinge. Anno. 1. & 2. P. & M. ca. 11.

Bring

Cõterfait coygne

Vtter

Abbettours

Treason

Forf.

Triall Euidence

25 ¶Be it enacted that if any person or personnes, after the first day of May next to come, do maliciously, aduisedly and directly cõpasse or imagine to deprine the Quẽnes maiestie that now is, or the heirs of her body to be begotten beinge kings or Quẽnes of thys realme, frõ the stile, honor, & kyngely name of the Imperial crowne of thys realme, or from any other the realmes & dominions vnto our said soueraigne lady appertaining and belonginge, or to destroy the Quẽnes maiestie that nowe is, or any the heires of her body being kinges or Quẽnes of thys Realme, or to leny warre wỹn this Realme, or wỹn any the marches or dominions to ỳ same belonging, against the Quẽnes maiestie that nowis, or any ỳ heires of her body being kinges or Quẽnes of this realm, or to depose

Compasse Deprine ỳ Queene

Stile

Disturbe

Leuie war.

Depose

the

the Quéenes maiesty that nowe is, or any the heires of her body beeinge kings or Quéenes of this realme, frō ẏ imperial crowne of ẏ realmes & dominions aforesaid, & the sāe cōpassings imaginations or any of them, maliciously, aduisedly, and directly shal or doo vtter by open preachinge, expresse words or sayings, or if any person or persons after the said first day of May nert cōminge, shal maliciously aduisedly, & directly, say, publish, declare, maintaine, or hold opinion, ẏ the Queens maiestie ẏ now is, durig her life, is not or ought not to bee Quéene of this realme, or after her death, ẏ ẏ heires of her highnesse body beeynge kings or Quéenes of this Realme, of right ought not to be kigs or Quéenes of this realme, or that any other persō or personnes, other then the Queenes highnesse that now is, duringe her life ought to be king or Quéene of this realme, or any other the realmes or dominions aforesaid, or after her death, other then the heirs of her body being kinges or Quéenes of this realme, as lōge as any of her said heirs of her body begottē shalbe in life, of right ought to haue and enioy ẏ imperiall crowne of this realme, or any the realme and dominions aforesaid, that then euery such offender, beeinge thereof duely cōuicted or attainted by ẏ laws of this realme, their abbettours, procurers, & Counsailers, and all and euery their comforters, knowinge the sayd offences or any of them to bee done, and being therof duely conuicted or attainted as is aboue saied, for his or their such offence, shal forfait & lose to ẏ Quéens highnesse her heires and successours, all his and their goodes and cattelles, and the whole issues and profittes of his or their landes, tenementes, and hereditamentes, for terme of the lyfe of euery such offendour or offendours, and also shall haue and suffer duringe his and their liues perpetuall imprysonment.

Preaching words

Queene of England

Attaynt Abbettours

Forf.

Imprison

Prouided alwaies and bee it further enacted by authority aforesaid, that al and euery ecclesiasticall person beinge conuicted or attainted in forme aforesaied, for euery such hys offence, shal immediatly and presently vpon such attainder had, be iudged, & remaine in the lawe to al intentes deprined from al his benefices and promotions spirituall or ecclesiastical, in such manner & fourme, that it shalbe lawful for euery patron, founder, or gouer thereof, to present immediatly after such attaindour had, some one other to the same as though the said offendour or offendours were deceased.

Ecclesiastical person

Deprime

Patron Founder

And if any personne or personnes being hereafter conuicted or attainted of any of the said offēces in forme aforesaied committed, shal after his or their conuiccion or attaindour, eftsones commit or perpetrate any of the said offences in fourme aforesaid, that then euery such second offence or offences shall be deēmed and adiudged high treason, & the offendour or offendours therein, their abbettours, procurers, and counsailours, and al and euery their aidors and comforters knowing the said offēces, or any of them to be doone, beinge thereof conuicted or attainted according to the lawes and statutes of this Realme, shallbee iudged and deemed high traitours, and shall suffer paynes of death, and loose and forfait all their goodes, cattels, landes, & tenementes, to the Quéenes maiestie, her heires & successours, as in cases of high Treason, by the lawes of this Realme at this day of right ought to bee lost and forfaited.

Highe treason

Traitours

And be it further enacted by the authoritie aforesaid, that if any personne or persones at any time after the said first day of May nert to come, by any writing, printing, coert deede or act maliciously, aduisedly, and directly do affirme that the Queenes maiesty ẏ nowe is, ought not to haue and enioy the styls, honour and kingely name of this

Writting

Printing

Stile

this Realme, or that any person or persones, other then the Quéenes maiestie that now is, ought to haue or enioy the stile, honour and kyngly name of this Realme, or that the Quéenes maiestie ẏ nowe is, during her life, is not or ought not to be Quéene of this realme, or after her death, that ẏ heirs of her highnesse body beeinge kynges or Quénes of thys Realme, of ryght ought not to haue and enioy the imperial crowne of thys Realme, or that any person or personnes other thē the Quéenes maiestie that now is during her life, or after her death other then the heires of her body begotten, beeinge kynges or Quénes of this Realme, as longe as anie of her sayed heires of her body shallbee in lyse, of ryght ought to haue and enioy ẏ imperial Crowne of thys Realme, that then euery such offence and offences shallbee iudged high Treason, and the offendour and offendours therein, their abbettours, procurers & Counsailours, and all and euery their aydours and comforters, knowing the sayed offences or anie of them to bée doone, beeinge thereof lawfully conuicted or attainted by ẏ lawes of this Realme, shallbe deemed and adiudged high traitours, and shal suffer paines of death and loose and forfayt all their goodes and cattels landes and tenementes to the Quéenes maiestie, her heires and successours as in cases of high treason by the lawes of this realme at this day of right ought to bee lost and forfait. Sauing to euery persone and personnes, bodies polytike and corporat their heires and successours (other then the offendours and theyr heires, and such persone and personnes, as claime to any of their vses) all such rightes, titles, interestes possessions, leases, rentes, reuersions, offices, and other profits, which they or any of them shall haue at the date of the committing such treasons or at any time afore, in as large and ample manner, as if this act had neuer beene had nor made.

Treason Abbettors

Bodyes politike

Rights

Prouided alwaies and bee it declared and enacted by ẏ auctority afore-said, that concealment or kéepinge secrete of any high treasons, be deemed and taken only mispision of treason, and the offendours therein to forfait & suffer as in cases of mispision of treason hath heretofore beene vsed, anie thing aboue mencioned to the contrary notwithstandinge. Prouided also that if it shal fortune hereafter any of the pæres of this realme to bee indicted of any the offences made treason, or mispr ision of treason by thys act, ẏ then ẏ same Peeres or Péere, so being indicted, shalbee put to aunswere to euery such indictment before the hygh steward of England for the time beinge, and to haue his and their tryall of his & their Peeres, and to receyue and haue such like iudgment, vpon the same triall of his or their Peeres, or make open confession of the same offence or offences, as is vsed in other cases of high treason.

Cōcealmēt

Mispr ision

Peeres

Hyghe steward

And be it further enacted by the auctority afore-said, that no persone or persons shall in any wise bee impeached for any of the offences aboue-sayd committed, onely by open preachinge or woordes, vnlesse the offendour or offendours bee thereof indicted wythin vi. monethes next after the same open preaching or woordes, any thing mencioned in this act to the contrary notwithstanding.

6. monethes

Prouided alwaies, that the counsailours, procurours, comforters, and abbettours mencioned in this act, for his or their first offence, shall suffer lyke punishmēt, penalty and forfaiture, as is contained in this act against ẏ principall offendours for their first offence & none other.

Abbettors

And that the counsailours, procurers comforters, and abbettours, for his or their second offence, shall sustaine like punyshment, penaltie, and forfay-

Punishmēt

tures

ture, as is cõtayned in this act against the principall offendour or offendours for their second offence, and none other.

Prouided alwaies, and bee it enacted by auctoritie aforesaied, that noe person or persons shalbe hereafter indicted or arraigned for any offence or offences made treasõ or misprision of treason, by thys act, vnlesse the same offence or offences of treason and misprision of treason aforesaid, bee proued by the testimony, deposition and othes of two lawful and sufficient witnesses at the time of his and their indictmẽt, which said witnesses also at the time of the arraignemẽt of the party so indicted (if they bee then liuinge) shalbe brought forth in person before the party so arraigned, face, to face and there shal auow & openly declare al they can say against the said party so indicted, vnlesse the said party so endicted, shall willingly, wout violence confesse the same. An. 1. El. ca. 6.

2. Witnesses

Confesse

26 ¶ Be it enacted, declared, & established, that from and after the first day of May next comminge: Clyppinge, washinge, roundinge, or filing, for wicked lucre or gaynes sake of any the proper moneis or coines of this realme, or of the dominions therof, or of the moneies or coines of any other Realme, allowed and suffered to bee currant wthin this realme, or ẏ dominions thereof at this present, or that hereafter shallbee the lawfull moneys or coines of this Realme, or of the dominõs therof, or of any other realme, and by proclamation allowed and suffered to be currant here, by ẏ Queens maiesty, her heirs or successours, shall be taken deemed and adiudged by vertue of this act, to bee treason, and the offenders therein, their counsellers, cõsenters, and ayders, shalbee from and after the same first day of May, taken, deemed, adiudged as offenders in treason, & beinge therof lawfully cõuicted or attainted, accordinge to ẏ due order and course of the lawes of thys Realme shall suffer paines of death, & loose and forfait al his & their goodes & cattels, & shall also lose & forfayt all his and their landes & tenementes duringe his or their naturall life or liues onely.

Clypping
Washing
Rounding
Filing
Money

Currant

Treason

Graunt

And bee it enacted by the auctority aforesaid, that all and euery persone & persons which haue any lawful grant to haue and enioy the forfaitures of lands, tenements, goodes, or cattells of offenders, & men attainted in high treason, within any maner lordshipp, towne, Parish, hundred, or other precinct within this Realme of England or Wales, shal and may at all tymes hereafter haue like liberty, to take, seale & enioy al such forfaitures of lãds, tenements, goods, and cattels as shal come or growe within their liberties, by force of the attainder of anie person or persons, for & vppon any offece or offences made treason by this act, as they or any of them should, ought, or might haue by vertue of any good & lawfull graunt of them or any of thẽ heretofore had or made.

Maner Lordshig

Prouided alwaies, and bee it enacted by the auctority aforesayed, that this act nor any thinge therein contayned, nor any attaindour or attaindours of any personne or personnes for any offence or offences made treason by this act, shall in any wyse extend, or bee iudged, interpreted, or expounded to make any corruption of bloud, to anie ẏ heire or the heirs, of any such offendour or offendours, or to make ẏ wife of any such offendour to loose or forfait her dower, of, or in any landes, tenements, or hereditaments, or her title, action or interest to ẏ same: any thing in this act conteyned, or anie attayndour or attayndours hereafter to bee had for anie offence or offences made treason by this act, to the contrary not withstanding.

Coꝛrupt blod

Dower

Peere Trial

And be it further enacted by ẏ auctoritie aforesayd, that if anie of ẏ lords

a.

of the Parlyament, or peere of thys Realme, for ỹ time being, shal fortune at any time hereafter to be indicted of any offence made treason by this act: that then they and every of them shall haue his or their trial by their peeres, as hath beene vsed heretofore in cases of hygh treason. An. 5. El. ca. 11.

Triall

27 ¶ Be it enacted, declared, and established, that if any persionne or persons whatsoeuer, at any time after ỹ last day of June next cõming, during the naturall life of our most gracious soueraigne Lady Queene Elizabeth, (whom almighty god preserue & blesse with long and prosperous raigne ouer this Realme,) shal within the realme, or without compasse, imagine inuent, deuise, or intend the death or destruction, or any bodyly harme, tending to death, destruction, mayme, or woundinge of the royall person of the same our soueraigne Lady Queene Elizab: or to depryue or depose her of or frõ the stile, honour, or kingly name of ỹ imperiall crowne of this realme, or of any other Realme or dominion to her Maiestie belonging, or to leuy Warre against her Maiestie within thys Realme or without: or to moue or to stire any forreiners or strangers or wõ force to inuade this Realme, or the realme of Ireland, or any other her maiesties dominions, beeing vnder her maiesties obeisance, and such compasses imaginations, inuencions, deuises, or intẽcions, or any of them, shal maliciously aduisedly, and expressly vtter, or declare, by any printinge, writinge, cyphring, speach, woordes or sayings: or if any person or persones whatsoeuer, after the saied last day of June, shal maliciously, aduisedly, and directly, publish, declare, hold opinion affirme or say by any speach, expresse woords, or sayinges, that our sayed soueraigne Lady Queene Elizabeth during her lyfe, is not or ought not to be Queene of thys Realme of England, and also of the Realmes of Fraunce, and Ireland, or that any other persone or persones ought of right to bee kynge or Queene of the saied Realme of England and Ireland, or of any other her maiesties dominions, beeinge vnder her maiesties obeysaunce, during her maiesties, life: or shall by writyng, printinge, preachyng, speach, expresse woordes or sayinges, maliciously, aduisedly, and directly, publish, sett forth, and affirme, that the Queene our said Soueraigne lady Queene Elizabeth is an Heretike, Schismatike, tiraunt, infidell, or an vsurper of the Crowne of the sayed Realmes, or any of them: that then all and every such sayed offence or offences, shalbee taken, deemed, and declared by the authorities of this act and Parlyament, to bee high Treason: and that aswel ỹ principal offendour or offendours therein as all and every the abbettours, counsellours and procurers to the same offence or offences, and all and every aydours and comforters of the same offendour or offendoures, knowynge the same offence or offences to bee doone and commytted in anie place within this Realme or without, being thereof lawfully and duely indycted, conuicted, and attainted, according to the vsuall order and course of the common lawes of thys Realme, or according to the act made in the xxvb. yere of the raigne of the late kynge of famous memory king Henry the eight, father of our saied Soueraigne Lady entituled.

Compasse

Bodely harme

Depose

Styls

Leuy war.

None strãgers

Printing

Writing

Woords

Publishe

Woords

Heritike

vsurper

Treason

Abbettors

An act concerninge the triall of treasons committed out of the kings maiesties dominions, (as the case shal require) shal be deemed, declared, and adiudged traitours to the Queene and ỹ Realme, & shal suffer paines of death, and also forfait vnto ỹ Queenes maiestie, her heires and successours, all & singuler lands, tenements, & hereditaments, goods, & cattels, as in cases of high treason by the lawes & statuts of this realme at this day of right ought

Traiters

Forf.

to

to be forfayted and lost.

And be it also enacted by the auctoritie aforesayed, that all and euery person and persons, of what degree, condition, place, natiõ, or estate soeuer they be, which shall after the end of thyrtie dayes next after the last day of thys present session of this Parliament, at anie tyme in the life of oure Soueraigne Ladie Queene Elizabeth, in any wise clayme, pretende, vtter, declare, affirme, or publishe them selues or any of them, or anie other the n oure sayed soueraigne lady Elizabeth ỳ Quẽnes Maiestie that nowe is, to haue ryght or title to haue or enioy the crowne of England, during or in the life of oure sayd Soueraigne Lady: or shal vsurpe the same crowne, or the royal stile, title, or dignitie of the crowne or realme of England, during or in the life of our saied Soueraigne Lady: or shall holde and affirme that our sayd Soueraigne Ladie hath not ryght to holde and enioy the sayed Crowne and Realme, stile, title, or dignitie: or shal not after any demaund on our said Soueraigne Ladyes part to bee made, effectually acknowledge our sayd soueraigne lady to be in right, true & lawful Quẽne of this realme: they and euery of them so offendinge, shallbee vtterly disabled duringe their naturall lyues onely to haue or enioy the crowne or Realme of England, or the stile, title, or dignitie thereof at any time in succession inheritaunce, or otherwise, after the deceasse of our said soueraigne Ladie, as if such persone were naturally dead, any lawe, custome, pretence, or matter whatsoeuer to ỳ cõtrary notwithstãdig.

And be it further enacted, that if any person shal during the Quẽnes maiesties life, in any wise hold, affirme, or maintaine any right, title, interest, or possibilitie in successiõ or inheritãce in or to ỳ crowne of Englãd, after our said soueraigne lady ỳ Quẽne to be rightfully in or lawfully due or belonging vnto any such claimer, pretender, vsurper, vtterer, declarer, affirmer, publisher, or not acknowledger, so ỳ our said soueraigne lady ỳ Quẽne shall by proclamatiõ to be published through ỳ realme, or elle in ỳ more part of thole shires of this realme, aswell in ỳ south side as ỳ North side of Trẽt, & also in ỳ dominion of Wales, in which shires no Warre or rebellion then shalbe, set forth, notifie, or declare such claiming, pretence, vtteringe, declaration, affirming, publishing, vsurpatyon, or not acknowledginge: then euery persone which after such proclamation, shall duringe the Quẽnes Maiesties life, maintaine, hold, or affirme any right in succession, inheritaunce, or possibilitie in or to the crowne or Realme of England, or the rightes thereof, to be in or to any such claymer, pretender, vtterer, declarer, affirmer, vsurper, publisher, or not acknowledger, shall bee a high traitour, and suffer and forfait as in cases of high treason is accustomed.

And be it further enacted, that if anie person shall in anie wise hold and affirme, or maintaine, that the cõmon lawes of this Realme not altered by parliament, ought not to direct the right of the crowne of Englande: or ỳ oure said soueraigne lady Elizabeth ỳ Quẽnes maiestie ỳ now is, with & by ỳ auctoritie of the parliament of Englãd is not able to make lawes & statuts of sufficient force & validitie to limit & bide ỳ crowne of this realme, & the dissent, limitation, inheritaunce & gouernement thereof: or that thys present statute, or any part thereof, or any other statute, to be made by ỳ auctoritie of the parliament of Englãd, wtout the roiall assent of our said soueraigne Lady the Quẽne for limitting of the crowne, or any statute for recognising ỳ right of the sayd Crowne & Realme to be iustely and lawfully in the most royal persone of our saied soueraigne Lady the Quẽne, is not, ere not, or shall not, or ought not to bee for euer

of

Publishe

Crowne

Vsurpe

Refuse

Disabled

Clayme

Proclamation

Wales

Affirme

Traitor

Affirme Cõmõ law

Crowne

Statuts

of good & sufficient force and validy-
te, to bynd, limit, restraine & gouerne
all persones, their rights and tytles,
that in any wise may or might claime
anie interest or possibilitie in or to the
crowne of England in possession, re-
mainder, inheritance, succession or other
wise how so euer, and al other persons
whatsoeuer: euery such person so hol-
dyng, affirmyng, or maintening, bu-
ring the life of the Queenes maiestie,
Traytor shalbe iudged a hygh traitour, and suf-
fer & forfait as in cases of high treason
is accustomed. And euery persone so
holding, affirming, or maintening, af-
ter the decease of our said Soueraigne
Forf. Lady, shall forfayt all hys goodes and
catteles.

And for the auoydinge of contencions
Seditious talke Title and seditious spreading abroade of ty-
tles to the succession of the crowne of
this Realme, to the disturbinge of the
common quiet of the Realme: Bee it
enacted by ỹ authoritie afore said, that
whosoeuer shal hereafter during ỹ life
of our said soueraigne Lady, by anie
Printing writing booke or worke printed or written,
directly & expresly declare and affirme
at any tyme before the same be by act
of parliament of this realme establish-
ed & affirmed, that any one particuler
person whosoeuer it bee, is or ought to
Heire Successor be the right heire and successour to the
Quéenes maiesty that nowe is, (whō
God longe preserue) except the same be
the naturall issue of her maiesties bo-
dy, or shal wilfully set vp in opē place,
Bookes Bynd Put to sale publish, or spread any bookes or scrow-
les to that effect: or shall print, bind, or
put to sale, or vtter: or cause to be prin-
ted, bound, or put to sale, or uttered, a-
ny such booke or writinge wittingly:
that he or they, their abettours, & cou
sellours, and euery of them, shall for ỹ
First offēce Imprisonm First offence suffer imprisonmēt of one
Forf. whole yere, & forfait halfe hys goods,
Moitie whereof the one moity to ỹ Queenes
maiestie, the other moitie to hym or
them that will sue for the same, by bil,
accion of debt, plaint, information, or
otherwise, in any of the Quéenes ma-
iesties courtes, wherein no essoine or
protection shalbe allowed. And if anie
shal essoines offend therein, then they
and euery of them, their abettours &
counsellours, shal incurre the paines &
forfaitures which in the statuts of pro
uision or premunire are appointed and Premunire
limitted.

Prouided alway, ỹ if it shall happen
hereafter any peere of this realme to Peere
bee indicted of any offence made trea-
son by this act, he shall haue his triall Triall
by his peeres, as in other cases of trea
son is accustomed.

Saving to all and euery person and
persons, bodies politike and corporat, Bodies politike
their heires and successours, other the
the sayed offendours and their heires,
claiming onely as heire or heires to a-
ny such offendour, and such persone
and persons as claime to any their u-
ses, all such rightes, titles, interestes, Rights
possessions, leases, rentes, reuercions,
offices, and other profitts, which they
or any of them shall haue at the day of
the committing such offence or offen-
ces, or at any time before, in as large
and ample manner, as if this act had
neuer ben had or made.

Prouided also, and bee it further en-
acted by the authoritie afore said, that
no person or persons shal in any wise,
bee arraigned for anie of the offences
mencioned in this act, to bee commit-
ted or done within any the Quéenes
maiesties realmes or dominions, vn-
lesse the offendour or offendours bee
thereof indicted wthin vi. moneths next 6. monethes
after the same offence committed: any
thinge mencioned in this act to ỹ con-
trary notwithstandinge. And that no
person or persons, shall in any wyse
be arraigned for any ỹ offences men-
cioned in this act, to bee committed or
doone out of any the Quéenes maies-
ties realmes or dominions, vnlesse ỹ
offendour or offendours bee therof in-
dicted within one yeare next after the One yere
same offence committed: any thynge

mēc

mencioned in this act to the contrary notwithstanding.

Prouided also, and be it enacted by the auctoritie aforesayd, that no person or persons shalbe hereafter arraigned for anie of the offence or offences mencioned in this act, vnlesse ỳ same offence or offences bee prooued by the testimonie, depoition and oth of two lawful and sufficient witnesses: which sayed witnesses shal at the time of the arraignement of such person so offending, be brought forth in person before the partie so arraygned face to face, & there shall auow and openlie declare all they can say agaynst the partie so arraigned, vnlesse ỳ said partie arraigned shall willingly without violence confesse the same.

2. witnesses

Confesse

Prouided also, and be it enacted by ỳ auctority aforesaid, that ỳ aydours and comforters of such of the offendours aforesayed, as shal maliciously, aduisedly, and dyrectlie publish, sett foorth, and affirme that the Queenes highnesse that now is, is an Heretike, scysmatyke, tiraunt, infydell, or vsurper of the crowne, as in fourme aforesayd, shall for hys sayd first offence of aiding and comforting the said last recited offendour or offendours, knowing the same offence or offences to be committed, incurre onely the daunger and penaltie of premunire, mencyoned in the statute of premunire, made in the yer. of kyng Richard the second (c. 5. prouision. 14.) And that such aydours & comforters of the offendour or offendours aforesayd last recited, knowing the same offences to be compted, which after their first conuictiō & attainder therof shal eftsones offend, shal for his or their second offence bee adiudged high traitours, & suffer & for fait as in cases of high treason, as is aforesayed.

Aydours

Publishe

Heretik

First offēce

Premunire

Second offence Traitours

Prouided alwaies, & be it enacted by the auctoritie aforesayed, that the geuynge of charitable almes in money meate, drinke, apparell, or bedding, for the sustentation of the bodie or health of anie persone or persons that shall cōmit any of the offences made treason or premunire by this act, during ỳ time that the same offendour shalbe in prison, shal not in any wyse bee deemed or taken to bee any offence: any thing in this act contayned to the contrary thereof not wythstandinge. An. 13. El. ca. 1.

Almes

28 ¶ Be it enacted that if any person or personnes whatsoeuer at anie time hereafter do within thys Realme, or els where, vnlawfully, & of his or their owne auctoritie compasse, imagine, conspire, practyse, or deuyse, by anie waies or meanes with force, or by anie craft, deuyse or sleyght, maliciously, and rebelliously, to take, or to detayne, or keepe from our sayd Soueraigne Lady the Queene, anie of her Castelles, Towers, Fortresses, or holdes, or maliciously and rebelliously to rase, burne, or destroy any Castell, Bulworke, or Fort, or any part of them, haunge any munition or ordinance of the Queenes maiesties therin, or appointed to bee garded with anie souldiers for defence thereof within this Realme, or wythin any of her maiesties dominions or Countreyes, or the marches of the same, & the same compasses, imaginations, practises, cōspiracies, or deuises, or any of thē, shal & do aduisedly by any expresse wordes, speach, act, deede, or wryting, expresse vtter, or declare, for any the malicyous and rebellious, intentes aforesaid: that then euerie such persone and persones, so hereafter offendynge in any the premisses, their aidours, Counsellours, comforters, consentours, and abbettours knowinge thereof, beinge thereof lawfully conuicted accordinge to the lawes of this realme, shalbe iudged a felon, and felons, and that euerie such offence shalbee iudged to bee felonie, & the offendour & offendours therein, their said aydours, cōforters, counsellours, and abbettours, beinge therof lawfully

Deuise

Take or keepe Castels Fortresse Burne Bulwerk Towers Holde Destroy Fort.

Vtter (vt.)

Abbettors

Felony

lawfully conuicted, shall haue and suf-
Deth Clergie Sanctuary Forf. Eschete fer paines of death, as in cases of felo-
ny, without hauing any benefit of Cler-
gy or Sanctuary, and also shall forfayt
and loose all hys goods and catteles,
landes and tenementes, as in other ca-
ses of felonie hath beene vsed and ac-
customed.

And bee it further enacted by thau-
thoritie aforesaid, that if any person or
persones, do at any tyme hereafter wt
force, maliciously and rebellyously de-
Force withold Towers Holdes Fortresses taine, kepe, or withold, from the Queens
Maiestie, any of her Castels, Towers,
Fortresses, or holdes, within thys Re-
alme, or any her Maiesties dominyons
Rebel or Countries, or Marches of the
same: or do maliciously, rebellyously, &
with force detaine, kepe, or withhold
Ordinaunce Armour Shipps from her Maiestie any of her Shippes
Ordynaunce, Artillary, or other mu-
nitions, or fortyfycations of warres,
Render and do not render and geue vp the same
to our said Soueraigne Lady, or to such
6. dayes persone as her Maiestie shall appoint
to receyue ỳ saune to her Maiesties vse,
Proclam within fiue daies next after hee or they
so offending, shalbee commaunded by
our saied soueraigne Lady the Queene
by open proclamations vnder the great
Seale of England, to be made in any
place or markett Towne within the
County where any such offence shalbe
cõmitted: or shall wilfully, malitious-
Barne Destroy ships Barre hauen Abbettors ly, and rebellyously, burne or distroy, or
cause to bee burned or destroyed, any of
the Queenes shippes, or malitiously, &
rebellyously barre or cause to bee barred
any hauen within any of the Queenes
Maiesties dominions: that then euery
such person and persones so offending
their aydoures, counsellours, and ab-
bettoures, being thereof lawfully con-
uict, according to the lawes of this Re-
alme, shalbe adiudged traytours, and
their offences in any the premisses, shal
Treason be accepted, iudged, and taken for high
treason, and the offendours therein,
their aydours, counsaillours, and abbet
toures, being thereof lawfully conuict
according to the lawes of this Realme
shall haue & suffer such paynes of death
and also shall forfait and lose, as in ca-
ses of high treason is lymitted and ac-
customed: This act to endure duryng
ỳ Queenes maiesties life ỳ nowe is.
An. 14. El. cap. 1.

29 ¶ Be it enacted &c. that if any per-
son or persons at any time after ỳ end
of this present sessiõ of parliament, shal
imagine, conspire, deuise, inuent, or goe
about vnlawfully & malitiously, to en-
large, or set at libertie any person or per
sons, committed, or to bee committed
to any prison, garde or custody, by her
highnesse especiall commaundement,
for any treason, or suspition of treason
concerning the person of our said Soue
raigne Lady the Queene, beefore any
indictment of such person so sought or
intended to be set at large, or lybertie,
as is aforesaid, and the same conspira-
cies imaginations, deuises, or inuenti-
ons, shall by expresse woordes, wry-
tyng, or other matter, or act, expresly
or manifestly, sett foorth, vtter, or de
clare: that then euery persone so offen-
ding, shall incurre the penaltie and for-
feyture of misprysyon of treason, and
that al and euery offence and offences
to be committed and done, as is afore-
said, shalbee deemed and taken for mis-
prision of treason.

And be it further enacted by the au-
thoritie aforesaid, that if any person or
persones, at any tyme after thende of
thys present session of parliament, shall
imagine, conspire, deuise, inuent, or go
about vnlawfully and malytiously to
enlarge or sett at lybertie any person or
persons, being committed to any prysõ
garde, or custody, after the same per-
son or persones, is, or shalbee attayn-
ted or conuicted of any treason, in any
wise concerning the royall persoime of
our said Soueraigne Lady the Queene
and the same conspiracies, imagina-
tions, deuises, or inuentions, shall by
expresse woordes, writyng, matter or
act, as is aforesaid, sett foorth, vtter, or



Forf.
Queenes lyfe
Conspire Enlarge Deuise
woords wryting
Misprision of treason
Conspire England
words writing

declare: that then euery such person so offending, shalbee deemed, and adiudged an hygh traytour, and shall suffer lose, and forfayte, as in cases of hygh treason, by the lawes and statutes of this Realme. This act to endure during the Queenes Maiestyes life that nowis, onely. Anno 14. Elizab. capitul. 2.

Traitour

30 ¶ If any person or persons, of what estate, degree, or condition soeuer he or they bee, shall from and after the first day of Aprill next comminge, for wicked lucre or gaines sake, by any art wayes, or meanes whatsoeuer, impaire diminish, falsifie, skale, or lighten the proper moneyes or coignes of thys realme, or any the dominions thereof, or the moneyes or coignes of any other Realmes, allowed and suffered to bee currant at the tyme of the offence committed within this Realme of Englād or any the dominions of the same, by the proclamation of the Queenes maiestie, her heires or successours, shalbe taken, adiudged, and deemed to bee treason, and the offendours therein, theyr counsaylers, consenters, & ayders, shalbe likewise deemed and adiudged as offendours in treason, and being thereof lawfully conuicted or attainted, according to the due order of the lawes of thys Realme, shall suffer paynes of deathe, and loose and forfaite all their goodes and cattels to the Queenes Maiestie, her heyres and successours, & shal also lose and forfaite to the Queenes Highnesse her heyres and successours, all their landes tenements, and hereditaments, during hys or their naturall life or lives only.

Demynishe monye

Currant

Treason

Forf.

During life

Prouided alwayes, and bee it enacted by the authoritie aforesayed, that thys act, nor any thinge therein contayned, nor any attayndour or attayndours of any personne, or personnes, for any offence or offences made treasonne by thys act, shall in any wyse extend or bee iudged, interpreted, or expounded, to make any corruption of bloud, to any the heyre or heyres, of any such offendour or offendours, or to make the wife of any such offendour to loose or forfaite her dower of or in any lands, tenemēts, or hereditaments, or her title, action, or interest to the sāe, any thynge in thys act conteyned, or any attayndour or attayndours hereafter to be had, for any offence or offēces made treason by thys act, to ỹ contrary, notwithstanding.

Corrupt

bloud

Dower

And bee it further enacted by thauthoritie aforesayed, that yf anie of the Lordes of the Parliament, or peere of thys Realme, for the tyme being, shall fortune at any tyme hereafter to bee indicted of anie offence made Treason by thys act, that then they and euerie of thē, shall haue hys or theyr tryall by their Peeres, as hath bē vsed hertofore in cases of hygh treason. Anno. 18. Elizabeth cap. 1.

Lord of parliament Peere

Triall

¶ *Trespas.*

IT is prouyded also, that Sheriffes shall plead pleas of trespas in theyr counties, as they haue bene accustomed to bee pleaded. And that none from hēce forth shall haue writtes of trespas before Justicers, vnlesse he sweare by his faith, that the goodes take away, were worth foorty shillings at the least. And if he complayne of beatinge, he shall swere by his faith, that his playnte is trew. Touching woundes & maimes, a man shall haue his writte as before hath ben vsed. And it is agreed, that the defendantes in such pleas may make their attournies, where appele lieth not so that if they be attained, beynge absent, then the sheriffe shallbe cōmaunded to take them, and shall haue like payne as they should haue had, if they had bene present, at the iudgement geuen. And if the plaintiffes, from hence forth in such trespasses cause them selfe to be essoined after ỹ last apparāce, day shalbe geuen thē vnto the comming of the Justicers in eyre, & the defendāts in the meane time shalbee in peace. In such

Sheriffes

Counties

writtes

Pleas.

Bataile

Othe

Wayme

Attourney

Attaint

Sheriffe

Essoyne

such pleas and other, whereas attachements and distresses do lie if the defendaunt essoine him selfe in the kings seruyce, and do not bringe his warraunt in at the day geuen hym by the essoiner It is prouided, that he shal recompence the plaintife damages for his Journey xx.s. or more, after the discretion of the Justices, and neuertheles shalbee grenously amerced vnto the king, Glocestr. ca. 8, An. 6. E. 1.

Damages

¶ *Triall.*

Where in tymes past many haue benc often times delayed of their action vpon as well in assises and other pleas of lands, as in contracts, couenants, & tresspasses, by reason that the tenaunts or defendaunts haue put in barre a release, quitclaime, or other especial dede made within a fraunches wythin the boundes of the realme where the kings writte runneth not: It is enacted and established ẏ when any such dedes be putt forth in barre of any accion, bearing date in a place within such fraunches, although there be witnesses of the same fraunchises, named in the same dedes if the same dedes be denied, proceese shalbe made into ẏ same Coũtrey where the plea shalbee moued to haue the enquest of the Countrye and the witnesses, and if the witnesses come not at ẏ great distresse returned, thẽ for ẏ absẽce of ẏ witnesses, ẏ Justices shal not lett to procede to the taking of then quest, as wel, as if such dede did beare date in the same shere where the plea was moued, and that ẏ wituesses were not of the same countie. Anno. 9. E. 3. cap. 4.

Delayed

Proces

Enquest witnesses

2 ¶ De Wastardy 2. for the triall of Wastardy. Anno. 27. E. 3. statuto stapule. cap. 8.

3 ¶ An. 9. R. 2. ca. 4. it is enacted that an issue, whether a Prieur bee datiue or remouable, shalbee tryed by the ordinary.

Prieur Ordinary

4 ¶ Anno 27. Edwardi tertii, statuto stapuls. cap. 8. and Anno. 28. Edwardi tertii. cap. 13. (vvhich two acts be in staple 7. & 21.) it is enacted for Triall per medietatem lingue. And after Anno 8. H. 6. capitulo. 28. it is enacted as foloweth, the king &c. hath declared the sayed last estatute made in the tyme of his father (S. An. 2. H. 5. cap. 3. which is in Jurours 9.) shal not bee preiudiciall to the saied first ordynaunce (S. Anno. 25. Ed. 3. sta. stapule cap. 8. & An. 28. E. 3. ca. 13. which be in staple 7. and 21. concerning tryall per medietatem lingue) shall not extend but onely to the Inquestes to bee taken betwene denizen and denizen, & not to the other enquestes and preues abouesaied. And the said first ordinance to be effectuall and stand in hys force, and to bee putt in due execution accordyng to the fourme of the same. The sayd last statute (S. Anno. 2. H. 5. cap. 3.) or that the alyens not hauyng landes or tenementes to the value of forety shillinges by the yere accordyng to the effect of the sayed latter statute and ordynaunce, (S. of An. 2. H. 5. ca. 3. which is in Jurours 9) not withstanding. An. 8. H. 6. cap. 28. See more of triall per medietatem lingue Attaint 13. and Egipcians. 1. 2.

Medietatem lingue

Denizen

5 ¶ In which statuts (S. Mag. carta. ca. 30. vvhich is in accusation. 1.) is no mencion made how women & ladies of great estate because of their husbandes Peeres of the lãd, maried or sole, that is to say duchesses, countesses or baronesses, shalbe put to answer, or before what Judges that they shalbee iudged vpon indictmentes of treasons or felonyes by them committed or done, by cause wherof it is an ambiguitie in the law of England before whom, and by whõ such ladyes so endicted shalbe put to answer & be iudged. Our said Soueraigne lord the king willing to putt out such ambiguities and doubtes hath declared by authoritie aforesaid, that such ladies so endicted or hereafter to be endicted of any treasõ or felony, by them done or hereafter to bee done, whether

Women

Judges

Ladies

that they bee maried or sole that there of shalbe brought in answer and putt to answere and iudged before such iudges and peers of the realme, as peers of the Realme should be if they were enditted or impeched of such treasons or felonies done or hereafter to bee done, & in lyke manner and fourme, & in none other wise. An. 20. H. 6. cap. 9.

Forein pleas

6 ¶ An 23. H. 6. cap. 12. an act was made to endure to the next Parliament concerning trial of forein pleas pleaded after issue joyned.

Felon

Sanctuary

Forein county

K. atturney

7 ¶ If any murderer or felon vpon his arraynement, hereafter doo alleage, that he hath taken any church or church yarde for murder, felony, or other place priuileged for the same in a forein cõty, and against his will taken out there of, that then the kinges atturney, or any other person that will sue or alleage for the king, that the said murderer or felon so arraigned, was taken at large in the same shere, where he is so arraigned, that then the same allegeance and

Enquest

issue to bee tryed by the enquest that should trie the saied murder or felony within the same shere, and beefore the same Iustice, where the said murderer or felon is arraigned, as though the said

Forein ples

forein plee had not ben pleaded by the saied felon. And if it be founden by the same inquest, that the saied murderer or felon was taken within ỹ same shere (as is aforesaid) that thẽ he to haue nõe auauntage or benefit of the matter alleaged by him for takyng out of the church or churchyard, or other place priuileged, in any such forein shere, and this act to endure to the nert Parlyament. Anno. 48. cap. 2. And after An. 22. H. 8. cap. 2. is renued and made perpetuall.

Treasons Felonies Sea

8 ¶ All treasons, felonies, robberies murders, and confederacies hereafter to be commytted, in, or vpon the sea, or in any other hauen, riuer, creeke or place where the admiral or admiralles haue or pretend to haue power euthoritie or iurisdiction, shalbee enquired, tried, heard, determined and iudged in such sheres and places in the Realme, as shalbe limitted by the kynges commission or commissions to bee dyrected for the same, in lyke forme and condition as if any such offence or offences had bene committed or done in or vpon the land, and such commissions shal bee

Commiss

hadd vnder the kynges greate Seals

Admirall

directed to the admirall or admiralles, or to hys or theyr lieutenaunt, deputy and deputyes, and to three or fower such other substancial persons, as shall

L. Chauncelor

bee named or appoynted by the Lord Chauncellour of England for the time beeinge, from time to tyme, and as oft as neede shall require, to heare and determyne such offences, after the com-

Oier & ter

mon course of the lawes of this lande, vsed for treasons, felonies, robberyes, murders, and confederacies of ỹ same, done and committed vpon the land wtin this realme.

Cõmissioners

And bee it &c. that such personnes to whome such commission or commissions shalbe directed, or iiij. of them at the least, shal haue full power and au-

Enquire Othes

thoritie to enquire of such offences, and of euery to them, by ỹ othes of twelue good and lawfull inhabitants in the shire, limitted in their commission: in such like maner and fourme, as if such offences had beene committed vpon the land within ỹ same shire. And that

Indictmẽt

euery enditement found and presented before such commissioners, of any treasons, felonies, robberies murders, manslaughters, or such other offences committed or done, in, or vpon the Seas, or in, or vpon any other hauen, riuer or creeke, shalbe good and effectual in the lawe.

Judgment

And if any person or personnes happen to bee indicted for any such offence done or hereafter to bee done vpon ỹ Seas, or in any other places aboue lymitted, that thẽ such order, proces, iudgement and execution shalbe vsed, had, done and made to, and agaynst euery such personne and personnes, so beeing

indicted

indicted, as againſt treatoures, felons, and murderers, for treaſon, felony, robbery, murder, or other ſuch offences don vpon the land, as by the lawes of the Realme is accuſtomed.

Triall And that the triall of ſuch offence or offences, if it be denied by the offendour or offendours, ſhalbee hadd by xii. lawfull menne, inhabited in ỹ ſhere limitted wythin ſuch commiſſyon, wheych ſhalbe directed as is aforeſaid, and no challenge or challenges to bee hadd for the hundred.

No challeg

Conuict And ſuch as ſhalbe conuict of any ſuch offence, or offences, by verdict, confeſſion, or proceſſe, by auctheritie of any ſuch commiſſyon, ſhall haue and ſuffer ſuch paynes of death, loſſes of landes, goodes and cattalles, as if they hadd beene attaynted and conuycted of any Treaſons, felonyes, robberies or other the ſaied offences done vpon the landes.

Treaſons Murders Felonies Seas And be it ꝛc. that for Treaſons, robberies, felonies, murders and confederacies done vpon the Sea or Seas, or in any place aboue reherſed, the offenders ſhall not bee admitted to haue the benefite of his or theyr Clergye, but be vtterly excluded thereof, & from the ſame, and alſo of the priuiledge of any ſanctuary.

Clergie

Sanctuary Prouided alway, that this act extend not to be preiudiciall or hurtfull to any perſon or perſones, for taking any vytailes, cables, ropes, anckers, or ſailes, which any ſuch perſonne or perſonnes (compelled by neceſſitie) taketh of or in any ſhipp, which may conuenyently ſpare the ſame, ſo that the ſame perſon, or perſons pay out of hand for the ſame vitaile, cables, ropes, anckers, or ſayles money or money wooꝛth, to the value of ỹ thynge ſo taken, or to deliuer for ỹ ſame a ſuffycient bill obligatory to bee paied in forme following. That is to ſay, if the taking of the ſame thinges bee on this ſide ỹ ſtraites of Marroke, then to be paied wythin iiii. monethes. And if it be beyond ỹ ſaid ſtreates of Marroke then to bee paied within xii. monethes next enſuing the making of ſuch billes. And that the makers of ſuch billes ſhall truely pay ỹ ſame debt at the day to be limitted within the ſaid billes.

Vytayles Ropes Anckers Neceſſitie

Paye

Obligation

Marrocks 4. monethes

12. monethes

Prouided alway, that wheꝛſoeuer any ſuch commiſſyon for the punyſhement of the offences aforeſaid, or of any of them ſhall be directed or ſent to any place within the auldyence of the fiue portes, that then euery ſuch commiſſion ſhalbee directed vnto the Lord Warden of the ſaid fiue portes for the time being, or to his deputy, and vnto thre or fower ſuch other perſon or perſons, as the Lord Chauncellour for the time being ſhall name & appoint. Any thing in thys preſent act to the contrary notwithſtanding. Anno. 28. H. 8. cap. 13.

Comiſſion

b. portes L. warden

L. chaūcellor

¶ Nota that an 27. H. 8. ca. 4. is an act made almoſt wooꝛd for wooꝛd lyke vnto this, made in an. 28. H. 8 capitulo 15. And becauſe thys latter act is ſomewhat large, & includeth more then that former act, therefore I haue not put here that former act.

¶ For the ſpeedy triall and punyſhement of ſuch perſonnes as haue committed and done, or hereafter ſhal committ and perpetrate any manner of treaſons, or miſpriſions of treaſons, wythin the principalitie and dominion of Wales, & marches of the ſame, or elſe where within any ỹ kings dominions where his graces originall writtes in ỹ Chauncery of Englād commōly runneth not.

Treaſons Miſpriſiōs Wales

Bee it ꝛc. that all ſuch treaſons and miſpriſions of treaſons as is aforeſaid, ſhalbee preſented and tried by the othes of twelue mē inhabiting, or which ſhall inhabite within any ſuch ſheres, and before ſuch commiſſioners as the kinges maieſtie from time to time in ſuch caſes ſhall aſſigne and appoint by his commiſſion or commiſſions of oyer and determiner, in like manner and fourme, as if ſuch treaſons or miſpriſiōs of treaſons had ben done & committed within

Preſent Othes

Cōmiſſioners

such the said theres, into the which the said commissions of oyer and determiner shalbee directed as is aforesaid. And that all presentments, trialles, processes, iudgementes, executions, & forfeitures hereafter made, had or done by vertue of such commissions, shalbe good and effectuall in the law, to all purposes & intents, any graunt, customs or usage heretofore made or used to the contrary notwithstanding.

Without commission

Seale

Peeres

Prouided alwayes, That trials of peeres of the realme concerning treasons, shal be done and had as heretofore hath ben vsed & accustomed: any thing in this act contained notwithstanding. An. 33. H. 8. ca. 12.

Treasons Wilfull murders Bloudsheds

kinges house

Enquiries Trial

L. great maister L. steward

Treasorer Cõptroller

Steward of the Marshalsy

Houshold seruants Checke roll

Judgments Officers

Inquisitiõ vpon

Cozoner of houshold

Other yomen Returns Clerks

All treasons, misprisions of treasons, murders, manslaughters, bloudsheades and other malicious strikinges by reason whereof bloud is or shalbee shed against the kinges peace, which hath ben done since the feast of all saincts last past, or hereafter shalbe done within any pallaces or houses of his highnesse or his heires, or any other house or houses at such time as his maiestie hath ben since the said feast of all saincts, or hereafter shal happen to be there demurrant or abiding in his royal person, shalbe from hereforth enquired of, tried heard and determined within any the kinges places or houses or other house or houses where his maiestie or his heires shal hereafter repaire vnto, or be abiding in maner & fourme following, That is to say, before the Lord great master, or lord steward for the time being of the kinges most honorable houshold, and of his heires and successours: And in the absence of the said lord great master, or lord steward of houshold, before the Treasourer and cõptroller for the tyme being of the kinges most honorable houshold and of his heires & successours, and steward of the marshalsy for the tyme beeinge, or two of them, whereof the steward of the marshalsey for the tyme being to be one, by vertue of their offices, without any cõmissiõ or other authoritie or power, other then by authoritie of this present act to be geuen vnto the or to anie of the, which steward of marshalsy shal hee for euer from time to time assigned & appointed by writing vnder the Seale of the said lord great master or Lord steward for the time being. And whether the kinges maiestie or his heires hath, or at any time hereafter shal bee remoued from the pallace, house or houses where such offences were or shall bee done, or not remoued before they bee enquired of, tried, heard, & determined, yet such offences shall by authoritie of this act, alwaies from henceforth bee enquired of, tried, heard, & determined before the kinges maiestie & his heires, officers & ministers of houshold before named, or ii. of them as is aboue said, by the enquisitiõ & verdict of this highenesse and his heires, houshold seruants in his & their checke rolle, in maner & fourme as before and hereafter is expressed in this present act, and at such pallace house or houses, where hys maiestie or hys heires shalbe at any time hereafter demurrant or abiding. And that all such retournes of processe, and all executiõs and iudgementes concerning the premisses, shall be had & done by the officers, before and hereafter expressed, & in maner & fourme as before & hereafter in this present act is contained. And that al inquisitions vpon the view of personnes slaine or hereafter to bee slaine within any the kinges said pallaces or houses, or other house or houses aforesaid, shalbe by authoritie of this act had and taken hereafter for euer by the cozoner for the time being of the houshold of our Soueraigne Lord the king, or hys heires without any adioyning or assistig of any other cozoner of any there within this realme, by ỹ oth of ii. or mo, of the yomen officers of the kings and his heires most honorable houshold, returned by ỹ two clarks comptrollers, the clarke of the checque and clarkes marshals, or one of them for

for the tyme beinge of the layed household, to whom the saied coroner of the same household shall direct hys precept, which coroner of the saied houre the kinges household, shall be from time to time named appointed and assigned by the sayd Lord great master, or lord steward for the time being, & that the saied coroner of the layed household shall from tyme to tyme for ever, without delate certifie under hys seale, and the seales of such persones as shalbee so sworne before him al such inquisitions enditements and offices upon the vewe of all dead bodyes being slaine at ane tyme sith the feast of all saintes nowe laied, or which hereafter shalbe slaine within ane y kinges saied pallaces or houses, or other house or houses aforesaid, before the said lord great master or lord steward, & in hys ablence before the Treasorer, comptroller and steward of the marshalsey aforesaid, or before two of them whereof the said steward of the marshalsey to be one: and that such inquisitions and officer so certified, shalbe deemed adiudged & taken for ever as good and effectuall in the law to all intentes constructions & purposes, as any inquisition taken upon the vewe of the bodie of any person being dead by any coroner of any countie of this Realme, hath bene or shalbee adiudged or taken.

And be it enacted that the saied two clerkes comptrollers, clerkes of the checque, and clerkes marshalles, for the tyme beeing of the kinges layed household, and of hys perres or one of them for ever, upon a precept to them or to any of them hereafter to be made by the saied Lord great master or lord steward or in the absence of the layed Lord great master or lord steward, by the saied Treasourer and comptrollour of the kinges most honorable household, and the layed Clarcke of the marshalsey, or by two of them, whereof the layed steward of the marshalsey to bee one, shall have full power to summon, warne, & returne the names of xxiiij persons being yomen officers of the kinges said household, & of his perres in the layed schedule rolle, to enquire of such treasons, misprisions of treasons, murders, manslaughters and other malitious stryinge, by reason whereof blood is, or shalbe shed against the kinges peace, before the saied lord great master, or Lord Steward, and in his absence before the said Treasorer, Comptroller, and steward of the marshalsey, or before two of them at the least, whereof y steward to be one. And that it shalbee lawfull to the sayd lord great master or Lord steward, and in his absence to the said Treasorer, Comptroller, and the saied steward aforesaid, or two of them, whereof the said steward to bee one, before whom such returnes shalbee made as aforesaid, to cause such number of the said xxiiij persones so returned above the number of twelue persones, as to him or them shall seme expedient, to enquire of such treasons, misprisions of treasons, murders, manslaughters, and other malitious stryinges, by reason whereof blood is, or shalbe shed against y kinges peace, within the said places or houses or other the said house or houses, the said feast of all saints, or at any tyme hereafter shalbe committed or done in the said palace, or houses, or other y said houle or houses. And if any person or persons be indicted by the said juries so sworne before them as is aforesaid, or by inquisition before the said Coroner of the said household, and certified before the said lord great master, or lord steward or in the ablence of the said lord great master or lord Steward, before the saied Treasourer, comptroller and steward or before two of them, whereof of the said steward to be one, as is aforesaid, that then immediatly without delay the layed Lord great master or lord steward, & in his ablence the said Treasourer, comptroller and steward,

or two of them, whereof the sayde Steward to be one, before whom the said presentment inquisition or indictemēt shall so be found or certified by the said coroner of the same houshold, shall arraigne before the al and every such person and persons so indicted, according to the course of the commō lawe of this Realme, and forthwith after issue ioyned betweene the king our Soueraigne Lord, his heires or successours and the prisoner so arraigned, the same day and place or any other day and place, at the pleasure of the said Lord great Master or Lord Steward, & in his absence at the pleasure of ỳ said Treasourer, cōptroller and Steward of ỳ marshalle, or two of them, as is aforesaid, shall make an other precept to the saied clarks comptrollers, clerkes of ỳ checke, and clarks marshals for the time being of the said houshold, or to one of them, to summon and returne one other Jury of xxiiii. personnes, to appeare before the sayed lord great maister or lord Steward, and in his absence before the said treasourer comptroller, and Steward of the marshalle, or before two of them, whereof the same Steward to be one, at such day, time and place, & vpō such paine as shal bee then limitted and appoynted of the seruaunts and gentlemen officers of ỳ kinges chamber, his heires and successours, and of the said houshold, whych now take or hereafter shal take wages by the kyngs checke rolle. And that the said lord great maister, or lord Steward (if he be there present) or in his absence the said treasourer comptroller and Steward of the said marshalle, or two of them, whereof the same Steward to be one, before whom such jury shalbe so returned, shall cause xii. of the same jury to bee sworne without any manner of challenge to be had or allowed for any maniner of cause, to any of the said jury (malice one excepted) truely to trye betweene our said soueraigne lord the king and his heyres, and such personne and persons as shalbee so indicted and arraigned, of such treasons, misprisions of treasons, murders, manslaughters, & other malicious strikinges, by reason whereof blood is or shalbee shed against the kinges peace, or of any of them.

And if any such person or persons, so indicted and arraigned, be found guilty of any treason, misprision of treason, murders or manslaughters, that then all and every such person and persones, so found guilty, shall haue iudgement of life and members, and suffer such paynes of death, and shall forfait al their manours, lands, tenements, goodes & cattels, in lyke manner and fourme as if the same persone and personnes hadd bene found guilty of any the said offences by the order of the common lawes of this Realme, without allowing to any such person or persons so found guilty of any the same offences, the benefit of his or their clergy or priuiledge of any sanctuary.

And if any person or persones so arraigned, be found guilty for malicyous striking, by reaſō whereof blood is, hath bene, or shalbee shed against the kinges peace, within the said place or house, or any other house, or any other the sayed house or houses, that then every such persone and persones shal from henceforth haue iudgement by the sayed lord great maister or lord Steward (if he be present) and in his absence, by the other beefore named, beefore whom such persone or personnes shalbee so found guilte, to haue his right hād stricken off before the said lord great maister or lord Steward (if he bee there present) and in his absence before ỳ said Treasorer, Comptroller, and Steward of the marshalley, or two of them at the least, whereof the saied Steward to bee one, and at such place and time, as hee or they before whom such person and persons shalbe so found guilte, shal appoint execution to be done, and the same execution to bee done by such personnes, as the saied lord great maister, or lord Steward (if he be there present) and in his

Arrayne

Precept

Clerkes Summon Jurie 24. persons

Kings seruants

Sworne xij. No challeg

Malice

Guiltie

Judgment

Fort.

Clergie Sanctuarie

Bloudshed

Judgment L. great maister L. Steward

Hand stryken of

Steward of the marshalls

Executioner

his absence as the sayed Treasourer, cõptroller & Stewarde of ẏ marshally or two of them, whereof the Stewarde to be one, shal name or appoint, & also shal haue iudgment to haue perpetual imprisonment duringe his life, and shal pay fine and raunsome at ẏ kings maiesties pleasure, his heirs and successours. And for the further declaration of the solempne & due circũstance of the execution appertaining & of longe time vsed and accustomed to & for such malicious striking, by reason whereof bloud is, hath ben, or hereafter shalbee shed against the kinges peace: It is therefore &c. that the serieãt or chiefe surgeon for the time being, or his deputie of the kinges houshold, his heires, & successours, shalbe ready at the place & time of execution, as shalbe appointed as is aforesaid, to seare ẏ stumpe, whẽ the hãd is so striken of. And ẏ serieant of the pantry for the time being of the said houshold, or his deputy shalbe also then & there, ready to geue bread to the party that shall haue his hand so strikẽ of. And the serieaunt of the seller for ẏ time beig of the same houshold, or hys deputie shal also be then & there ready with a pot of red wine, to geue the sãe party drinke, after hys hand is so striken of, and the stumpe seared. And the serieãt of the Ewry for the time being of the same houshold, or his deputie, shall also be then, and there ready with clothes sufficient for the surgeon to occupy about the same execution.

And the yoman of ẏ chandry for the time being of the same houshold or his deputy, shal also be then & there, & haue in readinesse seared clothes sufficiẽt for the surgeon to occupy about the same execution. And the maister cooke for ẏ time beeinge of the same houshold, or his deputy, shall also bee then & there ready, and bring with him a dressinge knife, and shall deliuer the same knife at the place of executiõ, to the serieant of the larder for the time beeynge of ẏ same houshold, or to his deputy, who shalbee also then and there ready, and hold vppe right the said dressinge knife till execution be doone. And the serieaunt of the pultry from the time being of ẏ same houshold, or his deputy, shal bee also then and there ready wyth a cocke in his hand ready for the surgeõ to wrap about the same stumpe, when the hand shalbe so striken off. And the yoman of the Scullary for the tyme being of the same houshold or his deputie, to be also then, and there ready and prepare and make at the place of execution a fier of coales, & there to make ready searing yrons, against the sayed surgeon or his deputy shal occupy the same.

And the serieant or chiefe serrour, for the time beeing of the same houshold, or his deputy, shallbe also then & there ready, and bring with him the searing yrons, & deliuer the same to the same serieant or chiefe surgeon or to his deputie when they be hot. And ẏ grome of the sallery for the time being of the same houshold or his deputy, shallbee also thẽ and there ready with vineger and cold water, and geue attendaunce vppon the surgeon or his deputy, vntil the same execution be done. And the serieant of the wood yard for the tyme being, of the same houshold, or hys deputie, shall bringe to the saied place of execution a blocke with a bitell, a staple and cordes to bynd the sayed hand vppon the blocke, while execution is in doinge.

And beeit &c. that if any persomne or persons so indicted of treason, misprision of treason, murder, manslaughter or other malicious striking, by reason whereof bloud is, hath bene, or shalbee shed against the kinges peace, as is aforesayd, and thereof bee arraigned, & obstinatly refuse to aunswere directly to the same offẽces whereof he or they be so indicted, or yf such person or persones so indicted and arraigned stand mute, & wil not speake, then such person & persons so refusing to aunswere,

or

Impytion Fins

Circũstance

Chiefe Surgeon

Serieant of ẏ pantry

Serieãt of the seller

Red wyne

Serieãt of the Ewry

Yoman of ẏ Chandry

Maister Cooke

Dressing knife

Serieãt of ẏ larder

Serieãt of the pultry

A cock

Yoman of ẏ scullary

A fier

Serieãt serrour

Sering irõs

Grome of ẏ sallerie

Vinegre

Serieãt of ẏ woodyard

Refuse

Mute

Connict

or standinge mute, shalbe connict, iudged, and deemed guilty of the thynge whereof he or they is or shalbe so indicted & arraigned, and shall haue iudgment to haue like paines of death, and other paines punishmentes, executiõs forfaitures, losses and seisours of lãds tenementes, goodes, and catteles for the same, as hee or they ought or should haue had for such like offences, if he or they were or should bee found guilty thereof by the verdict of twelue men. And be it &c. that the said clarkes comptrollers, Clarkes of the checque, and clarkes marshales, or one of them for the time beeing, shal from time to time name assigne & appoint a crier to make proclamations and to call the iuries, and to do other thinges as beecommeth a crier of a court to do belõginge to the office. Prouided alway & bee it &c. that this act before rehearsed concernings malycious stryphyngs, by reason whereof bloud is, hath bene, or shalbee shed agaynst the kinges peace, ne the paines and forfaitures beefore rehearsed for the punyshment of the same, shall not in any wise extend or bee prejudicial or hurtfull to any noble man, ne to any other personne or personnes, that shall happen to strike hys or their seruauntes within the said pallaces or house or any other house or houses aforesayed, or within the limittes of the same, with his or their handes or fistes, or ỏ any small staffe, or stricke, for any offences committed and done, for correction & punishment to bee committed and doone to any of the kinges officers or seruauntes that shall strike any personne within the same pallaces or house, or any other house or houses aforesaid, although by reason of ỷ said stroke or strokes there happen to become bloud shed of such personne as shalbee so stricken, except the personne so stricken doo dye of the same stroke within one yeare next after the same stroke so geuen. Prouided also and bee it &c. that the Triall of

Indictmẽt

Clarks

Crier

Bloudshed

Noble man

Triall.

Peeres of this Realme for committing or doinge any offences in this act beefore mencioned, shalbee nott hath beene bled in tunes past, any thynge in this act contained to the contrary not withstandinge. Prouided also that the libertie and iurisdiction of the marshalsey court and circuit of the vierge shal be in all pointes, priuiledges & auctho-rities vsed by the ministers and offy-cers of the same, in as full and as ample manner as it hath bene heretofore lawfully vsed for murthers felonies, offences and al trespasses contractes & other suttes whatsoeuer they bee, any thynge in this act to the contrary notwithstanding. And for almuch as before this time one Richard Staierton of Lincolnes ynne gentleman was commaunded and appointed by the kings maiestie to occupie the office of the coroners of hys sayed house, by force whereof hee hath continued ossycer in the same by the space of sixteene yeres or more:

Bee it &c. that the said Richard Staierton shall haue, occupy and enioy the said office of cozoner during hys life, together with all such profitts and commodities as, before this time haue beene due & appertaining in anywise to the same. And after hys decease the sayed cozoner alwaies to bee made aswell signed, and apppointed by ỷ said lord great master or lord steward for ỷ time being.

And for that hereafter it might be doubted, howe farre the limittes and boundes of the sayed house or houses should extend to be taken, with which limitts or boundes any the said offenders, which hath be committed or done with the said kinges officers or seruauntes, or hereafter shalbe committed or done, for ỷ which all and euery such personnes so offendinges should haue and suffer ỷ paynes, penalties, and forfaytures, as is aforesayed: for the playne declaration thereof, and for the auoyding of all

Peeres

Marshalsey Vierge

Cozoner

L. Steward

Boundes

after

after happen to arise of, for or vppon ẏ same, Be it &c. that the limittes and boundes of the said house and houses, within which any the offences afore said nowe committed or done sith the said feast of all saintes, or hereafter to bee cõmitted or done, shallbe punished as is aforesaid, shal extend & bee taken within these places ensuing, & in none other, that is to say: within any edifices, courtes, places, garden[illegible]es, orchardes, or houses, within the porters ward of any of ẏ house or houses above rehersed, or win any gardenes, pleasure walkes, orchardes, tilt yardes, woodyardes, tennis plaies, cockfightes, bowling alleis nere adioyninge to any of ẏ houses above rehearsed & beeinge part of the same, or win two hundred foote of the standerd of any outward gate or gates of any the houses above rehearsed, commonly vsed for passage out or from any the house or houses above rehearsed. Prouided alwaies that thys act shal not take effect, or be put in execution til, from, and after the first day of May next ensuinge, except only for murders & mãslaughters, for ẏ whych offences of murder and manslaughter the same to take effect from the feast of all Saintes last past accordinge to the tenure and effect of the sayed act. Prouided alway and bee it &c. ẏ thys act before rehearsed concerning malicious strikinges, by reason whereof bloud is, hath bene, or shalbee shed against the kinges peace, ne the paines and forfaitures before rehearsed for ẏ punishment of the same, shal not in any wyse extend or bee prejudiciall or hurtfull to any noble man, ne to any other person or persons, that shal happen to strike his or their seruaunts within the saied pallaces or houses, or any other house or houses, place or places aforesaid, or within ẏ limits of ẏ same, with his or their handes or fistes, or with any smal staffe or sticke for correction & punishment for any offences committed & done, or to be committed and doone, no to any of the kings officer or officers, that the executing of his or their office shal strike any person or persons with his or their hãds or fists or with any smal staffe or sticke, or wt any staffe commõly called a tipstaffe, within the same pallace or house or any other pallaces or houses or places aforesaid, ne to any persone or persons that in doinge seruice at any triumph or any other tyme of seruyce by the kynges commaundement, or of anie his graces counsell, or other his graces head officers, shal happen for their executinge of the said seruice, to strike any persone or persones with hys or them handes or fistes, or wyth anie smal staffe or sticke, or with any staffe commonly called a tipstaffe, within ẏ same pallace or house or any other pallaces or houses, or place or places aforesaid, although by reason of the same stroke or strokes there happen to be any bloudshed of such person as shalbee so striken, except the persone so striken doe die of the same stroke within one yere nert after the stroke so geuē. An. 33. H. 8. ca. 12.

Places

200. foote

Malicious striking

Noble man

Seruants

Officers

Triumphe

One yere

12 ¶ If any person or persons, being examined before the kings counsell or three of them, vpon any maner of treasons, misprisions of treasons, or murders, doe confesse anie such offence, or that the said counsell or three of them, vpon such examination, shall think any person so examined, to be vehemētlie suspected of any treasō, misprisions of treasons or murder: that then in euerie such cases by the kynges commaundement, his maiesties commission of oyer & terminer, vnder his highnesse great seale shall bee made by the Chaunceller of England to such persōnes and into such shires or places, as shalbe named and appointed by the kinges highnesse for the speedie tryall, conuiction or deliueraunce of such offenders, which commissioners shall haue power and auctoritie to enquire heare and determine all such treasons, misprisions

Confesse

Commissiō

Chancelor

Commissioners

misprisions of treasons and murders, wthin the shires and places limitted by their commission by such good & lawful persons as shalbe returned before them by the shirife or his minister, or any other hauinge power to returne writs & proces for ỳ purpose, in what soeuer other shire or place within the kings dominions or without, such offences of treasons misprisions of treasons or murders so stampyned were doone or committed, & that in no such cases no challenge for the shire or hundred shalbe allowed. Prouided ỳ vpon the triall of such treasons misprisions of treasõs & murders, the challenge to any iurrour for lacke of freehold of the yerely value of xl.s. shalbe allowed as hath ben accustomed. Prouided also ỳ if any the Peeres of the realme shal happẽ to bee indicted of any of the offences aforesaid by vertue of any such commission to be graunted by auctoritie of this act, yet nevertheleſſe they shall haue their trial by peeres, in lyke maner and fourme as heretofore hath ben vsed, any thing in this act contayned or any thinge to be done by vertue therof in any wise notwithstanding, An. 33. H. 8. ca. 23.

Challenge

xl.s. Freehold

Peeres

13 ¶ Se treason 15. for trial of treason of them that become madde or in lunacie.

14 ¶ Al maner of offences, being already made or declared, or herafter to be made or declared, by any ỳ lawes & statuts of this realme, to bee treasons, misprisions of treason or cõcelements of treasons, & done, perpetrated or committed, or hereafter to be done perpetrated or cõmitted, by any person or persons, out of this realme of England, shalbe trõhẽceforth inquired of heard & determined before the kings iustices of his bench, for plees to be holden beefore himselfe, by good & lawfull men of the same shire where ỳ sayed bench shal sit and bee kept, or elſe before such commissioners and in such Shire of the Realme, as shalbe assigned by the kinges maiesties commission, and by good and lawful men of the same shire, in like manner and fourme to all intentes and purposes, as if such treasõs misprisions of treasons, or cõcelement of treasons had been done perpetrated and committed within ỳ same shire, where they shalbe so enquired of, heard and determined as is aforesaid. Prouided alwaies that if any ỳ Peeres of this Realme shal happen to bee endicted of any such treasons or other offẽces aforesaid, by auctority of this act: That then after such indictmẽt they shall haue their trial by their peeres in such like manner and fourme as hath been heretofore accustomed. Ann. 35. H. 8. ca. 2.

Treason

Misprision

K. Iustices

Cõmissioners

Peeres

Triall

15 ¶ Where any person or persones hereafter shalbe feloniously striken, or poisoned in one countie, and die of the same stroke or poysoning in an other countie, that thẽ an endictment there of foumden by iurrours of the countie where the death shal happen, whether it shalbe foumden before the crowner vpon the sight of such dead body, or beefore the Justyces of peace, or other Iustices or cõmissioners, which shall haue auctoritie to enquire of such offences, shalbe as good & effectual in the law as if the stroke or poysoninge had beene committed & doone in the same County, where the partie shall die, or where such endictmẽt shalbe so foumden, any law or vsage to the contrary notwithstanding.

Striked

Poisoned

Countie

Indictmẽt

Cozoner

Iust. of p.

And that ỳ Iustices of gaole deliuery, & oier & terminer, in ỳ same countie where such indictment at any time hereafter shalbee taken: And also the Iustices of the kings bench, after such endictment shallbee remoued beefore them, shal and may proceede vpon the same, in all pointes as they should or ought to do in case such felonious strok and death therby ensuinge or poysoning & death therof ensuinge, had grouen all in one same county. And that such party, to whõ appeale of murder shalbee

Iust. of g.

Iustices of Oire & ter.

Iust. of k.b.

Appeale

shalbee geuen by the lawe, may commence take and sue appeale of murder in the same coũty, where the partie so feloniously striken, or poisoned, shall dye, aswel against the principal & principals, as against euerie accessarie to the same offences, in whatsoeuer coũtie or place the accessary or accessaries shalbe guiltie to the same. And further the Justices beefore whom anie such appeale shalbe cõmenced, sued & taken within the yere & day after such murder & manslaughter cõmitted & done, shall proceede against all and euerie such accessarie and accessaries, in the same countie where such appeale shall be so taken, in like maner and fourme as if the same offẽce or offences of accessarie or accessaries, had bẽ committed & doone in the same countie where such appeale shallbee so taken, aswel concerninge the triall, by the iurrours of xii. men of such countie where such appeale or appeales shallbee hereafter taken vpon the plee of not guilty pleaded by such offendor or offendours, as otherwise. And further bee it &c. that where any murder or felony hereafter shallbee committed and doone, in one countie, & an other person or moe, shal be accessarie or accessaries in any maner of wise to any such murther or felony in any other coũty, that then an indictment found or takẽ agaynst such accessarie and accessaries, vppon the circumstaunce of such matter beefore ỹ Justices of the peace or other Justices or cõmissioners, to enquire of felonies in the coũtie where such offence of accessarie or accessaries in any manner of wise shalbe committed or done, shal be as good & effectual in the lawe as if the said principall offence had ben committed or done within the same countie where the same indictment against such accessarie shalbe found. And that the Justices of gaole delyuery or oyer & terminer or two of thẽ of, or, in such countie where the offence of anie such accessarie shallbe hereafter committed & done vppon suit to them made, shall writ to the Custos rotulorum, or keeper of the Recordes where such principal shalbe hereafter attainted, or conuicted, to certifie them whether such principal bee attainted conuicted or otherwise discharged of such principall felonie, who vppon such writing to thẽ or any of them directed, shal make sufficient certificat in writing vnder their seale or seales to the said Justices, whether such principal be attainted cõuicted or otherwise discharged or not.

County

Principall

Accessary

Yere & day

Murder Felony Countie

Indictmẽt

Just. of p.

Just. of g. Justice of Oier & ter.

Custos rotulorum

Certificat

And after they ỹ so shal haue ỹ custody of such recordes, do certifie that such principall is attainted, conuicted, or otherwise discharged of such offence by the lawe: That then the Justices of gaole deliuerie, or of oyer & terminer, or other, there authorized, shall proceede vppon euery such accessary in the county where such accessarie or accessaries became accessary, in such maner & forme as if both the said principall offence & accessary had ben committed & done in ỹ said county where ỹ offence of the accessary was or shalbee committed or doone. And that euery such accessarie and other offendours aboue expressed, shall aunswere vppon their arraignements, and receiue such trial, iudgement, order and execution, and suffer such forfaytures, paines, and penalties, as is vsed in other cases of felonie: Any lawe or custome to ỹ contrary hertofore vsed, in any wise notwithstandinge. Anno. 2. Edwardi. 6. cap. 24.

Just. of g.

Judgement Execution

## ¶ Turney.

An. 5. H. 8. ca. 1. an act was made cõcerning ministratiõ of Iustyce to the kinges subiectes of his Citie of Turney beyond the sea.

## ¶ Vagabondes beggers and poore people.

In An. 23. E. 3. ca. vltimo. An. 34. E. 3. ca. 1. An. 7. R. 2. ca. 5. An. 12. R. 2. cap.

cap.7.&.8.An.11.H.7.cap.2.& Ann. 19.H.7.c.12.be acts made against vagabods & beggers, but al those be repealed by 3.E.6.c.16.by a general repeale of al statuts made against vacabonds (except ỳ stat. made. An.22.H8.cap. 12.) bt pr postea.

Iust. of p.

2. ¶The Justices of the peace of al & singuler the shires of England within the limits of their commissions, and al other iustices of peace, Maires, shirifs bailifes, and other officers, of all & euery citie, borough, rydinges of franchise within the realme of England, within the limits of their auctoritie, shal from time to time as often as nede shal require, by their discretions, deuide them selfe within the saied shires, cities boroughes ridinges or franchises whereof they bee Justices of peace, maires, shiriffes, bayliifes, or officers, and so being deuided, shal make diligent serch and inquire of all aged, poore and impotent personnes, which liue, or of necessitie bee compelled to lyue by almes of the charitie of the people, that hee or they shall bee hereafter abiding within euerie hundred, rape, wapentake, citie, borough, parish, libertie, or franchise within the limits of their diuision, and after & vpon such serch made, the said Iustices of peace, Maires, shiriffes, bayliifes and other officers, that is to saie, euerie of them within their limittes of their auctorities whereun to they bee deuided, shall haue power and auctoritie by their discretions, to enable to beg win such hundred, rape, wapentake, city, towne parishe or other lymits, as they shall appoint such of ỳ sayed impotent personnes, which they shall find and thinke most conuenient within the limitts of their deuision to liue of the charitie & almes of the people, and to geeue in commaundement to euery such aged & impotent begger (by them enabled,) that none of them shal begge without the limitts to the so appointed, and shall also register, and inquire the names of euerie such impotent begger, by them appointed, in a bill or rolle indented, the one part thereof to remaine with themselfe, & the other part by them to bee certified before the Iustices of peace at ỳ next sessions after such search had to be holden win ỳ said shires, cities, Townes or fraunchiles, there to remaine vnder ỳ keping of ỳ Custos rotulorum. And ỳ ỳ said Iustices of peace, Maires, shirifes, bailifes, & other officers, ỳ is to say, as they bee deuided, shal haue power & auctority to make such & so many seales to bee engraued wt ỳ names of the hundredes, rapes, wapentakes, cities, boroughes, townes, or places win the which they shall appoint and limit euery such impotent personne to begge, and commit the saied seales to the custody of such other as they shall thinke conuenient, and shal make and deliuer to euery such impotent persons by them enabled to begge, a letter containing the name of such impotent personne, and witnessinge that he is auctorized to begge, and the limittes win which hee is appointed to begge.

The same letter to be sealed with such of the said seales as shallbee engraued with the names of the limitte wherein such impotent personne shalbee appointed to beg in, and to be subscribed with the name of one of the said Iustices or officers abouelayed. And if any such impotent personne so auctorized to begge, doo begge in any other place then within such limits that hee shallbee alligned vnto, that then the Iustices of peace, Maires, shirifs, bailifes, constables, and al other the kings officers and ministers, shall by their discretions punish all such personnes by imprisonment in the stockes by the space of two daies and two nightes, geeuing them but only bread and water, and after that cause euery such impotent person to be sworne to returne againe without delay, to the hundred, Rape, wapentake, citie, Borough, or towne, parish or fraunchise were they bee

Maiors Shirifes Baylifes

Enquire Poore plõs

Iust. of p. Maior Shirife Baylife

Licence to begge

Role indented Certifye Iust. of p.

Iust. of p.

Seales

Letter

Subscribe

Iust. of p. Maior Sherife Baylife Constable Punishe Stocks Bread & water Othe

be authorized to beg in. And it is enacted that no such impotent personne after the feast of the Natiuitie of S. Iohn Baptist next comming, shal beg within any part of this realme except hee bee authorized by writinge vnder seale as is aboue said.

Vagarant

Constable

Iust. of p.

Hyghe constable

whipped

Punishe

Stocks

3 dayes Bread & water

Letter Othe

And if any such impotent person after the sayed feast of saint Iohn, be vagarant and goe a beggynge, hauynge noe such letter vnder seale, as is aboue specified, that then the Constable and all other inhabitaunts wõn such Towne or parish where such person shall beg, shal cause euery such begger to bee taken and brought to the next Iustyces of peace or hygh constable of the hundred. And thereuppon the said Iustice of peace or high Constable shal commaund the saied Constables, and other inhabitaunts of the towne or parish which shal bring before him ante such begger, that they shal strippe hym naked from the middle vpward, and cause him to bee whipped within the towne where he was taken, or within some other towne where the same Iustice or high constable shal appoint, if it shall seeme to the discretion of the said Iustice of peace, or high constable that it be conuenient so to punish such begger to him brought. And if not, the to commaund such begger to bee set in the stockes in the same Towne or parish where he was taken by the space of three daies & three nightes, there to haue onely bread and water and there vppon the said Iustice or high Constable afore whom such begger shallbee brought, shal limitte to him a place to begge in, and geeue to him a letter vnder seale in fourme aboue remembred, & sweare him to depart & repaire thither immediatly after his punishment to him executed.

Able to labour

And bee it &c. that if any personne or personnes beinge whole and mighty in bodie and able to labour, at any time after the feast of Saint Iohn, be taken in beggynge in any part of this Realme: or if any man or woman beinge whole and mighty in bodie and able to labour, hauing no land, master, nor vsinge any lawful marchaundise craft or mistery whereby he might get his liuinge, after the same feast be vagaraunt, and can geue no reckning howe hee doth lawfully get his liuing, that then it shalbee lawfull to the constables and all other the kinges Officers, Ministers, and subiectes of euery Towne parish and Hamlet, to arrest the said vagabondes and idle persons, and them bring to any of the Iustices of peace of the same shire or libertie, or else to the high Constable of the hundred, rape, or wapentake, wythin whych such personnes shalbee taken, and if hee bee taken within any Citie or towne corporat, then to be brought before the Maire, shiriffes, or Bailifes of euerie such Towne corporat, and that euery such Iustices of peace, high Constable, Maire, Sheriffes, and bayliffes, by their discretions, shall cause euerie such idle personne so to hym brought, to be had to the next market towne or other place where the sayed Iustices of peace, high cõstable, Mairs Bailifes, & other officers shal thinke most conuenient by his or their discretions, and there to bee tyed to the end of a Carte naked, and bee beaten with whyppes throughout the same market Towne or other place, til hys body bee bloody by reason of such whippinge. And if after such punyshment and whippinge had, the personne so punished by the discretion of the Iustice of peace, high constable, Maire, Shiriffes, bailifes, and other officers afore whom such personne shalbee brought, shalbee enioyned vpon his othe, to repayre forthwith without delay in the next & streyght waie to the place where he was borne, or where he last dwelled before the same punishment, by the space of iii. yeares, and there to put him selfe to labour, lyke as a true man ought to do. And after that done,

Woman

Maisteries

Vagarant

Constables Officers Arrest

Iust. of p. Hyghe Constable

Citie Maior Shirife Baylife

Idle plow Market towne

Whipped

Othe

3. yeres

euerie

Lettr

every such personne so punished & ordered, shall haue a letter sealed wyth the seale of the hundred Rape, wapentake, city, borough, towne, libertie, or franchise, wherein he shalbe punished, witnessynge that hee hath beene punished accordinge to this estatute, and containing the day & place of hys punishment, and the place whereunto he is limitted to goe: and by what tyme he is limitted to come thether, within

Begg lawfully

which time hee may lawfully begge by the way, theiwinge the same letter, & otherwise not. And if hee do not accomplish ỹ order to him appointed by the saied letter, then to bee estsones taken and whipped, and so as oftẽ as any default shallbee found in hym contrary to the order of this estatut in euery place to bee taken and whipped til he be repaired where he was borne,

whipped

or where he last dwelled by the space of three yeares, and there put his body to labour for his liuinge, or otherwise truely get his liuing without begging as longe as he is able so to doo. And if the person so whipped, bee an idle person, and no common begger, then after such whipping hee shallbee kept in

3. yeres

Stocks Duertie Labour Iust. of p.

the stockes tyll hee hath found suertie to go to seruice, or else to labour, after the discretion of the sayed Justices of peace, Maires, shirifes, bailifes, hygh constables, or other such officers, afore whom any such idle personne beeing no common begger shallbee brought, if by the discretion of the same iustices of peace, Maire, Shirife, Baillie, hygh constable, or other such head officer if it be so thought conuenient, and that ỹ party so punished bee able to find suertie, or else to be ordered and sworne to

Othe

repaire to the place where hee was borne, or where he last dwelled by the

3. yeres

space of iii. yeares, & to haue like letter and such further punishment, if he estsones offend this estatute, as is aboue appointed to & for the common strong and able beggers, and so from time to

Punishe

time to be ordered and punished, til he put his body to labour, or otherwyse get hys liuing truely accordyng to the lawe. And that the Justices of ỹ peace

Iust. of p.

of euery shire, riding, city, towne and libertie, shall haue power and authoritie within the limittes of their commissions to enquire of al Maires, bailifes constables and other officers and

Enquire

persõs that shalbe negligent in executing of this act. And if ỹ constables &

Constably

inhabitants within any towne or parish where any such impotẽt personne or stronge begger doth happẽ to begge contrary to the fourme of this estatut,

Negligent

bee negligent and take not euery such impotent and strong begger, ỹ so shall beg against the fourme of this estatut and order, and punish euery such begger as is aboue limitted, that then the

Townshyp Forf.

townshipp or parish where such default shallbe, shall loose and forfait for

Impotent begger

euery such impotent begger, that shall be suffered to beg within the said towne, shippe or parish, not beeing taken ordered and punished accordinge to the fourme of this estatute three shillings

Strõg beg.

fower pence, and for euerie strõg begger that shall happen to begge within anie such towne shippe or paryshe not being takẽ and ordered as is aboue lymitted by this estatute, fiue shillinges

Forf. Moyetie

eight pence. The one halfe of al which forfaitures to be to the king, &c. and the other halfe to him that will sue for the same, by any bill of information afore the kings Justices of his peace in their

Iust. of p. Sessions

general sessions to be holdẽ in ỹ shire or within any libertie where such default shall happen. And ỹ all Justices

Iust. of p.

of peace within any shire city borough or libertie, shall haue ful power & authoritie as well to heare & determine

Hier & ter.

euery such default by presentment, as by such bill of information, and vppon euery such presentment afore them, and vppon euery such bill of information, to make procesle by distresse a-

Proces Distresse

gaynst the inhabitaunts of euery such towne and parish where any such default shalbe presented, or supposed by

any

Sherife

Disturbe

Quertie

Trauers

Just. of p.

Proces

Moytie

Fol.

any such information, by auctoritie of which distresse, the sherife or other officer, to whom by ẏ lawe such distresse shall be made, shall distraine the goods and cattels of such ons or two of the said inhabitants, as he may haue knowledge, were most negligent, and in default in the execution of this act, and the said distresse retaine till they finde suerty to appeare at the sessions limitted by ẏ said distresse. And in case they appeare and confesse the default, or els if they trauerse the presentment, and it be tried against them by verdict, or denie the information, and it be proued against them by sufficient witnesse: the the said Justices of peace in their sessions shal haue auctoritie to assesse the fines as bene aboue limitted, after the rates aboue said, and to make processe for the leuying of the same by distresse of the inhabitants of such townes and parishes where such default shal be tried or proued. And that euery such fine, if it grow by presentment to be onely to the kings vse. And if it grow by information, then the moity thereof to be to him that pursueth the informatiõ for the same, and the other moity thereof to the kinges vse, as is aforesayed. And if any such person or persons distreyned, appeare not at the day & place contained in such distresse, then vppon the retourne of the sherife, or other officer, to whom the distresse was deliuered to execute, that such person or persones were distrained: then euery such persone or persones so distrained, at the first distresse shal lose fourty pẽs and at the second fiue shillinges eyght pence, and so to be doubled vpon euery distresse in such cases to bee awarded, till apparaunce may be had by one of the inhabitants of such towne or parish to denye trauers, or confesse ẏ presentment or information exhybited against any such towne or parish, to the intent that vppon triall or proofe there of, the fines aboue limitted may bee assessed and leuied of the inhabitaunces of euery such towne or parish, as is aboue rehersed. And be it &c. that scholers of the Vniuersities of Drefordе & Cambridge, that goe about begginge, not being auctorized vnder the Seale of the said Vnyuersityes, by the commissary, Chaūcellour, or Vicechaunceliour of the same, and al & singuler shyppmen, pretending losses of their shippes and goodes on the sea, going about the countrey begginge without sufficyent auctoritie, witnessing the same: shall be punished and ordered in maner and fourme as is aboue rehersed of strong beggers. And that all proctoures and pardoners going about in any coūtrey or countries, without sufficient auctoritie, and al other vile persons going about in any countrey, or abiding in any Citie borroughe or towne, sõe of thẽ vsing diuers & subtill & craftie & vnlawfull games and plaies, and some of thẽ faining them selues to haue knowledg in philicke, phisnomy, palmestrye, or other craftye science, whereby they beare the people in hand that they can tell their destenies, diseases, & fortunes and such other like fantasticall ymaginations, to the great deceipt of ẏ kings subiects, shal vppon examination hadd before two Justices of peace, whereof the one shal be of the Quorum, if he by probable witnesse be found guilty of any such deceipts, be punished by whipping at two days together, after ẏ maner before rehersed.

Scholers Orford Cambridge Seale Commissary Chaūcelor Vicechaūcelor Shipmen

Punishe

Proctours Pardoners Idle psons

Vnlawful games

Philicke Palmestry

Just. of p. Quorum.

Whipped

And if hee offende in the sayed offence or any like offence, therto bee scourged two dayes, and the thyrd day to bee putt vpon the pillory from nyne of the clock till a leuen before none of the same day, and to haue one of hys eares cut of. And if he offend the third time, to haue lyke punishement with whippinge, standing on ẏ pillory, and to haue his other eare cut of. And that Justices of the peace haue lyke auctoritie in euery lybertie and fraunchise within their sheres, where they be Justices of peace, for the execution of thys

Pillory

Eare cut of

whipped. Pillory Eare cut of. Just. of p.

act in euery part thereof, as they shall haue without ꝑ libertie, and fraunchise.

Read Sessions

And it is further enacted that thys act shal perely be read in the open sessions, to the entent that the said estatute shall be the more feared and the better putt in execuō. And furthermore be it enacted, that if any person or persones at any time hereafter geue any herborough, money or lodginge to any beggers being strong and able in theyr bodies to worke, which order themselues contrary to the fourme of this estatut, that euery such person so doing, being sufficiently proued or presented afore

Times

Iust of p. Fine

any Justices of peace, shall make such fine to the king, as by the discretion of the sayed Justices of peace at theyr generall sessions shalbe assessed. And if any person or persons do disturbe or lett the execution of this act in any maner

Disturbe

Rescous

wise or make rescous agaīst any maior sherife, baylife or other person that shal endeuour himselfe to the due execution thereof: It is then enacted that euery such personne and personnes, for euery such offence doing, shal loose & forfayte C.s. and ouer that to haue imprisōmēt at the kinges will: The one halfe of which forfaiture, if such offence be cōmitted in any citie or towne corporat, to be to the maior, sheriffe, or bayliffe or other head officers of such Citie or towne corporate, where any such offence shalbe done, to the vse of ꝑ comminalty of euery such City or Towne corporate. And if it be committed out of a citie or towne corporate, then the said one halfe to be to the lord of ꝑ lēte or lawday, where such offence shalbee done, and the other halfe of euery such forfaiture to be to ꝑ king our soueraign Lord. For the which forfaiture of fiue pound, recouerie shal bee had by accion of debt, bill, plaint, or information in any of the kings courtes: in which suits the defendaunts shall not wage theyr law. nor haue any essoine or protection allowed.

Forf. Imprison Moytie

Maior Sheriffe Baylifs

L. of lete

Moytie

Recouer

Prouided alwaie, that this act nor any thinge therein conteyned shal be hurtful or preiudicial to the Barrons or other inhabitaunts of the fiue portes, or of their mēbers: neither to any graūt liberties, or fraunchise heretofore made by the kinge our soueraigne Lorde, or any his progenitours kinges of England, to the sayed Barons or other inhabitaunts, their auncestours, predecessors or to any of thē. And ꝑ it be ex-

v. portes

Fraunchis

Maior Baylifs

pressed that all and euerie Maior and Paires, and baylife and bailifes electiue, and elected by the commons and inhabytaunts of euery towne and place of the sayed ports and members, and also iurates of euerie of the sayed townes and places of the sayd ports and members, shall haue like auctorities within euery such towne and place where they or any of them be or shalbe Paire, bailife, or iurate, to put or cause to be put thys act in due execution, as the Justices of peace in any coūty of this realme haue or shal haue auctorite and power by this act to doe where they be Justices. And that ꝑ inhabitaunts within euery towne within the said ports, shalbee bounden to the execution of thys act, lyke as other inhabitaunts bee wythin the sayd ports, vpon like paine as is aboue remembred. And if any person or

Iust. of p.

Impotent Idle ples

persones which shall inhabite wythin the said fiue portes or members, be impotent, or other idle person, do hereafter beggo without the sayed fiue portes or members of the same, contrary to thys act: that then euery such personne shalbee ordered and punyshed accordynge to thys act, any thynge in thys prouiso to the contrary notwithstandyng.

Punishe

Costs

Double

And it is ordayned &c. that the seales aboue reherced, shalbe made at ꝑ costes and charges of the Justices of peace, maiors, sheriffes, bailifes, and other officers aboue writtē, on this side ꝑ feast of the Natuity of S. Jhon Baptist nert comming, that is to say that euery of them shal do the said seales to be made wīn ꝑ limittes of their deuision

Seales

Iust. of p. Paire Shirifes Bailifes

Letter

iurif-

auriſdiction, & auctho*r*itie. And it is al ſo o*r*dayned &c. that euery letter to bee made by ẏ auctho*r*itie of this act, where by any impotẽt begger ſhalbe auctho*r*iſed and aſſigned to begge, ſhal be made in this fourme enſuing. Hanc. ff. Pemo rantum that A. B. of Dale fo*r* reaſonable conſyd*er*atyons is lycenced to begge within the hund*r*ed of ẏs. B. and L. in the ſaid county. Geuen vnder the ſeale of the limitte Dat. die & An. And that euery ſuch letter that ſhal be made and deliuered to ſuch begger o*r* bacabond, after he hath ben whipped by auc tho*r*itie of this act, ſhalbe made in this wiſe following. Kent. ff. I. S. whipped fo*r* a vagarant ſtrõg begger at Dale in ẏ ſaid county acco*r*ding to the law, the two and twenty day of July in ẏ three and twẽty yere of kinge Henry the 8. was aſſigned to paſſe fo*r*thwith and dy rectly from thence to Sale in the coun ty of Midd. where hee ſaieth hee was borne, o*r* where hee laſt dwelled by the time of three yeres. And he is limitted to be there within viii. days next enſu ing at his peril, o*r* within ſuch number of daies as to him ſhalbe limitted by ẏ diſcretion of the maker of the ſayd let ter. In witnes whereof the ſeale of ẏ limitt of the ſaid place of hy ſoiurnement hereunto is ſett. And it is &c. that euery ſuch letter ſhalbe made at the e quall coſtes of ſuch the ſaied Juſtyces, maio*r*s, ſheriſes, bailliffes, o*r* other of ficers, within whoſe auriſdiction, po wers, and auctho*r*itie, the ſaied begger o*r* bacabond ſhalbe whipped o*r* li mitted to begge in, by auctho*r*itie of this act. And euery ſuch letter ſhalbee ſubſcribed with the hand of one of the ſaid Juſtices, maio*r*s, ſheriffes, Bay liffes, o*r* other officers, in this fourme following. (Pemo A. B. tenuit in ſi gnorum pacis, o*r* Maiorum ciuitatis o*r* Ballliuorum ville, o*r* Conſtabulari o*r*ũ talis hundredi) o*r* els in like fourme in Engliſh.

And it is further enacted, that euery ſuch perſonne and perſonnes as haue the cuſtody of any Gaoles wythin a ny there, Citie Bo*r*ough, o*r* Towne co*r*po*r*ate, on thys ſyde the feaſt of Sainct Jhon ẏ Baptiſt, ſhal do make a ſeale engraued with the name of the caſtel, pꝛiſon, o*r* gaiole which he kepeth. And in caſe any perſonne o*r* perſonnes that at any tyme after the ſayed feaſt of Sainct John, ſhalbee delyuered out of any gaiole o*r* pꝛiſon fo*r* ſuſpiciõus of felony by pꝛoclamatyon, o*r* bee ac quite of any felony, & hath no frendes to pay hys fees, no*r* was borne wyth in the hund*r*ed o*r* pꝛiace where hee ſhall happen to bee ſo delyuered, no*r* can get hym no maſter, there to abyde and worke wt̃, ſhall haue lybertie to begge fo*r* hys fees, by the lycence of hys kee per, by the ſpace of ſixe weekes next af ter ſuch delyueraunce, and after that to bee compelled to goe to the hund*r*ed where hee was borne o*r* laſte dwelled by the ſpace of iii. yeres, within ſuch time as ſhalbe lymitted by one of the Juſtices of peace, maio*r*s, ſherifs, bai liffes, o*r* any officers where ſuch dely ueraunce ſhalbe had.

And it is enacted that euery ſuch per ſonne ſo delyuered, ſhall haue a letter made to him by the clerkes of the peace of the ſhire, within the which hee was deliuered, if he be deliuered in the ſhire, and if hee bee deliuered in any Cytie, Bo*r*oughe, o*r* Towne co*r*po*r*at, then hee to haue a letter of the Common Clarke of euery ſuch Cytie, Bo*r*oughe o*r* towne where he is deliuered, euery ſuch letter wytneſſinge the day of hys delyueraunce, and the place where hee was delyuered, and alo*r*e whom, and the tyme appointed to hym to begge fo*r* hys fees, & the place to the which hee ſhalbee aſſigned to repayre vnto, in caſe hee can gett no maſter to fall to wo*r*ke where hee was delyue red.

And to euery ſuch letter ẏ ſaid gaiſour o*r* keeper of ẏ pꝛiſon, out of which ſuch



Fourme

Fourme

Subſcribed

Coſtes

Gaylour

Deliuered Acquit of felonie

Begg for fees vi. weeks

3. yeres

Letter Clerkes of p.

Common clerke

Gaylour

person shalbee delyuered, shal put their seale limited to be made as is aforesaid for ỳ said pr̃ō. And ỳ euery such letter shalbee made in this wise followynge.

Fourme

Esser. ss. The xx. day of July, ann. regni Regis H. 8. xviij. J. D. was delyuered for felonie out of the gaole of D. in the said county, at the sessions holden afore A. B. & hys fellowes at Dale, the date and yere aforesaid, and is allowed to begge for hys fees by the space of syxe weekes. And in case he can get him no maister or worke wỹn the sayed terme, then he is alligned to passe directly to D. in ỳ county of Kent, where he saith hee was borne, or laste dwelled by the space of three yeares. And hee is allowed xviij. dayes next after the sayd syxe weekes for the passage thither, or such number of dayes, as to him shalbee lymitted by the discretion of the maker of the said letter. In witnesse whereof the seale of the pr̃son from the which he was delyuered, thereunto is sette.

Shirifs Seale

And in such shires where there is no gayle, the shirife thereof for the tyme being, shall haue a seale to bee engraued with the name of the shere, & shall order and vse the same seale, to and for such persons delyuered as is aforesaid, after like manner and fourme as the gaolour or keeper of the gaole, is lymmitted and appointed to do by this act. And it is also enacted, that euery clerke of the peace of ỳ shere, within ỳ which such person shalbe delyuered, and euery cõmon clerke of euery Citie, Borough or towne corporate, within the which any such person shalbe delyuered, shall make for euery such persone as shalbee so delyuered where they be such officers the said letter in fourme aboue said, wỹout any fee taking for the same, & shall deliuer euery such letter to the gaylour or keeper of the pr̃son from the which such persone shalbee delyuered. And yf there be no gaiole there, then to ỳ shirife of the shere where such deliuerance shalbee had, wythin one day next after the end of the Sessions where any such delyueraunce is had, vppon paine to loose and forfait for default of euery such letter xli. d. to the kinge our soueraigne Lord. And that the gaylour or keeper of the pr̃son from the which the said persones shalbe so delyuered, and in case there be no Gaole, then the shirife of the shere where any such delyueraunce shalbee had, shal not suffer any such person to goe abrode to begge for hys fees, nor depart out of pr̃son, except it bee to seruice or labour, vnlesse the same gaylour or Shirife first delyuer to the said persone the sated letter conteyning his name, sealed wỹ ỳ seale of the pr̃son, from the which he shalbe delyuered, or else with ỳ seale engrauen with the name of the shire, if there bee no pr̃son, vppon paine for euery default to lose twelue pence to our said Soueraigne lord. And it is enacted ỳ if any person or persones so being delyuered out of pr̃son, at any time after the said feast to begge, not hauyng the said letter, sealed in forme aboue said, or begge contrary to the tenour of the same letter, that then hee shalbee taken, ordered and whipped in euery behalfe, lyke as is aboue appointed for strong beggers. And that to bee done and executed by such as bee aboue lymmitted to doe the same vppon stronge beggers, and in such wise, and vppon such payne as is afore limitted, for non execution of the punyshement vppon stronge beggers.

Fo. xl.

Fo. xl.

whipped

Clerke of p.

Common Clerks

without fee

Prouided alway, that it bee lawfull to euery person and persons being bounden by reason of any foundation or ordinaunce, to geue or distribute any money in almes, and also to euery person and persones at common doles vsed at burials or obites, to geue and dispose in almes, any money to euery persone and persons comming to such almes, or doles, after like maner & fourme as they haue bene accustomed to doe in ỳ behalfe afore the making of this act, without

Almes

Doles

without any daũger or penalty of this estatute: anie thing conteyned in thys present estatute to the contrary hereof notwithstanding. Prouyded also that it be lawfull to all maisters and gouernours of hospitalles to lodge and harborough any person or persons of charitie or almes according to the foundation of such hospitalls, and to giue money in almes, in as large manner and fourme as they are bounden or owen to doe: anything in thys estatut to the contrarie thereof notwithstandynge. And this act to endure vnto the laste daie of the nert parliament. Anno. 22. H. 8. cap. 22.

Maisters of hospitals harbour

This act is continued. An. 28. H. 8. ca. 6. & an. 31. H. 8. c. 7. & an. 33. H. 8. ca. 17. And after. An. 1. Ed. 6. cap. 3. it was repealed by generall wordes. And after An. 3. E. 6. ca. 16. it was reuiued & made perpetuall. And after An. 2. & 3. P. & M. cap. 5. it is confirmed.

3 ¶ Anno. 27. H. 8. capitulo. 25. an act was made for punishmẽt of vacabondes, and relefe of the poore, and for collections for them, to endure to the laste day of the next parlement, and then it expired.

4 ¶ An. 1. E. 6. ca. 3. an act was made for punishment of vacabondes and relefe of the poore and impotent persons. And by that statute all statutes before made for the punishment of vacabondes and sturdie beggers, and all articles comprised in the same were repealed. And after. an. 3. E. 6. ca. 16. this act of E. 6. ca. 3. was repealed as appereth nert following.

5 ¶ The statute made in the firste yeare of the kings highnes most noble raigne (ca. 3. before. 4.) concerning ydle persons and vacabonds in certaine cases to bee made slaues & so forth. And all and euery artycle, matter, prouiso, braunch and sentence therin conteined shalbee from hence forth vtterly repealed, made frustrate, voide, and of none effect.

And that the statut concerning how aged and impotent persons should bee ordered for theyr better relefe, & how vacabonds and strong beggers should be punyshed, made in ỳ xxii. yere of the late king of famous memory king H. the eight (ca. 12. before 2.) & euery matter, article, prouiso, branch & sentence therein contained, to bee from hence forth reuiued, made good, & stand in ful strength and vertue, & shal continue & remaine a perfect act of parliament for euer. And bee it &c. that all Justices of peace and euery of them within the limits of their commissyõ, & the maiors sherifs, Bailifes, and other officers, in their seuerall rules and offices, shall within their seuerall limittes assemble together, & make their seuerall diuision according to ỳ purport & effect of thys act, at the nert generall quarter session of the peace to be holden after the feast of Easter nert to come, for the due, spedy and diligent execution of the same act. And that if any such aged or impotent personne after the feast of Easter nert to come, shall offend contrary to this statut, that thẽ the same offendour shalbe vsed and punished as in ỳ same estatut of ỳ xxii. of king Henry ỳ eight is prouided. And that before ỳ feast of Easter no punishement shalbe putt in execution against any such impotent lame and aged person, but onely by the discretion of the nert Justyce of peace of the same shere, where such offender shalbe apprehended, any thing in ỳ said act to the contrarye notwithstanding. And for the auoyding of ỳ ydle loytering of common laborers of husbãdry within this Realme: Bee it &c. that such common laborers being persons able in body, vsing loytering and refusyng to worke for such reasonable wages as is most commõly gẽn in ỳ parties where such persons shal dwell, shalbe for euery such times as hee or they refuse to labour, hauing reasonable wages as is aforesaied, adiudged vacabonds & shalbe punished as strong and mighty vacabondes in such

Justf. of p.

Maior Shirife Baylife

Sessions

Impotent persons

Justf. p.

Idle laborers

Common laborers

Refuse to worke

Vacabondes Punishe.

manner and fourme as is declared in the said act of xxii. ca. 12. against vacabõds. And touching maimed, lamed and soze aged, and impotent persons, which resozteth to the Citie of Londõ and to other cities townes & villages on begging.

Impotent persons London

Maioz Shyrife Baylife Constable

Bee it &c. that al & singuler maiozs sheriffes, bailiffes, constables, oz other head officers of any citie, towne oz village, to which such resozt is oz shalbee, shal befoze ỳ feast of the purification of our lady next following, see al such pole impotent, maymed, and aged persons who other wise can not by their discretions be taken foz vacabondes, which were bozne within the said citie, towne oz village, oz hath bene there most conuersant oz abiding by the space of thzee yeres, and now decaied, bestowed and pzouided foz of tenauntries, cotages oz other cõuenięt houses to be lodged in, at the costes and charges of the said citie, townes, bozoughes, and villages, there to be relieued and cured by the deuotion of the good people of the saied citie, bozough, towne oz village, & that they do not suffer after the tyme befoze rehersed any other then such as either was bozne, oz hath bene foz the most part conuersant oz abiding by the space of iii. yeres, as is afozesaid, in the saied citie, bozough, towne oz village, to remaine and begge abzode within ỳ pzecincts of such cities, townes, villages, oz bozoughes, except it be such as haue letters, oz are authozised oz licensed by force of this act, vpon paine that euery such maiozs, sheriffes, & baliffes, constable, oz other head officer, by what name soeuer he be called, suffring any person to begg within ỳ pzecinct of his oz their such iurisdiction, other then is befoze rehersed, foz euery thzee dayes, shal forfait x.s. to whõ former wil sue therefoze, by bill, information, oz accion of debt in any court of recozd, in the which suits none essoigne ne wager of law oz pzotection shalbe allowed foz ỳ defendaunt. And be it &c. ỳ the Maioz of ỳ citie of London, & al other maiozs baliffes, sheriffes, constables, & other head officers of euery citie bozough oz towne cozpozat, & of euery other town and village, do wt al conuenient speede by them selues, oz their sufficient deputies, befoze the feast of the purification of our Lady next comming, & so from time to time euery moneth once, make a view & examinatiõ of aged impotent & lame persõs, beggers, as be within ỳ pzeinct of their iurisdictiõ, & see al such as were not bozne, noz hath bene foz ỳ most part conuersant & abyding by the space of thzee yeres, complete, oz haue not letters, & authozised oz licensed by force of this statut, conueied on hozseback, cart oz other wise, shal seeme by their discretions, to the next cõstables, & they to conuey the same to the next constables, & so from constables to constables, till the said persons be bzought to the place where they were bozne, oz most conuersant & abiding, as is afozesaid, there to be pzouided foz, kept and nourished, of almes as is afozesaid, vpon ỳ paine that euery such maioz, sheriffe oz constable, headborough, oz other head officers not making view oz sending oz conueying away, noz receiuing oz not pzounding as is befoze appointed according to the true purpozt oz meaninge of thys act, to forfait foz euery such default x.s. whereof the one halfe to be to the kinges vse, & the other to ỳ party that will sue therefoze, in any of the kinges courtes of recozd, by bill, information, accion of debt, in the which suites, none essoigne, wager of law, oz protection shalbee allowed foz the defẽdãt. Pzouided alwaies & be it &c. ỳ if any of ỳ said aged, maimed, oz impotẽt persons, of the cities, townes, oz villages where they were bozne in, oz had their most abiding, as is afozesaid, be not so lame, oz impotẽt, but ỳ they may worke in some maner of worke, ỳ the such citie, town, parish oz village, do ether in cõmõ pzouide some such worke foz thẽ, as they may be occupied in, oz ap-

London

Viewe

Frõ cõstable to constable

Forf. Moytie

Worke

Letters

Forf.

Maioz of

Refuse

appoint thē to such as wil fynd thē work for meat & drink, & if they refuse of wil fulnes & stubbernnesse to worke or do rū away & beg in other places, thē to punish ỳ sāe according to their discretiōs

Punishe

with stockinge, beatinge, or other wise as shal seeme to them conuenient. Bee it also &c. that al lepruse & poore bedered creatures, whatsoeuer they bee,

Lepers Beddred

maie at their owne liberte remayne and continue in such houses appointed for lepzous or beddred people, as they nowe be in, and shal not bee compelled to repaire into anie other countreys or places by vertue of this act, anie thing therein conteyned to the contrary notwithstanding. And that also it shalbee lawful vnto the saied lepzouse and beddered people, for theyr better relefe, to

Prioctour

appoint their prioctoure or prioctoures so there be not appointed aboue the nūber of two persons, for anie one house of lepzouse, or beddered people, to ga-

Almes

ther the charitable almes of al such inhabitaunts as bee within the compasse

4. myles

of fower miles of any of the saied houses of lepzouse & beddered persons. Prouided alwaies & be it enacted by ỳ auctoritie afozesaid, that it shalbe lawfull to the lord Chauncellour of Englande

L. chaūcellor

or lord keeper of the great seale for the time being, at their discretions to grāt

Cōmission

commission, vnder the great seale of England, to euery or any person or persons, ỳ hath or shall haue, bys or theyr houses or barnes burnt, or such losses, or to such as be or shalbee lepzouse persons, to gather the relefe & charitie of others, for their relefe, or for their ayd & helpe, of his or their losses, decay, or hynderaunce as in time past haue benefited, any thing in this act notwithstanding. And be it further enacted by the auctoritie afozesaid, that al & euery statute and act of Parlyament made for punyshement of vacabondes & lasy, aged or impotent personnes or any of them, & euery article, sentence, clause or prouiso therein cōtained, other then this present act and statut made, and the said act made in the saied xxii. yere, shall bee fromhencefozth vtterly voide, repealed, and of none effect or fozce. And forasmuch as diuers womē and men goinge on begging, impotent & lame, & some able ynough to labour doo carrie childzen about with them of

Houses brent Lepers

Repealed Women

Childzen

tēder age, & some of fower, fiue, or sixe yeres of age, or yonger or elder, whych being once brought vp in idelnesse, wil hardly be brought after to any good kīd of labour, paine, trauail, or seruice: Bee it &c. that if any childe aboue the age of v. yeres, and vnder thage of xviii. goe a-

v. yeres old

bout wandering as is afozesaid, or els alone, in case any manner persone that is able to kepe any such childe, wil take it, be it male or female, of and from any such begger, being the father or mother thereof, nourisher or keeper, whether they be willing or not, or without any such nourice, father, mother, or keeper, by him or her selfe wandzing, and bzing such child so taken beefore one of

Constables

the constables of the parish where the child shal so fortune to be take vp, & at ỳ

Sessions

nert general quarter sessions to be holden in the there next to the place where the said takinge vp shall fortune to be, present the same in the presēce of the said constable before the iustice of peace

Justice p.

at the same sessions, and there in open sessions, promise to bzing ỳ same childe vp in some honest labour or occupation till the woman childe come to the age of xv. yeares, and the man chyld to the age of xviii. yeres, if ỳ maister or maistres, shal chaunce so long to liue, that then and immediatly the said Justices of peace by their discretion, shall awarde by vertue of this act the said childe vnto the ages before specified, to be seruāt

Seruant

or seruants to ỳ sayd person or persons so taking & promising as is afozesaied, such child to bee vsed and ordzed in all points, according ỳ law & custome of ỳ realme is, of seruāts without wages to what labor, occupation, or seruice so euer ỳ said taker by or maister or maistres shal appoint him or her, during ỳ said terme, & ỳ said iudgment shalbe entred by ỳ clerke of ỳ peace in ỳ said ses-

Judgment

Clerk of p.

Fourme

sions in fourme following. Memorãdum, that at ẏ sessions of the peace holde at Westm. ẏ day &c. one John B. of ẏ towne of L. had deliuered to him according to the forme of the statut in ẏ case prouided B. T. eltemed to be of ẏ age of vii. or viii. yers, to bee ordered according to ẏ forme of the said stat.

Rune away

And if it shall fortune such child so adiudged, to runne awaie at ante tyme once or moe times frõ his or their master or maistresse, that then it shallbee lawfull for euerie such master & maistres to take the said chyld agayne and to kepe and punish the said child in the stockes and otherwise by discretion, or otherwise, at the liberty of such master or maistres, to haue a warrant from any Justice of peace in the same shere, where the childe so runnes away, for such childe running away or going e away, as is prouided by ẏ statute of labourers, for such seruãts as depart away frõ their master or maistresse without a reasonable cause before thend of their terme. And that euery Justice of peace shall by force of this act haue auctoritie and power to make such warrant against euery such persõ so going or rũning away in like forme as they or any of them may do against any seruaunt departyng out of his masters seruice without lycence or reasonable cause, & by force of the same warrant the childe so running or goinge away, to be takẽ & ordred in euery degree as is prouided by ẏ said statut of labourers for seruants departing out of their master or maistresse seruice as is aforesaid.

Punishe Stocks

Warrant Just. of p.

Just. of p.

Warrant

And be it &c. that if, and as often as it shal chaũce the father, mother, nourice or other bearer about of the child, or any other person or personnes, to steale or entile away any such child adiudged for a seruaunt as is aforesaid, that then and so often it shalbee lawfull for the master or maistres of the same child to be at his or their libertie to take an action vpon ẏ statut of labourers, against euery such persõ so stealing or enticing away such childe, as hee or they might haue by reason of ẏ said statut of labourers against him or them that retaines any mans seruant out of his seruice before the end of the said terme, or els to take an action of treipas against such offender, in which action he shall recouer his damages & treble costes of his suit. Prouided alwaies & be it &c. that if ẏ master or maistresse to whõ such child as is aforesaid, shalbe adiudged to be seruãt, be vnreasonable in ordring & bringing vp of such chylde, ẏ thẽ at al times vppon complaint made at the generall quarter sessions of peace in the county where the said child shalbee by two honest neighboures of the same place or towne, where ẏ said child shall fortune to be so vnreasonably ordered, if it shal appeare by honest witnes to the Justices of peace at the same sessiõs, ẏe cõplaint thereof made shall bee true, then the Justices of peace at their generall sessions in the same shere where such complaint shalbe made, shal by vertue of this act, haue auctoritie & power to discharge ẏ said child from his or their vnreasonable master or maistresse & appoint ẏ same to some other honest master or maistresse vnto ẏ said ages, to be ordred in euery degree as the said child should haue ben with his former master or maistres, & that order & appointment to bee written in the booke of the clerke of the peace, for the which entry ẏ said clarke of ẏ peace shal haue .viii.d. for his labour & not aboue, & in like maner shal haue 4.d. & not aboue for ẏ first entry of the childe to bee seruant as is aforesaid, to be payed by the master or maistres of the said childe.

Steale or entes

Section

Damages & costs

Complaint Sessions

Just. of p.

Discharg

Order Clerk of p.

Fee

Prouided alwaies &c. that if the woman child to be appointed a seruant as is aforesaid, bee maried before her age of fifteene yeres, that then by the mariage she shall bee discharged of seruice. This act or any thing therein contayned to the contrary notwithstanding.

Maris

Prouided alwaies and bee it &c. that al and euery vacabond or begger, being

Vacabound

horne

borne in any other nation or Countrey then thys Realme, shall in maner and fourme aforesaied, and vpon the forfaitures and penalties before mencioned, be conueied from place to place to the place or marches next adioining to his or their native countrey, or to ỳ next port, if there be a Sea betweene this realme, and his or their said countries, there to bee kept of ỳ inhabitants of the said next port in conuenient Labour from ydlenes, or otherwyse, tyl they may bee conueyed ouer, and then at the costes of the inhabitauntes of ỳ sayed port, if themselues shal not haue wherewith to bee conueyed ouer into their native countries. An. 3. E. 6. ca. 16. this stat. is confirmed by 5. E. 6. ca. 2. & by 2. & 3. P. & M. ca. 15. as here followinge appereth.

Labour

Conuey

6 ¶ An. 5. E. 6. ca. 2. an act was made to endure to thend of the first session of the next parliament (concerning ỳ collection of Almes for the impotent and nedy people) And after An. 7. E. 6. ca. 11. this act was cõtinued to ỳ last day of the next parliament. And after An. 1. M. 1. parliam̃t to capitulo 13. this act was continued to the last day of ỳ nert parliament. And after An. 1. M. 2. parliamento ca. 12. this act was cõtinued to ỳ last day of the next parliament & then it expired.

Collection

7 ¶ The statut made in the two and twẽty yere of the late king of famous memory king Henry the viii. (cap. 12. before 2.) and also the statute made in the third & fourtth yeres of the raigne of the famous kinge Edward the first (cap. 16. before 5. concerning beggers, vagabonds and ydle persons, and euery article, clause, braunch, sentence and other thynges contayned in them, and in either of them, other then such thigs as shallbee by thys present act otherwise ordayned and prouided for, shall stand remaine and be in their ful force and effect, and shalbee also frombhẽceforth iustly and truely put in executiõ, according to the true meaninge of the

11. H. 8.

said seueral statutes and either of thẽ. And further bee it &c. that yearely on some one holy day in the Christmas in euery Citie, Borough, and Towne corporat, the Maire, bailifes, or other head officers for the tyme being, and in euery other parish of the countrey, the Parson, Vicar, or Curat, and the Churchwardeins hauing in a register or booke, aswell al the names of thinhabitauntes and housholders, as also the names of all such impotent aged, and needie personnes as being within their citie, borough, Towne corporat, or parish, are not able to lyue of themselues nor with their owne labour, shal openly in the Church, and quietly after diuine seruice, call the saied housholders & inhabitantes together, among whom the Maire or other hed officers and two of the chiefe inhabitants in euery such Citie, borough, and townes corporat, such as the Maior or other head officer shal thinke meete, and the parson, vicar or curat, and churchwardens in euery other parish, shall elect, nominate and appoint yearely ii. able persons or mo, to be gatherers & collectours of the charitable almes of all the residue of the people, inhabytinge, within the parish wherof they be chosen collectours for ỳ relefe of the poore which collectours the sonday next after their electiõ, or the sonday following if nede require, when the people are at the church at deuine seruice, shal gently aske & demaund of euery man and womã what they of their charity wil be contented to geeue weekely toward the relefe of the poore, & ỳ same, to bee written in the said regyster or booke, and the said gatherers so being elected & chosen, shal iustly gather and truely distribute the same charitable Almes weekely by themselues, or their assignes, to the said poore and impotent persons of the said Cities, Boroughs, townes corporat, & parishes, wythout fraud or couine fauour or affection, & after such sort ỳ ỳ more impotent may haue

Maior
Shirife
Person
Vicar
Curat
Church wardens

Collectours

Poore

weekely

haue the moze helpe, & such as can get part of their liuing to haue the lesse, & by the discretion of the collectours to bee put in such labour as they bee fitte & able to doo, but none to goe oz sit openly a begging, vpon paine limitted in ỹ aforesaid estatutes.

Bee it &c. that no person oz persones so elected, nominated, and appointed to be gatherer oz gatherers, as is afoze saied, shall refuse the sayed office, but shal iustly and truely execute the same by the spacc of one whole yere next ensuinge, vppon paine to forfait xl. shyllings to the almes boxe of the powze, to be leuied by the churchwardens where they oz he dwelleth, of the goodes of ỹ said gatherer oz gatherers so refusing by distresse.

Refuse

One yere Forf.

Church wardens

And further bee it &c. that the sayd gatherers oz collectours, shall make their iust accompt quarterly to the Maires oz chiefe officers of the sayed Cities, Boroughes, and townes corporat, and in euery Parish of the countrey to the Parson, Vicar, oz Curat, & Churchwardẽs of the parish, at which accoumpt such of the parysh as wyll, may bee present, and when they goe out of their office, they shal delyuer oz cause to bee deliuered forthwith vppon the end of their accompts al such surplusage of money as then shal remain of their collection vndistributed, to bee put in the common chest of ỹ church, oz in some other safe place to the vse of the powze at the ouerlight & discretyon of the Maires, officers, and other beefoze mencioned.

Accompt

Surplusage

Common chest

And if the sayed Collectours oz any of them doo refuse to make their sayd accompt within eight dayes, then the Bishoppe of the Dioces, oz the ordynary of the place, shall haue aucthoritie by vertue of this act to compel the sayed personne oz personnes by censures of the Church, to make their sayd accompts beefoze such persons as the Bishoppe oz ordinary shall appoint, and doo make immedyat payment of the summes wherewith by determynatyon of the sayed accompt they shal be charged.

Refuse

Bishop Ordinary

And be it &c. that if any person oz personnes beinge able to further this charitable worke, doo obstinatly and frowardly refuse to geeue towardes the helpe of the powze, oz do wilfully discourage others from so charitable a dede, the parson, vicar, oz curat, and churchwardens of the Parish wherein hee dwelleth, shal then gently exhoxt hym oz them towards the releefe of ỹ powze, and if he oz they wil not so be perswaded, then vppon the certificat of the Parson, Vicar, oz Curat, of the parish, to the Bishoppe of the Dioceese, oz ordinary of the place, the same Bishop oz ordinary shal send him oz them to enduce oz perswade hym oz them by charitable meanes and wayes to extend their charitie as in thys act is well meant and intended, and so accordinge to discretion to take order foz the charitable reformation of euery such obstinate personne.

Refuse Discourage

Certifycat

Bishop Ordinary

And foz the better maintenaunce of thys charitable worke. It is ordained and established by the auctho:itie aforesayed, that where as the late kinge of famous memozy kynge Henry the eight, by his seuꝛal ereccions & foundations hath ordayned and appointed any summe oz summes of money to the vse of the powze not beeing taken away otherwise by act of parliament, whether the same bee in any Cathedrall church, colledge, oz else where, ỹ Bishop of the diocesse foz the time beinge, shal from time to time examyne how & after what maner the sayd money is bestowed, and call to accompt the parties which retaine the said money, so that it may appeare that the same is distributed to the powze accordinge to the good entent and purpose of the sayed noble kinge that graunted ỹ same. And be it &c. if it shall chaunce any parish to haue in it moe powze and impotẽt folkes, not able to labour, the

Bishop Examen

Powze parsohs

the

the sayed parish is able to relieue, that then in euerie such Parishe not standing in anie Citie or towne corporat, iij. or iiij. of the chiefe inhabitantes of ỳ same parishe, and in euery Cytie, and towne corporate, the Mayre or chyefe officers of the same citie or towne corporate, calling to them two or three of the chiefe parishoners of the same parishe, such as the sayed Maire or head officer shal thinke meete, shall certifye vnto the Justice of peace, of the coũty where the same parish is, the number & names of the persones vñ which they bee surcharged, & vpon such certyficat, the said Justices of peace in the same county, or two of them, whereof one to be of the Quorum, shal cõsider & examine the said certificat, & finding the same true, shall then graunt vnto such, & as many of the said poore folkes as by their discretion they shall thinke good, a sufficient lycence vnder ỳ seale appointed for the limitt, to goe abrode to begg, get, and receiue the charitable almes of the inhabitants of the countrey out of the said parishes, cities and townes so surcharged, in which licẽce the places Townes and Parishes to which such poore folkes are by that lycence licenced to resort, shal in ỳ same licence be named, limitted and appointed, bee it one hundred or moe, in the said county at the said discretion of the same Justices. And if any of the sayed poore folkes so licenced shall trãsgresse the limitts to them appointed, and resort to begge at other places, then is in the sayed lycence named, the party so transgressing and offending, to bee taken for a valiant begger, and punished according to the statut made in ỳ sayd xxii. yere of king Henry the eight, and his or their lycence to bee taken from them. And bee it further enacted, that where any of ỳ said cities, boroughes, Townes corporat, or parish so surcharged, is scituate and stãding in one county or two coũties of this realme, or scituate and stãding in one, and immediatly joyninge to an other county of the realme, as the citie of Bristol, and Towne of Ludlow, & Standford stond, that in those Cyties, the sayed Maior head officers and inhabitaunts of euery such city borough towne corporat and parishe shal make certificat vnto the Justices of the said Counties adioyning to ỳ same cities boroughes townes corporat and paryshes, and ỳ same Justices of the same adioyning countie or counties to do, gæue licence and followe the order aboue remẽbred according as other Justices of ỳ counties, in which the paryh surcharged standeth, is limitted and aucthorised to dw. And be it &c. that in all cities Boroughes, and townes corporat, within which be diuers parishes, the Maire and head officers of euery the same cities, boroughes, and townes corporat shal consider the state and habilitie of euery such parish, & if the same Maire and officers shall vnderstand by their discretion that the parishioners of any one of the sayd parishes is of such wealth and honour, that they haue no powertie amongst them, or be able sufficiently to relieue the powertie of the parish where they inhabit and dwell, and also helpe and succour powerty elsewhere further, that then the sayed Maire and offycers wyth the assent of two of the most honest and substanciall inhabitauntes of euery such wealthy parish, shall consider the nædines of ỳ inhabitants of the other parish or parishes within the sãe citie or towne corporat, and moue, induce and perswade ỳ parishioners of the welthier parish, charitably to contribute somewhat accordinge to their abilitie, towardes the weekely relieue, succour, and consolation, of the poore and needie within the other parish or parishes aforesaid, where nede is. And be it also enacted, that all and euerie such poore folkes as by any such lycence ar to bee licenced and aucthorized to resort out of the limittes, liberties, and fraunchises of

Maior

Certeiye Iust. of p.

Lycence

Valiant Begger

Counties

Certificat

Maior Officers

Welthye paroch

Poore folk

of all and euery such citie, Borough, & Towne corporat, into any the sayed Counties, to begge, gett, and gather the Charitable Almes of good people, that at al tymes when the same goeth abroade to begge, weare openly vpon him or them, both on the brest and on the backe of his or their vttermost garment, some notable badge or token to bee assygned vnto him by the Maior or head officers of the same Citie borough or towne corporat or parish w̄ the assent of the Justices of the peace that shal graunt the same licence, vpon payne to bee taken for a valiaunt begger, and to be punished as afore is remembred, and shall also cary his lycence with him vpon like paine. This act to endure to the latter ende of the first session of the nert parliament.

Badge Maior

Just. of p.

Lycence Payne

Prouided alwaies and bee it &c. that this present act nor any thing therein contayned, shal not extend to be preiudiciall vnto the Maire, shirifes, and citizens, of the Citie of Chester, for or concerning any gift or graunt of any annuytie or yearely rent heretofore made, geuen or graunted, by the sayed famous kynge Edward the sixte, vnto the sated Maire, Shirifes, and Cytizens of the said citie, going out of anie manours, landes, tenements, and hereditaments, of the Cathedral Church of Christ, and our lady, within the citie of Chester, but that ỳ same Maire shirifes and citizens, shal & may from hencefoorth receiue vse, and employ the same auctho[r]ities, yerely rents, or profittes, to such vses and intents, and according to the said gift of the sayed famous king, any thing in thys present act to the contrary notwithstanding.

Chester

Annuitie

Chester

Prouided alwaies and bee it &c. that al and euery summe and summes of money fromhencefoorth to bee collected & gathered within the citie of London, or the liberties of the same, by vertue of this act, shalbe paid ouer to ỳ gouernours of the hospital, called the hospytal of Christeschurch within the sayd citie of London for the tyme being, & shalbe by them from time to time distributed and bestowed for the relefe of the poore of the said city, according to their wisdomes and discretions, any thinge in this act mencioned to ỳ contrary notwithstandinge. An. 2. & 3. P. & M. capitulo 5. And after Anno 4. & 5. P. & M. this act is continued to the last day of the nert parliament, & likewise continued 1. El. 1. ca. 19. and so expired.

Monye London

Christ hol pitall

Poore

¶ Bee it enacted &c. that the statut made in the xrii. yere of the late kynge of famous memory kynge Henry the eight, and also the statute made in the third and foorth yeres of the raygne of the famous kinge Edward the first, concerninge, beggers, Vagabondes, & ydle persons, and euery article, clause, braunch, sentence, and other thinges contained in them, or either of them, other then such thinges as shalbee by this present act otherwise ordayned & prouided for, shall stand, remayne and bee in their full force and effect, & shall bee also frombencefoorth, iustly & truely put in execution, accordinge to the true meaning of ỳ said seueral statuts, & euery of them.

Beggers Vacabõds

And further be it enacted &c. ỳ yerely vppon the Sunday nert before the feast day of the natiuitie of saint Jhon Baptist, commonly called Midsomer day, in euery citie, borough and towne corporat, the Maior, bayliffes, or other head officers for the time being, and in euery other parish of the Countrey, ỳ parson, Vicar, or curat, & Church wardens, shal have written in a Register or booke to bee prouided by them, aswell the names of the inhabitauntes and housholders within their citie, borough, towne corporat, or parish, as also the names of all such impotent, aged, and nedy persons, as bee within their citie, Borough, Towne corporat, or Parysh, which are not able to liue of themselues, nor wyth their owne labour, and shall openly in the church

Maior Bayliffe Person Vicar Curat Church wardens Booke

Poore parosshe

church, and quietly after deuine ſeruice, call the ſaid houſholders and inhabitaunts together, amonge whom the Maior or other head officers, and two of the chiefe inhabitauntes in euery ſuch Cytie, Borough & Towne corporat, ſuch as the Maior, or other head officers ſhall thinke meete. And the Parſon, Vicar, or Curat, & church wardens in euery other Parith, ſhal elect, nominate and appoint yearely two able perſonnes or moe, to be gatherers and collectours of the charitable almes of all the reſidue of the people inhabitinge in the parith whereof they bee choſen collectours for the reliefe of the poore. Which Collectours the Sunday next after their election, or the Sunday following, if neede require, when the people are at ỳ church at deuine Seruice, ſhall gently aſke & demaund of euery man and woman, what they of their charitie wyll bee contented to geeue weekely to wardes the relefe of the poore, and the ſame to bee written in the ſayd Regiſter or booke.

And the ſaid gatherers ſo being elected and choſen, ſhal iuſtly gather, and truely diſtribute ỳ ſame charitable almes weekely by them ſelues or their aſſignes, to the ſayd poore and impotent perſonnes of the ſaid Cities, Boroughes townes corporat, & Parithes wout fraud or couine, fauour or affection, and after ſuch ſort, that the more impotent, may haue the more helpe, and ſuch as can gett, part of their lyuing, to haue the leſſe, and by the diſcretion of the collectours, to be put in ſuch labour as they be fit & able to doo, but none to goe or ſit openly a begging vppon paine limitted in the aforeſaied ſtatute. And if the ſaid Maiors, Bayliffes, head officers, Parſon, Vicar, curat & Churchwarden, or any of them faile in the doing and executing of the premiſſes in fourme aboue declared, hee or they ſo making default, to forfait for euery ſuch default xl. s. to bee employed to the vſe of the poore of the parith where hee or they doo inhabite, to bee leuyed by the collectours of the ſame parith by way of diſtreſſe, or otherwiſe, as is appointed in thys act, for leuying of like forfaitures.

And be it enacted &c. that no perſone or perſons ſo elected, nominated and appointed to be gatherer or gatherers as is aforeſayed, ſhall refuſe the ſayed office, but ſhall iuſtly and truely execute ỳ ſame by the ſpace of one whole yeare next enſuing ſuch election, vpon paine to forfait tenne pound, the one moitie thereof to the Churchwardens of the parith where he or they ſhallbee elected collectour, and thother moitie thereof to the vſe and relefe of ỳ poore of the ſayd parith, to bee leuied by the Churchwardeyns where hee or they dwell, of the goodes of the ſaid gatherer or gatherers ſo refuſinge, by diſtreſſe or elſe by accion of debt, bill, plaint or information to bee brought or purſued by the ſaid churchwardens of the ſayd paryſh, where they ſhal dwell in any court of Record, or in the court of any Lord of any mannour within the ſaied parith where the ſaied gatherer ſhallbee ſo choſen. In which ſuit no preſeruyon or wager of lawe ſhallbee allowed or admytted for the partie defendant. And be it further enacted &c. that if the ſaid Churchwardens or eyther of them, ſhal refuſe to ſue for the ſaied forfaiture, or within two monethes next after the ſame cauſe of forfaiture ſhalbee geeuen, ſhal not ſue, or take ỳ remedy for the recouery thereof in ſuch maner and forme, as before in this preſent act is lymitted and appointed, that then the ſame churchwardens ſo making default of ſuyt, ſhall forfait and loſe twenty pound of lawfull money of England, the one moitie thereof to him or thē that wyl ſue for ỳ ſame by accion of debt, bil, plaint or information, in any court of record or in the court of any lord of any mannour within the parith where the ſayd church

Maior

Collectors

Demaund

Diſtribute

Impotent

Maiors Bayliffes Officers

Forf.

Diſtreyns

Refuſe

One pers Forf.

Moitie

Church wardens

Diſtreyne

Section 8.

Refuſe

Forf.

Moytie

churchwardens shall dwel, & the other moitie to the vse of the poore of ỳ sayd Parishe. In whych suyt no essoigne, protection or wager of law shalbe admitted or allowed for the partie defendaunt.

Poore

And be it enacted &c. that euery person, vicar, curat, or minister of euerie parish within this realme, shal yerely for euermore, vppon the Sunday before Mydsomer day, in the Pulpite or some other conuenient place in ỳ church geue knowledge and warninge at the end of some of the mornynge seruice, to the parishioners then and there present to prepare themselues on ỳ Sundaie next after Mydsomer day then next followinge, to come to the church and there to elect and chose collectors and gatherers for the poore, accordinge to the tenour of this act. And if the person, vicar, curat, or minister, shall make default in geeuinge of the sayed knowledge, that then hee or they so makynge default to forfayt and loose forty shyllinges towardes the reparations of the said church. And ỳ churchwardens of the sayed parish, to sue & distraine for the same, in such fourme as beefore is appointed for the other forfaiture.

Person Vicar Curat Sunday

Collectours

Default

Forf.

Church wardens Distreyne

And further be it enacted &c. that the saied gatherers or collectours for the poore so to bee chosen as is aforesayed, shal make their iust accompt quarterly, to the Maiors or chiefe officers, of the sayed Cities, boroughes & townes corporat, and in euery Parysh of the sayd countrey, to the vicar, or curat, & Churchwardens of the Paryshe, at which accompt, such of the parishe as will, may bee present. And when they goe out of their office, they shal deliuer or cause to bee deliuered forthwyth vppon thend of their accomptes, all such surplusage of money, as then shall remaine of their collection vndistributed, to bee put in their common chest of the Church, or in some other safe place, to the vse of the poore, at ỳ ouer sight and discretion of the Maior, officers, and other beefore mencyoned. And if the sayd collectours, or anie of them, doo refuse to make their sayed accompt within eight dayes next after request made to them for ỳ same, then the Bishoppe of the Diocesse, or the Ordinary of the place, Chauncellours, or their Commissaries, together wyth a Justice of peace, & churchwardens of the sayed Parishe, or one of them, shall haue authority by vertue of thys act vppon complaynt to them made, to committe the said person or persons so refusinge to warde, there to remayne wythout Bayle or maynprise, vntil he or they so refusing shall make their sayed accomptes beefore such personnes as the sayed Bysshoppe, Ordinary, Chauncellours, or Commissaries and Justyce of peace, shal appoint, and to make immedyat paiment of the summes wherwith, by determination of the said accopt, they shalbe charged.

Maiors Officers

Refuse

Bishoppe Ordinary

Iust. of p.

Imprison Maynprise

Accompt

Vicar Curat Church wardens

Surplusage

Common chest

And bee it further enacted that if anie personne or personnes, beeinge able to further thys charytable worke, doo obstinatly and frowardly refuse, reasonably to geeue towardes ỳ helpe and relefe of the poore, or doo wilfully discourage other from so charitable a deede, the Parson, Vicar, or Curat, and Churchwardens of the Paryshe wherein hee dwelleth, shal then gently exhort him or them towardes ỳ relefe of the poore, and if hee or they will not so bee perswaded, then vppon the certificate of the Parson, Vicar, or curat of the Parishe, to the Bishoppe of the Diocesse, or Ordinary of ỳ place, Chauncellours, or their Commissaries, or Gardian of the spiritualties, ỳ saime Bishoppe, Ordynary, Chauncellours or Commissaryes, or Gardyan of the spiritualties, shall send for him or them, to induce or perswade him or them by Charitable meanes & waies to extend their charitie to ỳ poore, as in thys act is well meant & intended.

Refuse

Discourage

Exhort

Certificat

Perswade

And

And if the persone or persones so sent for, of his or their froward or wilfull mind, shall obstinatly refuse to geeue weekely for the relefe of the poore, accordinge to his or their habilityes, ỳ then the Bishoppe or Ordynary of ỳ Diocesse, Chauncellours, or their cõmyssaries, shall haue full power and aucthoritie by vertue of thys act, to bynd the sayed obstinate and wylfull persons so refusinge vnto the Quéene by recognisaunce, in the summe of tenne poundes, wyth condition thereuppon to be indorsed, that the saied obstinate persone so refusinge shal personally appeare before the Justices of peace, of the Countie where the same persone shall then inhabit and dwell if it bee out of any Citie, Borough, or Towne corporat, and if it bee within any Citie, Borough or Towne corporat, then before the Maires, Bailifes, or other head officers of every such citie, borough or towne corporate, at ỳ nert generall Sessions to bee holden before the said Justices within the said county, or at the nert court to bee holden beefore the sayd Maior, bailifes, or other head officers within euery such cytie, Borough, or Towne corporate, and that the same obstinate persone shall not from thence depart without lycence of the said Justices, if hee dwel out of any Cytie Borough or towne corporate, or of the said Maior Bailifes or other head officers, if hée dwel within anie such Cytie, Borough or towne corporate.

Refuse

Bishop Ordinary

Recog.

Appere Just. of p.

Cities

Maior Baylifes Sessions

And if any such obstinate persone shall refuse to be bound as is aforesaid, that then the said bishop, Ordinarie, Chauncellor, or commissary, shal haue auctority by thys act, to committ the sayd obstinate persõ to prison, there to remaine wout baile or mainprise until ỳ said obstinate persõ shal becõe bound as is aforesaid. And further be it enacted ỳ ỳ said Justices, or such of them as shalbe at ỳ sayd Sessions, or ỳ Mayor bailifes or other head officers of euerie such citie, borough or towne corporat, if the sayed obstinate persone do appeare before them, shal charitably and gently perswade and moue the sayed obstinate persones, to extend hys or their charitie towards the relefe of ỳ poore of the parish where hee or shee inhabiteth and dwelleth, and if hee or she shall obstinatly and wilfully stand in the same, and wil not be perswaded therin by the said Justices, Maior bailifes or other head officers, that then it shal and may bee lawfull to and for the said Justices, if it be out of any cytie, borough, or towne corporat, and if it bee within any citie, Borough or towne corporat, for the Maior bailifes or other head officers, of the same city, Borough, or towne corporat, with the Churchwardens where the sayed obstinate persone shal inhabit, or one of them, to sesse, tare, and limitte vppon euery such obstinate persone so refusing according to their good discretiõs what summe the said obstinate person shal pay weekely towards the relefe of the poore wtin the said parish where hee or shee shall inhabit and dwell.

Perswade

Citie

Taxe

And if the said persone so sealled and tared, shal refuse to pay the summe ỳ shalbee so reasonably limitted, tared, and appointed: then the sayed Justices of peace, or two of them, whereof the one to be of the Quorum, or the sayed Maior, Bailifes or other head officers of euery such citie, borough or Towne corporat, shall haue full power and aucthoritie by vertue of this act, vpon complaynt and certificat to them by the collectours and Churchewardens of ỳ sãe parish, where the said obstinate persones shal dwell, to committe the said obstinate person and persones so refusinge to pay, to prison to the nert gaole, there to remaine wout bayle or mainprise, till hee or they haue payed the said summe so appointed, tared, and limitted, together with

Refuse

Just. of p.

Quorum Maior Baylifes

Imprison

Maynprise

tharrerages

Irrerages

ſharrerages thereof, if anie ſuch ſhall
foꝛtune to be. And it is oꝛdayned, that
where as the late king of famous me-
moꝛy king Henry the eight his heirs
oꝛ ſucceſſours, oꝛ any other perſone oꝛ
perſonnes, by his oꝛ their ſeuerall and
la wfull execution̄s & foundations, hath
oꝛ haue oꝛdained and appointed anie
ſumme oꝛ ſummes of money to ẏ vſe
of the pooꝛe, oꝛ foꝛ the repairinge oꝛ a-
mendinge of hygh wayes oꝛ bꝛidges
not beinge taken away otherwyſe by
act of parlyament, whether the ſame
bee in any Cathedꝛal church, colledge
oꝛ elſe where, the Biſhoppe of the dio-
ceſſe, oꝛ Chaunceloꝛ foꝛ the tyme be-
ing, ſhall from time to time examine
howe and after what manner the ſaid
money is beſtowed, and to call to ac-
compt the partyes which retayne the
ſayed money, and thereuppon to take
ſuch oꝛder as the ſame fromhenceforth
bee diſtributed to the pooꝛe accoꝛdynge
to the good entent and purpoſe of the
ſaid noble king ẏ graunted the ſame.

Pooꝛe Hyghe wayes

Biſhoppe Chaũceloꝛ

Accompt

Fayle

And if they ſhal faile perely to call to
accompt the perſõs afoꝛeſaid in foꝛme
afoꝛeſaid, & after accompt to oꝛder the
diſtribution of the ſaid money in man-
ner befoꝛe declared, to foꝛfait foꝛ euery
ſuch default twenty pound, to bee im-
ployed to the vſe of the pooꝛe, by the
ouerſight of the Juſtice of the peace wi
in the ſayed Countie where the per-
ſonne that ſo ſhould accompt dwel-
leth, to bee leuyed by way of diſtreſſe
oꝛ otherwyſe, as other foꝛfaytures in
thys eſtatute are appointed to be le-
uyed.

Foꝛf.

Juſt. of p.

And bee it further enacted by au-
thoꝛitie afoꝛeſayed, if it ſhall chaunce
anie pariſh to haue in it moꝛe pooꝛe
and impotent folkes not able to laboꝛ,
then the ſayd pariſh, and two oꝛ three
of the chiefe inhabitauntes of the ſame
is able to relyeue, that then in euerie
ſuch pariſh, not ſtandynge in any Cy-
tie oꝛ Towne coꝛpoꝛate the parſon,
Vicar, oꝛ Curat of the ſaid pariſhe, &
in euery citie and towne coꝛpoꝛat, the

Pooꝛe parſo-
che

Perſon
Vicar
Curat

Maioꝛ oꝛ chiefe officers of ẏ ſame citie, Maioꝛ
oꝛ towne coꝛpoꝛate, and the Parſon,
Vicar oꝛ Curate of the ſayed paryſh,
calleynge to them two oꝛ three of the
chiefe pariſhioners of the ſame pariſh,
ſuch as the ſaid Maioꝛ oꝛ head officers
ſhal thinke meete: ſhal certefye vnto ẏ
Juſtices of peace of the county where ẏ
ſame paryſhe is, the number & names
of the perſonnes with which they bee
ſurcharged, and vpon ſuch certificate,
the ſaid Juſtices of the peace in ẏ ſame
countie, oꝛ two of them, whereof one
to be of the Quoꝛum, ſhal conſider and
examine the ſaid certifycat, aſwel by ẏ
othe of thoſe that ſo certified inſpection
of the ſaid pooꝛe perſonnes, to bee take
and viewed at ſuch day, time, & place, as
to thẽ ſhalbee thought meete, as by all
other waies & meanes, & finding ẏ ſãe
true, after ſuch othe & allowance by in-
ſpection, ſhal then graunt vnto ſuch &
as many of ẏ pooꝛe folkes as by theyꝛ
diſcretion they ſhall thinke good, a ſuf-
ficient lycence vnder the ſeale appoyn-
ted foꝛ the limitt, to go abꝛode to begg
gette and receaue the charitable almes
of the inhabitauntes of the countrey,
out of the ſaied Pariſhe, Cyties, and
Townes ſo ſurcharged, in whych ly-
cence, thinfirmitie of the perſonne, the
places, Towne, & pariſhes, to which
ſuch pooꝛe folkes are by that lycence
licenced to reſoꝛt, ſhal in the ſame ly-
cence be named limitted, and appoyn-
ted, be it one hũdꝛed oꝛ moe, in the ſaid
Countie, at the ſayed dyſcretyon of ẏ
ſame Juſtices. And if any of the ſayed
pooꝛe folkes ſo lycenced, ſhall tranſ-
greſſe the limittes to them appointed,
and reſoꝛt to begge at other places thẽ
is in the ſayed licence named, ẏ partie
ſo tranſgreſſinge and offending, to be
taken foꝛ a ualyaunt begger, and pu-
niſhed accoꝛding to the ſtatut made in
the ſaid xxii. yere of kinge Henry the
eight, & his oꝛ their lycence to be taken
frõ thẽ. And if the ſaied Juſtices of ẏ
peace ſhall faile to appoint a day and
time foꝛ inſpection of the ſayed pooꝛe,

Pooꝛe

Lycence

Cytie
Towne

Com

Perſ
Vica
Cura
Wa

Cert

Juſt
Lyce

Ualient beggers Puniſhe

Juſt of p.

and

and examinatiō of the sayd certificatours, within one month next ensuing the day of receipt of the sayd certificat, or shal graunt or geeue lycences to any person or persons so certified, to goe abroad & begge, before such time as they shall haue viewed and seene the sayed poore persones, & haue receaued oth of the persons that so certified, ỳ the saied poore persons for age, impotencye, or sickenes, in their cōsciences and to their knowledge, are not able by any worke or labour to earne thē necessary meat and drinke and clothe, and the same deposition put in writing, subscribed or marked by the persons deposed, to forfait for euery such default tenne pounds, to be employed to ỳ vse of ỳ poore of any parishe or parishes wᵗ in the said County, where the said Justices dwel, at the ouer syght and appointment of ỳ Bishop or Chaūcellor of the same dioceese, to be leuyed in such sort & fourme as other forfaytures in this statute is appointed.

Forf.

And bee it further enacted, &c. that where any of the sayed Cyties, Boroughes, townes corporate, or parishe so charged, is situate & standing in one county or two counties of this realme, or situate and standing in one and immediatly adioyning to another countie of the Realme, as the Citie of Bristoll and the Towns of Ludlo and Stampford stand: that in those Cities ỳ Parson, Vicar and Curate of the sayed parishe, and the said Maior, head officers and inhabitauntes of euery such Citie, Borough, Towne corporate, and parishe, shall make certificate vnto the Justices of ỳ said counties adioining to the same Cities, Boroughes, Townes corporate and parishes, and the same Justices of the saied adioyning county or counties, to do, geue lycēce, and followe the order aboue remembred, according as other Justices of the counties in which ỳ paryſh surcharged stādeth, is lymitted & authorysed to doe.

Cities Townes

Counties

Person Vicar Curat Maior

Certifye

Justices Lycence

And bee it also enacted, that in all Cities Boroughes & Townes corporate, within which be diuers parishes, the Maior and head officers of euery ỳ same cities, boroughes, and townes corporate, shal consider the state and abilitie of euery such parish.

Maior

And if the same Maior & officers shall vnderstād by their discretion, that ỳ parishioners of any one of the saied paryshes is of such wealth & behauiour, that they haue no pouertie amongst them, or be able sufficiently to relyeue the pouertie of the parishe, where they inhabite and dwel, and also to helpe and succour pouertie els where further: that then the said Maior & officers, wᵗ thassent of two of ỳ most honest & substāciall inhabitāts of euery such whelthy parish or parishes wᵗin the same citie or towne corporate, & moue, induce & perswade the parishioners of the welthier parish, charitably to contribute somewhat, according their habilitie, toward the weekely relieue, succour and consolation of the poore and nedy with in the other parishe or paryshes afore said, where nede is.

Maior

Welthye parochs

And bee it also enacted, that all and euery such poore folkes, as by any such lycence, ar to bee licenced and auctorised to resort out of the limites, liberties and fraunchises, of all and euery such citie, borroughe and Towne corporat: into any the said coūties to begge, gett and gather the charitable almes of people, shall at all tymes when the same goeth abrode to begge, weare openly vpon him or them, both on the breest & the backe of his or their vppermost garment, some notable Badge or token, to bee assigned vnto him by the Maior or head officers of the same Citie, Borroughe, and Towne corporate, or parishe, with thassent of the Justices of peace that shall graunt the same lycence, vpon paine to be taken for a valiaunt begger, and to bee punished as afore is remembred, and shal also carry

Poore

Badge.

Punishm.

his lycence wyth hym vppon the lyke paine. Thys act to endure to the later ende of the firſt ſeſſion of the next parliament.

London

Gouernors Chriſtes hoſpitall

Prouided alwaies, & be it enacted by thauctho͂itie afo͂reſaid that al and euery ſumme and ſummes of money, frō henceforth to be collected or gathered w̄in the Citie of London and the liberties of the ſame, by vertue of this act, ſhalbe paied ouer to the gouernours of the Hoſpitall called the Hoſpytall of Chriſtes church, within the ſaid Citie of London for the tyme beeing, & ſhalbe by them from time to time diſtributed and beſtowed for the reliefe of the poore of the ſaid citie accordīg to their wiſedome and diſcretions: Any thyng in this act mencioned to the contrary notwithſtanding.

Conentrie

Hoſpitall

Gouernors

Prouided alſo, and bee it enacted by thauctho͂itie afo͂reſaid, that all and euery ſumme and ſummes of mony from hēceforth to be collected or gathered tō in the citie of Couentry, and the liberties of the ſame, by vertus of thys act, toward the maintenaunce & relefe of the poore people of the Hoſpital erected in the ſaied citie, ſhall be paied ouer to ſuch gouernour or gouernours of the ſaied Hoſpitall as nowe is, or hereafter ſhalbee admitted and appointed by the Maior & Aldermen of the ſaied Citie of Couentry, or the more part of thē, for the time being. And ſuch gouernour or gouerneurs ſo admitted & appointed as afo͂reſaid ſhal frō time to time diſtribute & beſtowe, for ỹ relefe of ỹ afo͂reſaied poore within ỹ ſaid citie, ỹ ſaid ſumme or ſummes of mony, accordīg to their wiſedomes & diſcretiōs: Any thing mēcioned in this act to the contrary notwithſtanding.

Curat

Chappel of eaſe

Wardens

Prouided alwaies, & be it further enacted, ỹ the Curate, miniſter or Reader, togeather with the wardens of euery Chappell of eaſe, & where no Wardens are, the Warden or two of ỹ chiefeſt of ỹ inhabitāts reſorting & frequenting the ſaid chappell of the eaſe for hearing diuine ſeruice, ỹ ſame inhabitantes to bee nominated & choſen by the ſame Curate, miniſter or reader. And alſo ỹ collectours, & al and euery other perſon and perſons to whom in this behalfe it ſhal appertayne by force of this eſtatute, ſhal doo, execute, perfourme & bee liable to all and euery ſuch ordynaunce clauſe, article, ſentence, & penalties ſpecified & contained in this preſent act for & towardes the reliefe of the poore, in like maner & fourme as ỹ vicar, curate churchwardens & collectoures of euery pariſh church ſhall, may or ought to do by force of this act, accordīg to ỹ purport or trewe meaning of the ſame, & not to be compellable to come or reſort to their pariſh church for the ſame onely purpoſe or intēt: any thing in this act before ſpecified to the contrary notwithſtanding. Collectors

Gift Legacie

Prouided alſo that thys act or any thing therein contained ſhal not in any wiſe extende or bee preiudiciall to any gift, legacy, conueiaunce or aſſignemēt of any manner of lands or other profit heretofore geuen, aſſigned, or bequothed to the reliefe of the poore, reparations of high wayes or bridges, vppon any manner of condition: but that the ſame ſhalbe employed, cōuerted beſtowed, & accompted for, in ſuch maner & fourme, & vppon ſuch condition, as the ſame lawfully was or ought to be, before the making of this act. An. 5. El. cap. 3. thys ſtatute was not continued 8. Eliz. but reuiued 13. Eliz. ca. 25. and continued to the ende of the next Perlyament. Vyghe wayes Bridges

9 ¶We it alſo enacted by thauctho͂rtie of this preſent Parliament, as well for the vtter ſuppreſſing of the ſayd outragious enemies to the common weale, as for the charitable reliefing of the aged and impotent poore people, in maner & fourme followyng. Firſt, that all and euery perſonne and perſonnes whatſoeuer they bee, being

14 yeres

Roges

Vagerant

Just. of p. Maioz

Imprison

Mayn prise

Constable

Charges parochie

Just. of p.

Connict

witnesses

whipped Eare

Burnt

Clerk of p.

Seruice

Recog.

Fee-

Rune away

whipped Burnt

above the age of fourteene yeres, beeing hereafter set foorth by thys act of Parliament to bee roges, vacabounds or sturdie beggers, and be at any time after the feast of S. Bartholomewe thappostell nert comming, taken begging, in any part of this Realme, or take bee vagarent, wandering & mislodering them selues, contrary to the purport of this present act of parliament, in any part of the same, shall vppon theyr apprehention bee brought before one of the Justices of the peace, or Mayor, or chiefe officer of Cities, Boroughes, and Townes corporate, within ỳ coũtie, Citie, Borough, or Towne corporate where the apprehencõ shal happen to bee, and by the sayd Justices or head officer to bee presently committed to the common gaole of the sayed Countie, beeing apprehended within ỳ Countie, or els such other place as by the Justices of peace of that Countie, or three of them, at any theyr generall sessyons shalbe appointed: and if he bee taken within any Citie, Borough or Towne corporate, then to be committed to the prison of the saied Citie, Borough, or Towne corporate, there to remaine without baile or mainprise, untill the next sessions of the peace, or generall gaiole delyuerie for the sayed Shere, Cytie, Borough or Towne corporate, to bee holden, which shall first happen: and the Constables, or other officers, for the conueying of such roge or vacabounde by commaundement of the saied Justices, to haue such reasonable charges for them selues and the prisoner, from time to time, borne by ỳ parish or parishes where the said roge or vacabound shal happen to be taken, as to ỳ discretion of ỳ Justyces of peace present at the nert assise or at ỳ sessions of ỳ peace then nert kept within the lymitt where the prisoner is apprehended, shal seeme conuenient. At which sessions or gaiole delyuerie, if such persõne or persõnes be duely conuict of his or her rogish or vacabõnds trade of life, eyther by enquest of office, or by ỳ testimonie of two honest & credible witnesses vpon their othes: that then immediatly he or shee shalbee adiudged to be grieuously whipped, & burnt through the gristle of the ryght eare, with a hot yron of the compasse of an inch about, manifesting his or her rogish kynde of lyfe, and his or her punishement receaued for the same, wherof entrie shalbe made of record by the Clarke of the peace of the same Shere in the Recordes of the same Sessions, which iudgement shall also presently be executed, except some honest person valued at ỳ last subsidie nert before that tyme, to fiue poundes in goods, or twenty shillings in lands, or els some such honest housholder, as by the Justices of the peace of the same Countie, or two of them, shalbee allowed, wyll of hys charitie be contented presently to take such offendour before the same Justices into hys seruice for one whole yere next following, and to that ende, will presently before the said Justices enter into band by recognisaunce, to thuse of our soueraygne Lady the Queene, to pay to our sayed Soueraygne Lady the summe of fiue poundes, if hee keepeth not the sayed offendour in hys seruyce by the space of the sayd whole yeare, and so bryngе hym or her vnto the Sessions at the yeres ende, or then good proofe of hys or her death, during the sayed yeare, the said Clarke of the peace taking for the said recognisãce but vii. pence onely. And if such roge or vacabounde so taken into seruice, departe within the said yere from the said seruice, against the will of him that so taketh hym or her into seruice: that thẽ such roge or vacabounde shalbee whipped and burnt through the gristle of the ryght eare with a hot yron, as is aforesayed.

Prouided allwayes neuertheles, that if the saied person so committed, or to

be committed, come beefore the next ſeſſions of the peace, or the next gaiole delyuerie, to bee holden for the ſayed Countie, or before theyr committing, and do finde any ſuch ſuertie as is next before recited, to be bound in fourme a foreſaied for him or her, for one whole yere: then the ſaid perſon ſhal not tarry in the gaiole till ỳ next ſeſſions, or tyll the nert gaile deliuerỳ.

Suertie

And be it further enacted, that the ſayed perſon or perſons ſo marked, or adiudged to be burnt, as aforeſaid, ſhal not be delt wythall agayne by way of punifhment by ỳ ſpace of foerty dayes nerf after the ſaid punifhement executed, or adiudged to bee burnt as is aforeſaid, if hee or ſhee haue lycence for the ſaied foerty dayes from two Juſtices of the peace of the ſame Shere, teſtifying the punifhement receaued, or iudgement geeuen: but if after the ſayed punifhement executed, or iudgement geeuen, the ſayed perſonne or perſons ſo marked, or hauinge receiued ſuch iudgement, doe after thereſoze daies nert after he, ſhe, or they ſhalbe ſo marked, eyther in ỳ ſame Countie where he or ſhe was ſo marked, or hauing receaued ſuch iudgement, or els in any other countie within the ſaid Realme of England or Wales, beeing of ỳ age of eyghteene yeares or aboue, do eſtſones fall againe to any kinde of rogiſh or vacabound trade of lyfe: that then the ſaid roge vacabounde, or ſturdy begger, from thence foorth to be taken, adiudged & deemed in all reſpectes as a felon, and ſhall in all degrees receaue, haue, ſuffer, and forfait as a felon, except ſome honeſt perſone valued at the laſt Subſidie nert beefore ỳ tyme to tenne poundes in goodes, or foerty ſhillinges in landes, or els ſome ſuch honeſt Houſholder, as by the Juſtyces of the peace of the ſame Countie, or two of them ſhalbee allowed, of mere charity wyll bee contented beefore ſuch Juſtices, as the ſaied vacabound is or ſhalbee arraigned of felony, to take hym or her into hys ſeruyce for two whole yeares then nert following, and then beefore the ſame Juſtices, wyll then preſently put in bonde by recogniſaunce of tenne poundes, to be leuied of hys landes, tenementes, goodes, and cattelles, to thuſe of our ſaied ſoueraigne Lady, if hee keepeth not the ſaied offendour in his ſeruyce for two whole yeares, and bryng hym or her vnto the Seſſions at the ſayed two yeres ende, or good proofe of hys or her death.

xl. daies

Lycence Juſt. of p.

xl. daies

xviii. yeres

Felony

Hornice

Recog.

And if ſuch roge or vacabound ſo taken into ſeruice, depart within the ſame two yeares, from his or her ſaied ſeruyce, agaynſt the wyll of hym that ſo tooke hym or her into ſeruyce: that then ſuch roge or vacabonde, ſhalbe taken, adiudged, and deemed as a felon in al reſpectes, and ſhall in al degrees haue, ſuffer, and forfait as a felon, wythout allowance or benefite of Cleargy or Sanctuary.

Mine eſtoy

Felonie

Clergie Sanctuarie

And if ſuch roge or vacabounde, after foerty daies nert after hee or ſhee ſhalbe two ſeuerall times taken into ſeruice, as is aforeſayed, doo eyther in the ſaid County, or elſe whore eſtſones the thyrd tyme fall agayne to a kynde of rogyſhe or vacabounde trade of lyfe: that then ſuch roge or vacabounde, ſhal bee adiudged and deemed for a felon, and ſuffer paynes of death, and loſſe of landes and goodes as a felon, without allowance of benefite of Cleargie or Sainctuary.

xl. dayes

Felonie

Clergie Sãctuary

And for the full expreſſing what perſon and perſons ſhalbe entended within thys braunche to bee roges, vacabounds, and ſturdie beggers, to haue and receaue the punyſhement afore ſeyed, for the ſayed lewde manner of lyfe: it is now publiſhed declared and ſett foorth by the aucthoritie of this preſent Parlyament, that all and euery ſuch perſone and perſones, that bee or vtter themſelues to bee Proctours or

Roges

Proctours

or Procuratours, going in or about any Countrey or Countreyes within this Realme without sufficient auctoritie, derived from, or vnder our soueraigne Lady the Queene: and all other vyle persons going about in any Countrey of the said Realme, vsing subtill, crafte, and vnlawful games or plates, and some of them fayning them selues to haue knowledg in Phisnomie, Palmestrie, or other abused sciences, whereby they beare the people in hand they can tell their destenies, deathes, and fortunes, and such other lyke fantasticall imaginatyons: and all and euery personne and personnes, beeing whole and myghty in body, and able to labour, hauynge not land or maister, nor vsynge any lawfull marchaundise, craft, or mystery, whereby hee or shee myght gett hys or her lyuing, and can geue no reckonyng how hee or shee doth lawfully gett hys or her lyuing: and all fencers, bearewardes, common players in enterludes, and minstrelles, not belonginge to any Baron of thys Realme, or towardes any other honorable personage of greater degree, all iogglers, pedlers, tynkers, and petie chapmen: which sayd fencers, bearwardes, common players in enterludes, minstrelles, iuglers pedlers, tynkers, and petie chapmen; shall wander abrode and haue not licence of two Justices of the peace at the least, whereof one to bee of the Quorum, where and in what shyre they shal happen to wander: and all common labourers, being persons able in bodye vsing loytering and refusing to worke for such reasonable wages as is taxed, and commonly geuen in such parties where such persons do or shal happen to dwell, and all counterfeytures of lycences, passportes, and all vsers of the same, forgyng the same to bee counterfeit, and all schollers of the Vniuersities of Oxford or Cambridge, that goe about begging, not being auctorized vn-

Vyle persons
Gamesters
Palmesters
Fencers
Bearwards
Players
Minstrels
Iuglers
Pedlers
Tinkers
Lycence
Quorum
Loyterers
Counterfaitours
Schollers

der the seale of the sayed Vniuersities by the Commissary, Chauncellour, or vice Chauncellour of the same: and all shippemen, pretending losses by Sea, other then such as shalbe hereafter prouided for: and all persons delyuered out of gaoles for begge for their fees, or do trauaile to their Countries or friendes, not hauing lycence from two Justyces of the peace of the same County where hee or shee was delyuered, shalbee taken, adiudged, and deemed roges, vacabounds, and sturdie beggers, intended by thys present act, togeather wyth all and euery such other personne and personnes, as shalbee hereafter for altering and breakyng of such good orders, as in the second part of thys present act shalbee established for the relefe of the aged and impotent poore people, set forth declared to be vacabounds.

Shipmen
Beggers
Lycence

And further be it enacted, that if any personne or personnes, after the said feast of Sainct Bartholomewe, geue any harborough, mony, or lodging, or any other relefe, to any roge, vacabounde, or sturdye begger, eyther marked as before, or not marked, not hauing such a lycence as is before recited, from two Justices of the peace the in continuance, and that duely proued before the Justices of the peace at their quarter sessions: shall make such fine to the Queenes Maiestie, as by the discretions of the sayed Justices, or the more part of them, at their generall sessions shalbe assessed, so as the same exceede not twenty shillinges. And also if any person or persons do disturbe or let the execution of this act in any maner of wise, or make reseuse against any Maior, Sheriffe, Bailiffe, or other person, that shall endeuour him selfe, for or about the due execution herof, shal forfaict and lose fine poundes, and ouer that, shal haue imprisonment at the Queenes Maiesties pleasure.

Harborough
Relefe
Fine
Disturbe
Reseuse
Forf.
Imprison.

Prouided alwaies, that this act, nor

any thing herein contayned, shall extend to make any person or persons accessarie, or accessaries to the saied felonies made by this statute, nor that any attainder by any the felonies aforesaid, shal worke or be any corruption of bloud in the issues or lyne of the person attainted.

Accessarie

Bloud

Prouided also, that it shalbe still lawfull to all maisters and gouernours of the Hospitalles, to lodge or harbour any impotent or aged person or persons of charitie or almes, according to theyr foundation, and to geue money in almes, in as large manner as they are bound to doe by their foundation, to any such aged or impotent personne: any thynge herein contayned to the contrary in any wyse, notwythstandynge.

Gouernors Hospitall Harbour Almes

Prouided alwaies, that shypmen, and souldiers, hauing licence of the next two Justices of the peace to the place where they first happened to land, or where they first entred into this realm shall and may passe according to the purport of their licence, & entent of this act of Parlyament: any thinge herein contained to the contrary in any wise, notwithstanding.

Lycence

Lycence

Bee it also further prouided, that no lycence recited in this statute, shal geue any manner libertie, or be of any manner force, but only in the shere where of the graunter or graunters of such licence shalbe Justice or Justices of peace Wherefore if the said partie lycenced, will haue any further passage without the daunger of thys lawe, then the shere where hys first licence is graunted, it shalbe behouefull for him to procure and gett in euery other Shere where he entendeth to passe, one other licence from two Justices of the peace of the said shere, and so from shere to shere, to the ende of his iourney. Bee it also prouided, that this act, nor any thynge therein conteyned, doo in any wise extend to any Cockers or harueste folkes, that trauaile into any countrey of this Realme for harueste worke, eyther corne harueste, or hay harueste, if they doo worke and labour accordingly, neyther yet to any that happeneth to be robbed or spoyled by the way. neither yet to any seruing men that bee of honeste behauiour, that be turned from their maisters, or whose maister or maistresse shalbee dead, for the space of sixe monethes next after such turning away, or death of such maister or maistresse, so as euery such seruing man hath a testimonial from his maister or maistresse, or from two Justices of ỳ peace of the same countie, declaring such turning away, or such death of his maister or maistres,

Harueste folke

Seruing men

6. monethes

Testimonial

Prouided alwaies, that it shalbe lawfull to ỳ lord Chauncelour, or lord keeper of the great seale of England for ỳ tyme beeing, to make licence vnder the saied great seale, as heretofore hath bē accustomed, and that the saied licence & licences, shall as largely extend as the contents of them wil beare: any thyng herein to the contrary, in any wise not withstanding.

L. chauncelor

Lycence

Prouided alwaies, and be it further enacted by the authoritie aforesaied, that this present act, or any thing therein contained, shall not extend to make frustrate or void any safe conduict, passport, or lycence, made and graunted, or to bee made and graunted by the lord Deputie of Ireland, or by the lord Gouernour of the Townes and Garisons of Barwyke, or Carlile, for the tyme beeing, or any other chiefe captaine or gouernour of any castel or fortresse of the Queenes maiesties, or by any other in hys or theyr absence, hauing the charge of the said townes and Garisons, or by any the Guardyans of the three Marches towardes Scotland, or by any Generall, Lieutenant or other chiefe officer appointed by the Queenes Maiestie to haue the charge and conduction of any armie, Garison or

Safe conduict Passport

Captayne

or power of men, leuyed or to be leuied by her highnesse order and appointmēt and for the speciall seruice and affaires of her Maiestie, her heyres, or successours, or by any priuate captaine vpō ỹ dispersinge of any armie, onely to any Souldiour souldiour or souldiours or any other person or persons whatsoeuer wthin this her realmes of Englād and Ireland, passing by vertue thereof about hys or theyr lawfull busynesse and affaires: but that hee or they shall and may quietly without any lette or disturbance, enioy the benefite, effect, and trewe meanyng thereof, in as large and ample manner and fourme, as heretofore it hath bene vsed & accustomed: any thing in thys present act mencioned to the contrary in any wyse, notwythstandynge.

Prouided alwayes, that this present act, or any thyng therein conteyned, shall not in any wise extend to the punishement of any such personne or personnes, as by this statute are limitted for roges, vnlesse the same be of ỹ age of fourtene yeres or aboue, but that 14. yers old whipping they and euery of them vnder that age shalbee punished wᵗ whipping or stocking, as heretofore hath bene vsed and appoynted by the lawes and statutes in that case prouided, and nowe repealed: thys act or any thing therein contained to ỹ cōtrary hereof in any wise notwithstandyng.

And it is further enacted by the authoritie aforesayd, that yf wythin any Towne or Parishe where any such vacabound or roge shall happen to begge, Towne paroch Constable or make hys aboad, contrary to the fourme of this statute, yf the Constable or Mything men bee negligent, and doo not hys or theyr best endeuour for the apprehension of such vacabound or roge, which there shall begge or make aboad, contrary to the fourme in thys statute, vnmitted, or shall wyllyngly Escape suffer the said vacabound or roge to escape from the punishement or order in thys statute prescribed: that then the sayd Constable or Mythingeman in whome such default shalbee, shall loose and forfait for euery such vacabounde Forf. and vagraunt personne, that shalbee suffered to begge, or make aboad within his authoritie, contrary to ỹ fourme of thys statute, fiue shyllinges eyght pence. And for asmuch as charytye would, that poore, aged, and impotent personnes should as necessarily be prouided for, as the sayed roges, vacabounds, and sturdie beggers repressed, and that the sayed aged, impotent, and poore people should haue conuenient habitations and abyding places throughout thys Realme to settle them selues vppon, to the ende that they, nor any of them should hereafter begge, or wander about:

It is therefore enacted by the authoritie of thys present Parliament, that the Justices of peace of all and singuler the Shires of Englande and Wales wythin the symmittes of their commissions, and all other Justyces of the peace, Maiors, Sheriffes, Bayliffes, and other officers of all and euery Citye, Borough, Rydyng, and Franchyses wythin thys Realme, whereof they bee Justices of peace, wythin the symmittes of theyr authoritie, shall at, or before the sayed feast of Saynct Bartholomewe next comming, deuide them selues, and so beeynge deuided shall within euery of their seuerall dymissions and authorytyes, make dylygent search & inquire of all aged, poore impotent, and decayed personnes, borne within theyr saied dymissions and symmittes, or which were there dwellyng wythin three yeares next beefore thys present Parlyament, which lyue, or of necessytye bee compelled to lyue by almes of the charitie of the people that be or shalbe abyding within the symmittes of theyr commissyons and authorities: and shal vppon that searche made, make a regester booke, Booke.

conteynyng the names and surnames of all such aged, decayed, and impotent poore people, as be wythin theyr said limites & auctorities, which shal alwais remayne with ỳ said Justices, Maiors Bayliffes, or other head officers, or any one of them. And when the number of the sayed poore people forced to lyue vppon almes, bee by that meanes truely knowen, then the sayd Justices, Mayors, Sheriffes, Bayliffes, and other officers, shal within lyke conuenient tyme, deuise and appoynt within euery theyr sayed seuerall diuisions, meete and conuenient places by theyr discretions, to settle the same poore people for theyr habitations and abydynges, yf the Parishe within ỳ which they shalbee found, shal not, or wyl not prouide for them, and shall also within lyke conuenient tyme, number all the sayed poore people within theyr sayed seuerall lymittes: and thereupon (hauyng regard to the number) set downe what portion the weekely charge towardes the releefe and sustentation of the said poore people wyll amount vnto, within euery their said seuerall dyuisions and limittes: and that donne, they the sayed Justices, Maiors, Sheriffes, Bailiffes, and other officers, within euery their seuerall commissyons, auctoryties, diuisyons, and lymittes, shall by their good discretions tare, and assesse all and euery the inhabitaunts, dwelling in al and euery Citie Borough, Towne, Village, Hamlet, and place knowen within the sayd limittes and diuisions, to such weekely charge, as they & euery of them shall weekely contribute towardes the releefe of the sayed poore people: and the names of al such Inhabitantes tared, shall also enter into the sayed regyster booke, togeather with theyr taxation: and also shall by their discretion, with in euery theyr sayed diuysions and lymittes, appoynt or see Collectours for one whole yere to bee appointed, of the sayed weekely portion, which shall collect and gather the said proportyon, and make delyuery of so much thereof, accordinge to the dyscretyon of the said Justices, Maiors, Sheriffes Bailiffes, and other officers, to the sayed poore people, as the sayed Justices, Maiors, Sheriffes, Baylyffes, and other officers, shal appoint them. And also shall appoint ouerseers of the said poore people by their discretions, to contynue also for one whole yere: and yf they doe refuse to bee ouerseers, then euery of them so refusynge, to forfayt tenne shillinges for euery such default.

And be it further enacted by the authoritie aforesayed, that the maior of the Citie of London, and the maior, Sheriffes, Bailiffes, and other head officers of euery other Citie, Borough or Towne corporat, or his or their sufficyent deputie or deputyes, wythin their Cities, Boroughes, and Townes corporate, and the Constables or Tything men of all and euery Hundred, Rape, and Wapentake, within all and euery the saied Sheres in England, and Wales, in al and euery such abiding place and places wythin theyr Hundredes, lymittes, and precincts, as shalbee appointed to settle the poore people in, shal once euery moneth next after the sayed places so appoynted and inhabited with the saied poore people, according to the entent of thys present act of Parliament, make a view and search of all the aged, impotent, and lame personnes wythin the precinct of theyr iurisdyctions: and all such personne and personnes as they shall find not beeing borne within that diuision, nor within the said Cities, Boroughes or Townes corporate, then shall they presently see the same poore people not there borne, nor dwelling within the said three yeres (except leprous people and beddered people) to bee conueied on horseback, in carte, or other wyse,

as

Justices Officers
Habitatiõs
Tare
Booke
Collectors
Ouerseers
Refuse
Maior London
Constables
Serche
Lepers
Bedred

as shall seeme best to their discretions, to the next constable, and so frō Constable to Constable, the directest way til the sayed personne and persons bee brought to the place where hee or shee was borne, or most conversant by the space of three yeares next beefore, and there to be put in the abiding place, or one of the abydinge places in ẏ Countrey appointed, or to bee appointed for the habitation of ẏ poore people of that Countrey, there to be prouided, kept, & nourished of almes as is aforesaied, vpon paine of twenty. s. euery ẏ sayd officers that neglecting.

Constable

Forf.

And be it further enacted by ẏ authority aforsaied, ẏ yf any of the sayd poore people, vppon the appoyntment of the sayde Justices or other officers, refuse to be bestowed in any of ẏ sayd abydinge places beefore mencyoned, but courett still to hold on their trade of beggig, or after they be once bestowed in the sayd abydinge place or places, do depart and begge: then the said person and personnes so offendinge, for the first offence to be accompted a roge or vagabound, and to suffer as a roge or vagabound in the first degrée of punishment set forth by this act in al points: And if hee, shee, or they do the second time offend, then to be esteemed as a roge or vagabound, and to suffer as a roge or vagabound in the last degre of punishment set forth by thys act, in al pointes.

Poore

Refuse

Roge

And it is further enacted by auctoritie of this present Parliament, that if any maner of personne or persones appointed and elected to bee Collectours, as is aforesaid, shal refuse ẏ said office, or shal, after hee hath agreed to it, neglect the same, hee shall forfayt & lose for euery offence to the vse of the poore of ẏ same place fourty shillinges of lawfull money of England, to bee leuied by distresse, or recouered by action, bil, plaint, or information, in any Court of record, or Lordes Court, by the high Constables or Tithinge mē

Collectours Refuse Forf.

Hyghe Constable

aforesayed: In which suit, no essoigne protection, nor wager of lawe shalbee allowed or admitted to the partie defendaunt. And if the saied high Constables shalbee remisse or negligent to sue, or shall refuse to sue the saied Collectours and euery of them, wythin two monethes next after such refusal, or negligence in or by the sayed Collectour: that then the sayed high Constables or Tythingmen, shal forfaut & loose fiue poūdes of lawfull money of England, to thuse of the poore of the same place, to be sued for, by and in ẏ name of two of the next Justices to ẏ sayd place or places, beinge out of Cities, Boroughes, and Townes corporat: if within, then by the Maior, baylifes, or other head officers of the said Cities, Boroughes, or Townes corporat, in any court of record, or lordes Court, by accion of debt, bill, playnt, or informatyon, in which no essoine, protection, or wager of lawe shallbee allowed.

Forf.

And further bee it enacted, that the said Collectours, and euery of them, so to bee chosen, as is aforesayed, shal make their iust accompt halfe yearely of their said collection and gatheryngs to two Justices of the peace, dwelling nert the saied abidinge place or places, not beeynge within any citie, borough or Towne corporat: or to the Maior, Sheriles, or other chiefe officers, of the said Cyties, boroughes, or townes corporat: when they goe out of their offices, they shal deliuer or cause to be delinered forthwith vppon their accomptes, all such surpluages of their collecyon and gathering, as shal then remaine vndistributed to bee ordered by the sayed Justices, Maiors, Baylifes, or other head officers, vpon the sayed payne of tenne poundes: If any such Collectour shal refuse to make hys sayed accompt, or neglecte the same: by the space of fourteene dayes after request to hym therefore made: then the sayed two Justices, or one of them,

Collectors

Accompt

Justof p.

Maior Shirifes

Surplusage

Forf.

Refusa

them, to commytte the sayd collectour to the next gaiole for the sayd Countie, there to remaine wythout Bayle or mainprise, til he haue made hys sayed accompt, and immediat payment and delyuerie of al such surplusages as hee hath receiued.

Impytson

And bee it further enacted, that if any person or personnes, beeing able to further this charitable woorke, wyll obstinately refuse to geeue towardes the helpe and releefe of the sayed poore people, or doo wylfully discourage other from so charitable a deede: the sayed obstinate personne or wilfull discourager, shall presently bee brought before two Justices of the peace, wher of one to bee of the Quorum, of the same Countie, to shewe the cause of hys obstinate refusall, or wilfull discouragement, and to abide such order therein, as the sayed Justices shal appoint: if hee refuse so to doo, then to bee commytted to the next gaiole for the sayed Shire, there to remayne vntyll hee bee contented wyth theyr sayed order, and doo perfourme the same.

Refuse

Just. of p. Quorum

Impytson

And it is also further enacted, that if any of the sayed aged and impotent personnes, not being so diseased, lame or impotēt, but that they may woorke in some manner of woorke, shalbee by the ouerseers of their sayed abydynge place appointed to woorke, if they refuse, then in fourme aforesayd to bee whipped and stocked for their first refusall, and for their second refusall to bee punyshed in case of vagabounders in the sayed first degree of punyshment.

Refuse whipped Stocks

Vacabōds

Prouyded alwayes and bee it further enacted by the aucthorytie of this present parlyament, that three Justyces of peace whereof one to bee of the Quorum, of & with the surplusages of the sayed collectyons and forfaytures, (the sayed poore and impotent people satisfied and prouided for) shal by their discretions in such conuenient place & places within their said shires as they shall thynke meete, place and settle to woorke, the roges and vagabounds that shalbe disposed to woorke, borne within their saied Counties, or there abyding for the most part within the sayed three yeares, there to bee holden to woorke by the ouersight of the said ouerseers, to get their liuings, & to liue & to be sustayned only vppon their labour & trauaile.

Just. of p. Surplusage

Set to woorke

Be it also further enacted by ỹ auctharitie of thys present Parlyament, that if any beggers childe, beeynge aboue the age of fiue yeares, and vnder fourteene yeares, beeinge male or female, shalbe lyked of by any subiect of thys Realme of honest callynge, who shalbee willinge to take the said childe into seruyce, the sayd subiect shall at ỹ next generall Sessions to bee holden for the sayed Countie, by order of the Justices there, or the most part of thē, haue the sayed child bound wyth him: if it bee a man child, tyll the age of fower and twenty yeares, if it be a woman childe, tyll the age of eightéene yeares. If the child doo after depart or bee taken, or bee enticed from the sayed maister or maistresse, the master or maistresse to haue their remedie by order of ỹ sta. of labourers, as for their seruant, either by way of action, or otherwise, as well against the child, as against the taker or enticer thereof.

Childs

Sessions

Bound

Runne away

Wee it also enacted by auctharytie of this present Parliament, that all the forfaytures appointed, or to growe by this statute (except the forfaitures of Justices of peace) shal wholy goe, and bee employed to the vse of the poore aforesayed, and shallbee leuied by dystresse, by the discretyon of the Justices of the same Countie, or two of them, or other head officers aforesaid, & that the Justices of peace in all Shires of England, shall in their quarter Sessions next after Easter, yerely examine the perfourmaunce, or not perfourmaunce of thys statute, accordinge to

Forfeitures

Vse

Just of p.

Sessions

the

the tenour thereof as they are bound to doo the Statute of labourers, and at their sayed Sessyons shall yearely appoint newe Collectours, and newe ouerseers for the causes aforesaid, and shal then also agree vpon new viewes and searches of the said impotēt people wythin euery their limittes for the yeare followinge, if neede shalbee, and further at their said Sessions, shal take order by their good discretions, for all and euery thynge and thynges, that may in any wise further the intent of thys acte.

Collectours Ouerseers

And be it further enacted by thauctoritie aforesaied, ỳ iii. Justices of peace, within al the Shires of this Realme, wherof one to be of the Quorum, shal haue full power by auctoritie of this present Parlyament, to heare and determyne al causes, (except forfaitures of Justyces of peace) that shall come in questyon by reason of thys present act.

Just. of y. Quorum ouer y ter.

Prouided also, ỳ forasmuch as it is thought that the inhabitants of diuers Counties, cities, and Townes within this realme, bee not able to relieue the poore, lame, and impotent persons with money, to bee collected in manner and forme aforesaid, and that it were ouer great a burthen to the collectours, for to gather meat, drinke, corne, or other thinges for their relefe to be employed & bestowed in fourme aforesaid: Therefore it is further enacted, that it shalbee lawfull to and for ỳ Justyces of the peace in their opē sessions of the peace, or for the most part of them there assembled, within any the Counties, Cities, or Townes of this realme, where collection of money can not presently bee had, as thys present act willeth and appointeth, to graunt licence vnder their handes and seales, to such and so many of the sayd poore and impotent, or desealed persōs, or to any other personne or personnes, to bee by the sayed Justices assygned, and allowed for the sayd poore, to aske, gather, and receyue, within such other Towne, Parishe, or Parishes of the sayd Countie, as the sayd Justices, or the most part of them, there then in theyr sayed Session assembled shal especially name, appoynt, limit, and assigne, the charitable deuotion and almes, at the house or houses of the Inhabitauntes of such Towne, Parishe, or Parishes, by the sayed Justices named, appoynted, limitted, or alligned, so that they doo appoynt the sayd poore so to be relieued onely wīn the townes and Parishes beynge within the diuisions of the same Counties Justices, that so shal geue such lycence or lycences: and that the Inhabitaunts of euery such Parish or Parishes, to the which such poore or impotent persons shalbe so appoynted, as is afore sayd, shalbe coacted and bound by vertue of thys act, vnder such payne, as to the discretion of the saied Justices there in theyr Session assembled, or the most part of thē, shal seeme conuenient, to relieue the saied poore and impotent personnes, in such sort, as the said Justices there assembled shall appoint.

Counties Cities Townes

Lycence

Just. of y. Sessions

And bee it further enacted, that if it shal happen any Citie or Towne corporat, to haue in it more impotent and poore folkes, not able to labour, then ỳ sayed Towne or Citie is able to relieue, and the sayed Citie or Towne corporat is a Countie of it selfe, or situate, or standunge in one countie, and immediatly adioyninge to another, ỳ in those Cities or Townes, ỳ Mayor or head officers of the sayed Cytie or Towne, shal make certificat to ỳ Justices of the counties adioyninge to the sayd Cities or Townes, and the same Justices of the said adioyninge countie or Townes, in their general Sessions of the peace, shal geue licence, & follow the order aboue remembred, according as other Justices of ỳ counties in the which any towne or parish surcharged standeth, are before limitted & auctorised to doo.

Citie Towne

Countie

Maior

Counties

Sessions Lycence

Prouided

Prouided alwaies, and bee it enacted by the auctho̅itie afo̅esaid, that al and euery summe and summes of money from hence fo̅th to be collected o̅ gathered within the citie of London, & the liberties of the same, by vertue of this act, shalbe payed vnto the gouernour of the Hospitall, called the hospytall of Chri∫tes Church, within the said Citie of London, fo̅ the time bee inge, and shallbee by them fro̅ time to time distributed, and bestowed fo̅ ẏ relieſe of ẏ po̅re of the same Citie acco̅dinge to their wisedomes and discretions: any thinge in this statut contained to the contrary, not withstandinge.

London Money

Hospitall

Prouided also, & be it enacted by the auctho̅itie afo̅esaid, ẏ al & euery ſume & summes of money, from hence fo̅th to bee collected o̅ gathered within the Citie countrey, and the liberties of the ſame, by vertue of thys act, towardes the mayntenaunce and relieſe of the Hospitall of poo̅re people, erected in ẏ ſame citie, ſhalbee payed vnto ſuch gouernour & gouernours of ẏ ſaid hospital, as now is o̅ hereafter ſhalbee admitted & appointed by the Maio̅r and Aldermen of the ſaid citie of Couẽtrey o̅ the mo̅re part of them, fo̅ the tyme beinge, and ſuch gouernour and gouernours ſo admitted and appointed, as is afo̅eſayed, ſhal from time to tyme diſtribute and beſtowe fo̅ the relieſe of the poo̅re within the ſaid city. ẏ ſayd ſumme o̅ ſummes of money acco̅dinge to their wiſdomes & diſcretions: any thinge mencioned in this act to ẏ contrary notwithſtanding.

Money

Couentrie

Hospitall

Maio̅r

Money

Prouyded alſo, and bee it enacted by the auctho̅itie afo̅eſayd, that all & euery ſumme and ſummes of money, from hence fo̅th to bee payed, collected, o̅ gathered within the Cytie of Gloucester, liberties and limitts of the ſame Citie, fo̅, and towardes the vſe o̅ relieſe of the po̅re, and al and euerie other relieſe which ſhalbee due & payable, o̅ is to bee yeelded wythin the ſaid citie, liberties, o̅ limittes, fo̅, and towarde the relieſe of the ſayed po̅re, ſhalbee from time to time payed and deliuered, o̅ other wyſe ſhal ſtand and bee at the onely rule, o̅der, and diſpoſition, of the p̄ſident and gouernours of ẏ Hoſpital of ſaint Bartholomew, of the foundatiõ of our moſt gracious Soueraigne lady Quẽne Elizabeth, within the ſaid citie of Glouceſter, fo̅ the time beeinge, and ſhalbe by them from time to time diſtributed, and beſtowed fo̅ the relieſe of the po̅re of ẏ ſaied Citie, acco̅dinge to their wyſdomes & diſcretions.

Gloucester

Hospitall

And be it further enacted by the auctho̅itie afo̅eſaid, that the Biſhopp of euery Dioceſſe, o̅ his chauncellour fo̅ the tyme beeing, ſhall yearely viſite al Hoſpitals in the Dioceſſe of ſuch Biſhoppe, where no viſitoor by the founder o̅ founders is appointed, if ẏ founder of the ſaied Hoſpitall bee then dead, and to ſee and take o̅der, that the ſaid Hoſpitalles be o̅dered and vſed acco̅dinge to the ſtatutes and o̅dinauncies of the foundation thereof, and if the founder be then lyuinge, the ſaid founder to viſite the ſame duringe his lyfe, without any the Biſhoppes viſitatiõ, and the ſame viſitatiõ to be at the onely coſtes and charges of the viſitoors, and not of the Hoſpitall: and ẏ it ſhalbee lawful to the Biſhoppe of the dioceſſe fo̅ the tyme beeinge, where ſuch Hoſpitall is o̅ ſhalbee, o̅ his Chancellour, vppon complaint, o̅ other intelligence of iuſt cauſe, to take accompt howe the rentes, reuenues, and profites of any ſuch Hoſpital hath be beſtowed & ſpent, to cal before him o̅ them at ẏ ſayd Hoſpitall to accompt, al ſuch perſon and perſones as haue had the collection o̅ receipt of any ẏ ſaid rentes, illues, reuenues o̅ profites. And if any perſonne o̅ perſonnes ſo called, ſhall, and doo refuſe to accompt, o̅ entringe into accompt, ſhall refuſe to proceede and finiſh the ſame, o̅ vpon the finishinge thereof, ſhall refuſe fo̅th-

Biſhop Chancelor Viſite Hoſpitall

Foundy

Coſts Biſhop

Accompt

Refuſe

forthwith to employ or aunswere to the vse of the said Hospitall, such sume or summes of money, as vppon the same accompt shall appeare to bee due by him: that then euery such persone & personnes so refusinge, shal forfait and lose such summe and summes of money, as to the sayd Bishoppe or Chauncelour, and to two Justices of ỳ peace nert inhabitinge to the said Hospitall, shalbe thought meete and conuenient, to which accompts, the said Bishoppe or Chauncellour, shal cal the same two Justices of peace.

Forf.

Just. of p.

Prouided also, and be it further enacted by the auctoritie aforesaid, that no person or personnes, hauinge charge of any wiage in passinge from the Realme of Ireland, or frō ỳ Isle of man, into this realme of England, do from the last day of June nert commynge, wittingly, or willingly trāsport, bring cary, or conueigh, or suffer to bee trāsported, brought, caried, or cōueighed in any ship, picard, bellel, boate, or boats frō & out of the said realme of Ireland, or frō, or out of ỳ said Isle of Mā, into ỳ realme of England, or Wales, or any part thereof, any vagabound, roge or begger, or any such as shalbe forced, or very like to liue by begginge within ỳ realmes of England or Wales, being borne in the realme of Ireland, or in ỳ said Isle of Manne, on paine of euerie such person or personnes so bringinge, transporting, carying, & conueighinge, either sufferinge to be brought, transported, caried, & cōueighed in maner & forme aforesaid, to forfait & lose for euery such vagabound, roge, begger, or other person, which shalbee forced, or like to liue by begginge wīn this Realme of England, or Wales, beeinge transported, & sett on land in any part of England or of Wales xx s. of lawfull English money, to the vse of the poore of the same parish in which they were sett on land, to bee leuied by the Collectours of the same poore for the time being, by sealure & sellinge of any the goods and cattels of ỳ same person, which shal so bringe, transport, cary, or conueigh any such roge, vagabound, or begger, or other person which shalbee forced, or like to liue by begging within ỳ realme of England, or of Wales, to the value of ỳ sāe forfaiture, & on the paine of ỳ same vagabonds, roges, and beggers so set on land, to bee punished as the other vagabounds & sturdy beggers in this act before mencioned and declared.

Punishe

Ireland

Vacabond

Ile of man

Forf.

Also

Collectours Seale

And be it likewise enacted, if any such Manisshe or Irish roge, vagabound, or begger, ben alredy, or shal at any time hereafter to be set on land in any part of England or of Wales, ỳ same shall be conueighed to ỳ nert port in or nere which they were landed, & frō thence bee transported at ỳ cōmon charge of the Countie where they were set on land, into those partes from whence they came, or were transported.

Irishe roge

Transporte

Also be it prouided, that if any manner of person shal hereafter find him or her selfe greeued wīth any taration sett vppon them by vertue of this act, it shalbee lawful for them at ỳ next generall sessions of the peace, to bee holden wīn ỳ same shire where their taxation shalbe, to make cōplaint thereof to ỳ Justices of the bench, & to bee eased of their excessiue charge by the discretion of the whole bench, or ỳ most of thē. And if any default shalbe hereafter found in any Justices of peace, or Quorum, in or about the execution of this act: euery of the said Justices, vpō proufe of their said default, by two sufficient witnesses before the Justyces of Assise at the nert generall Sessyons of gaole deliuery for the same county, after the same default, shal forfait & lose xl li. of lawfull English money, ỳ one halfe whereof to ber to the vse of the said poore people of the same countie, & the other halfe to the Queenes maiestie, which said forfaiture shalbe leuyed by distresse, by the discretion of ỳ said Justices of Assises.

Greued

Sessions

Complaint

Just. of p.

Forf.

Moyetie

And

Bathe Buckstone

And whereas a great number of poore and diseased people do resort to the Citie of Bathe in the County of Sommerset, and the towne of Buckstone, in the cõty of Derby, for some ease & relefe of their diseases at ẏ Bathes there, and by meanes thereof, the inhabitaunts of ẏ same citie of Bathe, and Towne of Buckstone, are greatly overcharged with the same poore people to their intollerable charge: Be it enacted by the authoritie afore said, that no diseased or impotẽt poore person, liuinge on almes, at any tyme after the feast of S. Bartholomewe ẏ apostell next commynge, shall resort or repaire from their dwellinge places to the said Citie of Bathe, and Towne of Buckstone, or either of them, to the Bathes there for ease of their greefe, vnlesse such person bee not onely licenced so to doo, by two Justices of the peace of the countie where such person doth or shall then dwell & remaine: but also prouided for of ẏ inhabitaunts of such hundreds, parishs, or places from whence they shalbe so licenced to trauaile, of such relefe for and towardes his maintenance, as shalbee necessary for ẏ the person, for ẏ time of such his aboade at ẏ said city of Bath, & towne of Buckstone, or either of them, & returne home againe as shalbee lymitted by the same licence, vppon payne to bee reputed, punished, & vsed as vacabounds, by the purniewe of this statute: and that the inhabitaunts of the same Citie and Towne, shall not in any wise bee charged by this act, with the syndring or relefe of any such poore people.

Lycence Just. of p.

Maintenaunce

Punishm.

And for the better performaunce of this charitable act, it is ordayned & established by authoritie afore layed, that where as the late king of famous memorie, kynge Henry the eight, his heyres or successours, or any other persone or personnes, heretofore by hym or their seuerall and lawfull exceptions, and foundations, hath or haue ordained or appointed any summe or summes of money, rentes, reliefes, or commodite to the vse of the poore, or for the repairinge or mending of high waies or bridges, not beeinge taken away otherwise by act of parliament, whether the same be in any cathedrall Church, Colledge, or elsewhere, that the Bysshoppe of the Diocesse, or hys Chauncellour, within which the sayd Cathedrall Church, Colledge, or place is, and the Justices of the peace of the Comtie within the which the sayed Cathedrall Church, Colledge, or place is, or three of them (whereof one to be of the Quorum) shall haue authority from time to time to examyne howe and after what manner the sayd money, rent, relefe, or commoditie is bestowed: and to call to accompt the partyes which doo deteyne the sayed money, rentes, or relefe, and thereupon to take such order for the distribution of the same, as to their discretiõs shal seeme most fitte and agreeable to the good intent of the founders, greuers, or graunters, and therof to make certificat in the high court of Chaũcery, once in euery yere.

Bishop Chaũcellor Just of p.

Quorum

Accompt

Certificat Chaũcery

Prouided allwayes, that where as by reason of this act, the cõmõ gaoles of euery Shire within this Realme, are lyke to be greatly pestered with a more number of prisoners then heretofore hath ben, for that the said vagabounds & other lewed persons before recited, shall vpon their apprehension be committed to ẏ cõmon gaole of ẏ same Shire where they are so taken & apprehended, and that in most shires of this realme the cõmon gaoles are in such Townes where there bee a great number of poore people, more then they are wilable to sustaine with their relefe, and in some Shires ẏ Assises are kept farre distaunt from the place where ẏ cõmon gaoles are, by reason whereof, the sayd prisoners are lyke to famish for want of sustenance, if they be not therefore prouided:

Gaoles

For

For remedy whereof, be it therfore enacted by the auctho*r*itie afore*s*ayd, that it shal and may be lawfull for the Justices of peace, of euery Shire wi*th*in this realme, at their generall quarter Sessions of the peace to be holden wi*th*in ẏ same Shires, or the most part of the sayd Justices being the*r* present, to rate and tax euery parish within ẏ said Shires, at such reasonable su*m*mes of money, for and towardes ẏ relieue of ẏ said prisoners, as they shal thinke conuenient by their discretions: so that the sayed taxation and rate dooth not exceede aboue fiue pence, or eyght. d. by the weeke, out of euery parishe: and that the Churchwardens of euery parishe within thys Realme for the tyme beeinge, shall euery sunday leuy the same, and once euery quarter in the yeare pay to ẏ high Constables or head officers of euery Towne, Parish, Hundred, Rydinge, or wapentake within thys realme, all such summes of money, as their parish shalbe rated and taxed, for and towardes ẏ relieue of the said prisoners wi*th*in their said seueral Parishes: And that ẏ sayd high Constables and head officers, and euery of them, shal pay al such summes of money so to them payed by the sayd Churchewardens, at euery generall quarter sessions to bee holden wythin the sayd seuerall Shires, to such sufficient persons dwellinge nigh the sayd gaoles, as shalbee appointed by ẏ saied Justyces in their sayed open quarter sessions, to bee there ready to receyue the said money so collected, as is afore saied, and that the Collectours for the sayed prisoners, shal weekely distribut and pay al such summes of money, as they and euery of them shall receyue for the relieue of the said prisoners, as afore*s*ayed, vpon payne as well ẏ said Churchwardens of euery parish, Constables and head officers of euery Hundred, or Wapentake, as also the sayed Collectours appointed for the collection & contribution of the said prisoners so making default, as afore*s*ayd, to forfait fiue pounds, the one moity thereof shalbe to the vse of ẏ Quenes maiestie, her heires & successours, and the other moitie to the relieue of the prisoners: any statut, law, custome, vse, or other thynge to the contrarie, in anie wise not wi*th*standinge.

Iuſt. of p. Seſſions

Taxe

Priſoners

Parochie Church wardens

Conſtables

Collectours

Prouided alwayes, that the Justyces of peace within any county of this realme, or Wales, shal not intromit or enter into any City, borough, place, or Towne Corporat, where bee any Justice, or Justices of peace, for ante such citie, borough, place or towne corporat, for the execution of any braunch article, or sentence of this act, for, or co*n*cerninge any offence, matter, or cause growinge or arisinge wythin the precinctes, liberties, or iurisdiccions of such Citie, borough, place, or Towne corporat, but ẏ it may & shalbe lawful to the Justice, and Justices of peace, Maior, Bayliues, & other head officers of those cities, boroughes, places, and Townes corporat, where there bee Justice, or Justices, to proceede to the execution of this act, wi*th*in the precinct and compasse, of their liberties, in such manner & fourme as the Justyces of peace in any County, may or ought to doo within the same county by vertue of this act: any matter or thinge in this act expressed to the contrary ther of, not wi*th*standinge.

Iuſt. of p.

Forf. Moyties

And that euery Justice and Justices of the peace, within euery such Cytie, Borough, Place, and towne corporat, for euery offece by them, or any of the*m* to bee committed, contrary to the entent and meanyng of this statut, shalbe punishable, and chargeable as other Justices of peace at large in the counties, are by this act aboue appoynted to bee.

Prouided alwayes, and bee it further enacted by the auctho*r*itie afore*s*ayed, that if it shal chaunce any citie or Towne corporate, to haue in it more poore folkes the*n* ẏ inhabitants there-

Citie Towne

of

of thalbe able to relieue, ꝑ in such case vpon certificate thereof made, & of the nũber & names of the persõs vñ which they bee so surcharged, vnto ꝑ Justices of ꝑ peace, of ꝑ County in which such citie or towne corporat shall lie & be scituate, at theyr quarter Sessions of the peace, by two Justices of peace of the
Maior. saied county, & ꝑ Maior or other head officer of ꝑ sãe Citie or towne corporat: the Justices may by theyr discretiõs in ꝑ sãe sessions, take order, appoynt, and cause ꝑ same poore folke so certified, to be prouided for, & relieued, by geuinge
Lycence. of licence to begge, or other wise, in soe other place or places of ꝑ said County, out of such Citie or towne corporat so surcharged. Prouided allway, ꝑ this act, or any thing therein contened, shal not extend to ꝑ poore people for ꝑ time
Hospitall. being in ꝑ Hospital, called saint Thomas hospitall, otherwise called ꝑ kings hospital in ꝑ borough of Southwarke,
Southwarke. neare adioyning to ꝑ citie of London, but ꝑ ꝑ Maior, comminaltie & citizens of ꝑ said Citie of Londõ for ꝑ time beinge, shall & may onely haue the rule, order, & gouernement of ꝑ said Hospitall, and of ꝑ poore people therein for ꝑ time being: any thinge in this act to ꝑ contrary notwithstanding.

Prouided alwaies that this act, or any thing therin contained, or any auctho-
John Dutton. rities therby geuen, shall not in anie wise extend to disinherite, preiudyce, or hinder John Dutton of Dutton, in the County of Chester Esquire, hys heirs, or assignes, for, touching, or cõcerning any liberty priuiledge, preemi-
County palantine. nence, auctorittie, iurisdiccion, or inheritaunce, which ꝑ said John Duttõ now lawfully vseth or hath, or lawfully may or ought to vse vñ the County palantine of Chester, and ꝑ County of the Citie of Chester, or either of them, by reason of any auncient charters of any kinges of this land, or by reasõ of any prescripcid, or other lawful vsage, or title whatsoeuer.

This act to endure for vii. yeres, and from thence to thend of ꝑ next parliament thẽ next following. An. 14. El. cap. 5.

10 ¶ For some better explanation, & for some needeful addition to ꝑ stat. cõcerninge ꝑ punishment of vagabonds & relefe of the poore, made in ꝑ firste yeare of parliament, holden the viii. yere of the Quenes Maiesties raigne: Bee it ordained, declared, & enacted by auctho-
Wastards. rittie of this present parliament, in maner and fourme folowing, ꝑ is to say. Firste, concerning bastards, begotten & borne out of lawfull matrimony (an offece against Gods law & mans law) the sayed bastardes being now left to be kept at the charges of the paryshe where they be borne, to the great burden of the same parishe, & in detraccion of the relefe of the impotent & aged true poore of the parishe, & to the euyll example and encouragement of leudenesse: It is ordayned & enacted by ꝑ auctho-
Iust. of p. rittie afore said, ꝑ two Justices of ꝑ peace, whereof one to be of ꝑ
Quorum. Quorum, in or next vnto the limittes where the parish church is, vñ which parish such bastard shalbe borne (vpon examination of the caule and circumstaunces) shal & may by their discretion
Punishe take order, aswell for the punishment of the mother and reputed father of such bastard child, as also for ꝑ better relefe of euery such parishe in part or in all, & shal & may likewise by like discretiõ, take order for ꝑ keping of euery
Order. such bastard child, by charginge such mother or reputed father vñ to ꝑ paiment of money weekely, or other sustentatiõ for the relefe of such child, in such wise as they shal thinke meete & conuenient. And if after the same order by the subscribed vnder their handes any the sayed persõs, ỹ. mother or reputed father, vpõ notice therof, shal not for their part obserue and performe the sayed order: that then euery such party so making default, in not performing of the sayd order, to be committed to warde to the common gayle, there to remaine wythout

wythout bayle or mayntprise, except he, shee, or they shall put in sufficient suertie to perfourme the sayd order, or els personally to appeare at the next generall Sessions of the peace to bee holden in that Countie where such order, shalbe taken, and also to abide such order as the saied Justices of the peace, or the more part of them then and there shall take in that behalfe (if they then & there shal take any) & that if at the said Sessions the said Justices shall take no other order, thē to abide & perfourme the order before made, as is aboueslaid.

Sessions

Also concerning Roges, in as much as by the former act, they are to bee conueyed to the Gaiole or prison by the Constable, or other officer, at the charges of the parishe where such Roge is apprehended, for auoyding of great trauale & charges rysing thereby, many are suffered to passe & winked at: Be it ordained and enacted by the auctority of thys present parliament, that frō henceforth euery such roge apprehended, shalbe conueied by the Constable or other officers of ỹ parish where such apprehencion shalbe, but to the constable, Tithingmā, or other officer of the next townesshipe or parish in ỹ next hūdred, & so frō one hūdred to another, by ỹ cōstables, Tithingmen, or officers of euery such townesship or parishe which shalbe next in euery such hundred, ỹ direct way, vntil they shal cōe to ỹ gaiole or prisō appointed for such Roges & vacabounde, & that euery such Constable Tithingman, and officer, shall accordingely conuey such Roge and Vacabounde, vnder the paynes & penalties by the said former statute ymitted, to the Constable, Tithingman, or other officer, in whose parish such Roge or vacabound shalbe first apprehēded. And as concerynnge personnes inquirable of, as of a roge in the second degree, if any such person shall after his first conuiction, eyther by curing or alteratiō of ỹ marke of any such person, or by alteration of name, or denying to be the same

Roges

Constable

Roge

persō, or by any other waies or meanes goe about to auoid the hauing of hys or their further punishement, that the sāe or any such other allegatiō, shalbe cōsidered of, and tried by the Jury, vppon ỹ arraignement, as parcell of their euydence: and as they shal in their cōsciences finde the proofes, circumstances, & euidences, so to geue their verdict which shalbe a sufficient triall in lawe, without any further certificat or triall of the former record or conuiction, from any other Countie or place, or by any other meane. And more ouer, that if the roge in the second degree indicted, & by confessiō or verdict afterwardes conuicted, shall afterward, a thyrd, or fowerth or other tyme after, be indicted and conuicted of rogish lyke: that then such person the third or more ostentimes indicted and conuicted as a roge, shall suffer to al respects as a felon, wout allowance of ỹ benefite of clergie.

Trial

Second degres

Felon

Clergie

Also to the intent youth may bee accustomed and brought vp in labour and woorke, & then not like to grow to bee idle Roges, and to the intent also that such as bee already growen vp in idelnesse, and so Roges at this present may not haue any iust excuse, in saying that they cannot gett any seruice or worke, & then wout any fauour or tolleratyon worthy to be executed, & ỹ other pore & needy persons, being willing to worke may be set on worke: Be it ordayned & enacted by ỹ auctority aforesaid, ỹ in euery city & towne corporat wōin this realme a cōpetēt store & stocke of woolle, Hempe, Flare, Iron, or other stuffe, by thappoyntment & order of ỹ Maior, Bailiffes, Justices, or other head officers hauing rule in the saied Cities or Townes corporate (of them selues, & al other inhabitants wōin their seuerall auctorities, to be tared, leuied, & gathered) shalbe prouided. And ỹ likewise in euery other market Towne, or other place, wōin euery county of this realme, where (to ỹ iustices of peace, or greater part of thē, in their generall Sessions

Worke

Cities Townes Stocke Maior Bayliffe Justices

Tare

yerely next after Easter, within euery lymit shalbe thought meete and conuenient) a like competent stoze & stocke of woll, Hempe, Flaxe, Iron, oz other stuffe, as ẏ countrey is most meete foz, by appointment & ozder of the said Justices of peace, oz the greater part of them in their generall Sessions (of all the inhabitantes within their seuerall auctho3ities, to be taxed, leuied, & gathered) shalbe p3ounded. The sayed stozes and stockes in such cities and townes co3po3ate, to be committed to the hãds and custody of such persons, as shall, by the Maioz, Bailiffes, Justices, oz other head officers, hauing auctho3itie in euery such Citie oz Towne co3po3ate, be appointed, & in other Townes and places, to such persones, as to the said Justices of the peace, oz the greater part of them in their said generall Sessions of the peace in their seuerall counties shalbe by them appointed. Which said persons so appointed as afo3esayd, shall haue power and auctho3itie (by ẏ aduice of them who do appoynt them) to dispose, ozder, and geue rules, foz the diuision and manner of wo3king of the sayed stockes & stozes, who shal from hencefoo3th bee called the collectours & gouernours of the poo3e, to the intent euery such poo3e and nedie person, olde oz yong, able to doe any wo3ke standing in necessitie of reliefe, shal not foz want of wo3ke goe abzode eyther begging, oz committing pilfrings, oz other misdemeanour, liuing in idlenesse: which Collectours and gouernours of the poo3e, from time to time (as cause requireth) shall and may of the same stocke and stoze deliuer to such poo3e & needy person, a competent po3tion to be wrought into yearne, oz other matter, within such time and in such so3te, as in their discretiõs shalbe from time to time lymmited and p3efired, and the same afterwardes being wrought to be from time to time deliuered to the said Collectours and gouernours of the poo3e, foz which they shall make payment to them which wo3ke the same, according to the desert of ẏ wo3ke, & of newe deliuer moze to bee wrought: & so from tyme to tyme to deliuer stuffe vnwrought, and receiue ẏ same againe wrought, as oft̃e as cause shal require, which Hempe, Wooll, Flaxe, & other stuffe wrought, from time to time shal be sold by the said Collectours & gouernours of the poo3e, eyther at some market, oz other place, & at such time as they shal thinke meete, & w̃ the money coming of the sale, to buy moze stuffe, in such wise as the stockes oz stoze shall not bee decayed in value. And if hereafter any such persone able to doe any such wo3ke, shall refuse to wo3ke, oz shall goe abzode begging, oz liue idlely, oz takinge such wo3ke, shall spoyle oz imbesel the same, in such wise that after monition geuen, the Minister and Churchwardens of the Parishe, and collectours & gouernours of ẏ poo3e, oz the moze part of them, shal thinke ẏ tãe persones not meete to haue any moze wo3ke deliuered out of the same stoze & stocke: that then vpon certificate there of made vnder their hands, & brought by one of the said Collectours & gouernours of ẏ poo3e, to ẏ hãdes of such person oz persons, as shal in ẏ county haue ẏ ouer sight & gouernmẽt of one of the houses of co3rection, hereafter mentioned in this act, in conuenient apparell meete foz such a body to weare, he, she, oz they, frõ such towne, place, oz parish shalbe receiued into such house of co3rection, there to be straightly kept aswell in diet as in wo3ke, & also punished frõ time to time as to the said persõs, hauing ẏ ouersight & gouernement of the said house of co3rectiõ, shalbe appointed as hereafter in this act is declared. All which stockes and stozes, shalbee p3ouided and delyuered to the handes of the sayed Collectours and gouernours of ẏ poo3e, before ẏ first day of Nouẽber next comming, & at al tymes hereafter as occasion shal serue, & that euery persõ refusing to pay, oz not paying such sũme of money to wards ẏ said stockes & stozes, as vpon them oz any of them shal-

Custody Maioz Baylife

Iust of p.

Collectors Gouernors

Yarne

Hempe Wool Flaxe

Refuse Wegg Minister.

Church warden Collectours

Certificat

Appeall

Co3rect.

Gouernours

Refuse

shalbe, by order aforesaid, tared, and at such time as by ỳ sãe order shalbe apointed, shal for euery default, forfait double so much as he or they shalbe so tared vnto, & moreouer, be it ordeyned & enacted by ỳ auctoritie aforesaid, ỳ vẽ euery cõtie of this realme, one, two, or more abidyng houses, or places conuenient in soe market towne or corporate towne or other place or places, by purchase, lease, buylding, or other wyse by thappoyntment and order of ỳ Justices of peace, or ỳ more part of thẽ in their said general Sessions (of thinhabitants wẽin their seuerall auctorities, to be tared leuied, and gathered) shalbe prouided, & called ỳ house or houses of correction, & also stocke & store, & implemẽts to be in like sort also prouyded, for settyng on woorke & punishing, not onely of those which by the Collectours and gouernours of the poore, for causes aforesaid to the sayd houses of correction, shalbee brought, but also of such as be, or shall be inhabiting in no Parishe, or bee, or shalbee taken as Roges, or once punyshed as Roges, and by reason of the vncertaintye of theyr byrth, or of their dwelling by the space of three yeres, or for any other cause ought to be abiding and kept within ỳ same county: which sayd house or houses of correction, with stockes, stores, and implementes appoynted for such houses of correction, shalbe prouided in euery Countie, within one yere next after thys present sessions of Parliament (if the same conueniently may be) and if in ỳ said time ỳ sãe can not cõueniently be, then vẽ such time as to ỳ Justices of peace or ỳ more part of thẽ, in their said generall Sessions of ỳ peace in euery Countie, within their seuerall iurisdictions, shalbe thought méete & conuenient, so as it exceed not two yeres after taxation in such cõtie, for ỳ purpose made, or els ỳ money leuied to be repayed, & ỳ euerie perso refusing to pay, or not paying (such summe of money, towards ỳ making, obtayning, & furnishing of the said houses of correction, and buying of stockes, & stores, & for the relicie & sustentation of such persons as shalbee appointed to ỳ said houses of correction, vpon thẽ or any of them, shalbe by order aforesaid tared, & at such time, as by the same order shalbee appointed) shall for euerie default forfeyt double so much as hee or they shalbe so tared vnto.

Forf. Double.

Counties Houses Market Towne

Just of p.

Tare

houses of Correction Stocke

Roges

Just. of p.

yeres

Refuse

And be it also further enacted by the auctoritie aforesayd, ỳ the said Justices of peace, or the more part of thẽ, in their saied generall Sessions, in euery county, shal and may appoint frõ time to time, persõs which shalbe ouerseers of euery such house of correction, which said persons shalbe called the Censors & Wardens of the houses of correction, & shal haue ỳ rule, gouernment, & order of such houses of correction accordyng to such orders as by ỳ said Justices of peace or the more part of thẽ in their generall sessions in euery county, shalbe prescrybed. And shal also by like auctoritie appoint others, for the gatheringe of such money, as shalbe tared vpon any persõ or persons within their seueral iurisdictions, towards ỳ maintenance of ỳ said houses of correctiõ, which shalbe called ỳ collectors for ỳ houses of correctiõ, & if any person or persõs, refuse to be collector & gouernour of ỳ poore, or Censor & Warden, or Collectour, of or for any ỳ houses of correction, ỳ euery person so refusing, shal forfait & loose the summe of fiue poundes. And bee it further enacted by ỳ auctoritie aforesaid, ỳ all & singuler person & persons, appointed by ỳ auctoritie of this act to be any collectour & gouernour of ỳ poore, or Censor & Wardẽ, or collector for any ỳ houses of correctiõ, in any county, citie, towne corporate, or other place in this realme shal as often as they, or any of thẽ shal be called thereto by ỳ persons hauing ỳ appointment of thẽ, make a iust accopt of al such summe or summes of money or other thinges, as they or any of thẽ haue gathered, had, or raysed in commodity vẽin their seuerel collections or charge, & if any such collectour and gouernour of the poore, Collectors, Censor, or

Forf. double

Just. of p.

Ouerseers

Wardens

Collectors

Refuse Forf.

Accompt

Refuse Neglect

Wardē, of, or for the houses of correction, refuse to make such accompt, or neglect the same by the space of .xiiii. dayes next after request thereof to hym made, or shall not within one weke after such accompt rendred, yeeld and pay the whole arrerages, which he or they vpon such accōpt shalbe found in, to such person or persōs, as they shalbe appointed vnto, by them before whom their said accompt shalbee taken: that then the sayed Collectour, gouernour, Censor, or Warden, to be committed to any vsuall Gayle within the sayed Cōtie, there to remaine without baile or mayneprise, till hee haue made hys accompt and payment of such arrerages as he hath receiued: Vpon the making of which accōpt, it shall and may be lawfull to such persons as haue the appoyntment of the sayd Collectours and gouernours of the poore, Censors, Wardens and Collectours of the houses of correction, euery of them in their auctority, to allowe as well such reasonable allowaunce to euery the said collectours and gouernours of the poore, Censors, Wardens, and Collectours of the houses of correction, for such money as they or any of them haue imployed or disbursed in the execution of ỹ said seuerall offices, as also such reasonable fees and wages for theyr paines taken in that behalfe, as to them shalbe thought conuenient & reasonable.

Imprison

Mayneprise

Fees Wages

And be it further enacted by the auctority aforesayed, that al the forfaytures by force of thys Act beyng forfayted by any person or persons, charged wᵗh any paiment toward the stocks and stores appointed for the relefe of ỹ poore, shalbe imployed in the prouision of the stockes and stores appointed by this act, in such place where the money by the non payment whereof the forfaytures dyd growe, was payable, and the forfaitures likewise of al persōs being, or beeing chosen to be collectours & gouernours of ỹ poore, to be imployed in the prouision of the stockes & stores whereof they were chosen to be collectours & gouernours: and al forfaitures by force of this act beeing forfaited by any person or persōs, charged towards the sustentation of any house of correction, and the forfaitures of al persones beeing, or beeing chosen to be Censors and Wardens, and Collectours of or for any house of correction, shalbee imploied in the maintenaunce and furtheraunce of the said houses of correction. Al which said forfaitures, shalbe leuied by distresse and sale of the goods of the offēdour, as nere as they can, to the value forfaited, by warrant from such persons, as haue by reason of their seuerall iurisdictions the nomination of the said Collectours, gouernours, Censors, and Wardens, and the taration of the sayd persons, which shall committ the saied forfaitures, to any personne or persons by them appointed, to be directed vpon certificat thereof made, & the partie called thereunto.

Forfaytures

Distres

And beecause it is to bee hoped, that many well disposed personnes, vnderstanding the good successe which wyll growe by setting people on worke and auoyding of idlenesse, wyll from time to tyme geue to the sustentatyon and Gene
mayntenaunce of the same good purpose and intent. And for their better encouragement to the same, be it ordeined & enacted by the auctority of this present parliament, that it shalbe lawful for euery such persō as shalbe seised of any manours, lands, tenementes, or other hereditaments whatsoeuer, in fee simple, in possession, reuersion, or remaynder, holden in free soccage of the Queenes Maiestie, her heyres or successours, or of any other persone or persones, or bodie politique, in hys or their owne ryght, and to hys or theyr owne vse, for and duringe the space of twenty yeres next ensuinge, to make
Feoffemēts Graunts
feoffemēts, graunts, or any other assuraunces or conueyaunces or by last
Fee simple
will in writing, to geue or bequeth in fee simple, al, or any part of the said lādes tene-

tenements, and heredytamẽts to any bodie politique or corporate, and theyr successors, in this realme, and the dominions of the same, now erected, or hereafter to be erected or founded, or to any other persons, and their heires, to and for the prouision, sustentation, or maintenaunce of any of the said houses of correction, or abyding houses, or of any of the said stockes and stores, to the vses aforesaid, and none other, without any licence of mortmaine therein to be obtained, or any writ of ad quod dampnum to be sued out for the same, ẏ acts de terra ad manum morte nõ ponend. or any other act or statut, law, custome or vsage, heretofore had or made to ẏ cõtrary, in any wyse notwythstanding. Saving to our saied soueraigne Lady, her heires and successours, and to the Lordes of the fee, al their rents & seruices going out of ẏ said lands, tenemẽts and hereditaments, so to be amortized as aforesaid.

Mortmain

And be it further enacted by the authoritie aforesaid, that whereas by the said former recited estatute, no paine is limitted for any impotẽt person, which hauing a competent allowance prouyded for him and her, within his parish, shal notwithstanding without lycence wander abrode loytering and begging: Be it likewise enacted by the authoritie aforesaid, that euery such personne, shall for his or her such first offence bee whipped, and so returned home againe vnto his, her, or their parish. And if such person shall then eftsones offend, being prouided for as aforesaid, then to suffer as a roge in the first degree ought to do by the said former estatute. And if the said persones shall then eftsons offend, thẽ to suffer such paines & forfaitures as a roge in the second degree ought to do by ẏ same former estatute, & so such further paines and penalties, as by the said former estatute to roges and vacabounds is limitted, which said offences shalbee tried, enquired of, heard, & determined, as the lyke offences of other Roges and Vacabounds, by the sayed former estatute are appointed to bee tryed, inquired of, heard, and determyned.

Impotent person

Whipped

Paynes

Prouided alwaies that thys act, nor any thing herein cõtained, shal extẽd to make any persõ or persõs accessarie or accessories to any felony made by this estatut nor ẏ any attainder by any the said felonies, shal worke or be any corruption of bloud in the illues or line of ẏ persons attainted.

Accessaries

Corrupt bloud

Prouided alwaies, and be it enacted by thauthoritie aforesaide, that it shall and may be lawfull to ẏ lord Steward of ẏ houshold of her maiestie, her heires and successours, or to the Commissioners within ẏ Uierge, to haue, exercise & vse al such authoritie within the said Uierge, in execution as wel of this act, as of the saied former recited act, as any Justice of peace hath, or may haue, vse, or exercise elswhere within their seuerall Sheres, according to the lymitation of the saied estatutes: The said statutes or any thing therein contained to the contrary, notwithstanding.

L. steward

Cõmissioners

And whereas the said former act is made to endure but for seuen yeares from the making of the said act, & from thence vntil the end of the nert Parliamẽt thẽ nert following, it is now enacted by the authoritie aforesaid, ẏ aswel the said former act as this act, shal haue continuance from the end of thys present session of parlyament, vntill the end of seuen yeres then nert ensuing: & from thence vntil ẏ end of the nert parliament then following.

Prouided alwaies, and be it enacted by thauthoritie aforesaied, that if any Justice of the peace assembled at any of the said sessions nert after Easter, shall from thence depart (before conference had, touching the execution of this estatute) he shall for euery such offence forfeit fiue pound, to be recouered and leuied as a fine vppon endictement and conuiction of trespasse, and to bee imployed to the vse of the prouision and

Iust of p.

Forf.

furnyture of the house or houses of correction in such Countie.

Provided also, and for the furtheraunce of the good intention of this present Acte (in some healpe towarde ye charges of prouysion and furnishynge of ye premisses) & to the entent one kind of malefactours in ye common wealth may bee reformed at some charges of other offendours: Bee it further enacted by the auctoritie aforesayed, that al and singuler penalties & forfaitures, in any wise limmitted to growe or come to her Maiestie, for any offece hereafter to be committed against any of those penall statutes, which her Maiestie by her proclamation from tyme to tyme for that purpose shall limitt & appoint, shalbe recouered and leuied as aforesaid, and imployed, the one moity to the vse of such person or persones as shall prosecute the same, by action, suit or informatyon, or by geuing of euydence vppon indictement and trauerse of indictment: and the other moytie to and for the prouision and furnishing of the stockes of mony or other stuffe for the poore, and of the house or houses of correction, in such maner & fourme as by the Justices at the said Sessions after Easter next ensuing, after such recouery, shalbe limitted, any former penall statute, prouision, ordinaunce, or other thing to ye contrary hereof, in any wise notwithstanding. An. 18. El. ca. 3.

Forfeitures

Moytie

## ¶ *Vacations of Bishoprickes and Religious houses.*

ALL patrons of abbeis which haue the kinges charters of England of auncestor, or haue old tenure, or possession in the same, shal haue the custody of them when they sal bevde, as it hath ben accustomed, and as it is afore declared. Magna Car. ca. 33.

Patrons

2 ¶ We will & graunt for vs & for our heyres ye at al times from henceforth, whē such voidaūces shal happen, ye our eschetours & ye eschetours of our heires which for the time shalbe, shal enter & doe to be well kept the said voydaunces, without doing waste or destruction in the manours, parkes, pondes, or woodes. And that they fell no vnderwood, nor hunt in the parkes or warrens, nor fish in ponds, nor free fishynges, nor shal take no fine of ye tenaunts free nor bond: but shall kepe and saue as much as pertaineth to the said voidaunces without doing harme or any maner of oppression. An. 14. E. 3. ca. 4 pro clero.

Eschetors

Hunt Fishe

3 ¶ If the Deane and Chapter of Cathedrall, priours, and supprious, prioresses, and supprioresses, & couēts of prelates, abbeis, or priories, whose voidaunce perteineth to vs and our heires, will render to vs and our heyre the value of the said voidaunces, as other will reasonably yeld, Then the Chauncellour and the Treasorer shal haue power to let the sayd deane & chapiter, priour or supprior, prioresse or supprioresse and couent, the said voidaūces by good and sufficient suertie, so that they shal haue ye same before al other, yelding to vs ye value, according as shal be found by remembraūces of the eschequer, or by enquest to be taken vpon the same if neede be, without making fine. And in case they will not accord to yeld the value, nor find such suertie, then the chauncellour and treasourer shall doe to bee ordained the good keepinge of such voydaunces by eschetours or other sufficient keepers, to answer the kyng of that to him perteineth reasonably without doing wast or distruction, or other thing, which may turne in disherison of the churches, whereof such voydaunces shall happen. An. 14. E. 3. pro clero. ca. 4.

Oppression Deane

Suertie

Value

Chancelor Treasorer

4 ¶ We will, and by these present letters do graunt ful power to our said Chauncellour and Treasourer, whych talainge to them out of our counsaile such as to them shall seme best to be taken, by good information of remembraunces of the eschequer and other informations as to them best shall seme, shall let the vacations of archebishopprickes

Chancelor Treasorer

Vacations

pryckes, bishopryckes, abbyes, prioryes, and other houses, whose voydaunces pertaineth vs, to ỳ deane and chapter, prior or supprior, prioresse or supprioresse and couent, to yelde a certaine of euery voydaunce by the yere, quarter, or moneth, duryng the vacations, accordinge as to them best shall seme, without making any fine. And Eschetour that no eschetour nor other minister in the tyme of vacatyons, shall haue cause nor matter to enter, or thereof to medle, to doe any thinge, which shalbe in prejudice of ỳ churches wher of such voydaunces shall happen. Saving to vs and to our heirs the knights Knights fee Aduowsons fees, aduowsons of Churches, eschetes, wardes, mariages, relieses & services of the said fees. An. 14. E. 3. cap. 5. pro clero.

*Viandes.*

AN. 37. Ed. 3. capitulo octauo. An act was made concerning dyet for Seruauntes, but it was repealed by 38. Ed. 3. cap. 2.

*¶ Viewe.*

FOr viewe of land it is ordained and prouided that from henceforth view shall not bee graunted, but in case where the viewe is necessary, as if one loose land by default and hee that looseth, moueth a writt to demaund the same lande. And in case where one by an exceptiõ delatory abateth a writ after the viewe, as by nontenure, or misnaming of the Towne, or such lyke, if hee purchase an other writt, in thys case and in the case before mencioned, from henceforth the view shall not be graunted, if hee had viewe in the first writtes. In a writte of dower where Dower the demaund is of Land that the husbande aliened to the tenaunt or his aũcestours, where the tenaunt ought not to bee ignorant, what lande the husbãd did alien to him or hys auncestour, though the husband dyed not seysed, yet from henceforth views shall not bee graunted. In a writt of entre also, that is abated because the demaundaint misnamed the entre, if hee purchase an other writ of entre, if the tenaunt had viewe in the first writte, hee shall not Writs haue it in the second. In all writtes also where landes be demaunded by reason of a lease made by the demaundaunt or hys auncestour, vnto the tenaunt and not to hys auncestour, as that which hee leased to hym, beeinge wythin age, not whole of mynd being in prison, and such lyke, viewe shal not Viewe bee graunted hereafter: but if the demyse were made to his auncestour, the viewe shall lie as it hath done beefore. Wi. 2. cap. 48.

2 ¶ Viewe shall not bee graunted in a Warde writt of ward, In a writt of customes, Custome and services, in a writt of Aduowson Aduowson of a church. But in case when there be more churches then one in a Towne, and all of one Saint, In a writt of Dower dowrie to bee assigned. And in a writ Nup obtit of Nuper obiit Statute de visu terre, & essoine de seruicio domini regis.

*¶ Villenage.*

THat notwithstãding adiournement made in Eyre by writ of Libertate probanda purchased in fauour of villains to delaie the lord of their actions of such villaines, ỳ same lords shalbe receiued to alledge ỳ execution of village Exception against their villains in al writtes, whether ỳ ỳ said writtes of Libertate pro- Libertate probanda were purchased by deceite or in probanda other maner. And that the lords may seyse the bodys of their villains, as wel as they might before that the writs of Libertate probanda were ordained or purchased. An. 5. E. 3. ca. 18. stat.

2 ¶ No writ be abated by exception of Abate knowleg of villenage, if the demaundãt or plaintife will auerre that he that alleged ỳ exception was free ỳ day of ỳ writ purchased. An. 37. E. 3. ca. 17.

3 ¶ At the grieuous complaint of ỳ lords and commons of the Realme as

wel men of holy church as other, made in the Parlyament of that, that in many seignyories, and partes of the realme of England, the byllaynes and land tenauntes in villenage, which owe services & customes to their lords, haue nowe late withdrawen, and doe daily withdrawe their services & customes due to their sayd lords, by comfort & procurement of other their counsellours, mainteinours, abbettours in the countrey, which hath taken hyer & profyte of the sayd villaynes and land-tenauntes, & by colour of certayne exemplifications made out of the booke of domesday of the manours & townes where they haue bene dwellyng, and by vertue of the same exemplifications and their euill interpretations of ẏ same they affyrme them to be quyte and vterly discharged of all maner seruage, doe as well of their body as of theyr sayd tenures, and wyll not suffer ante distres or other Justice to be made vpon them, but doe manace ẏ ministers of theyr Lordes of lyfe and of membre, and (which more is) gathered thẽ selfe together in great routes, and agree by such confederacy, that euerie one shal aydrother to resist their Lords wyth stronge hande, and much other harme they doe in sundry manner, to the great damage of their said lords, & euill example to other to begyn such ryotes, so that if due remedy be not the rather prouyded vpon the same rebels, great mischiefe (which god prohibite) may therof spring through the realme: It is ordained and stablished, that the lords which feelen them selues greued, shall haue especiall commissions vnder the great seale to the Justices of peace or to other sufficient persons, to enquire of al such rebelles and of their offences & their counsaillours, procurors, mainteynours and abbettours, and to impison al those that thereof shalbe endicted beefore them, as well for the tyme past, as for the tyme to come, without deliuering thẽ out of prisõ by mainprise bayle, or otherwise, without assent of their lordes, till they thereof bee attainted or acquited. And that the same Justices haue power to heare and determine as well at the kynges suyt as at the suit of the party.

Prouyded alwaies, that if the saied villaynes or lande tenants, rebelles, bee thereof attainted at the suit of the sayed lords, they shall in no wise be deliuered till they haue made a fine to the king, & also they to haue the assẽt of their lords aforesaied. And as to the said counsaylours, procurours, maintainours and abbettours, such proceese and in like maner, shal bee made of them, which there of shal bee attainted, so that they bee in no wise delyuered from prison, till they haue made fyne to the kynge, and gree to the Lords so greeued, according as their estate and the quantitie of theyr offence doth require, if the same lords will sue againste them by writt or by bil. Sauing alwaies, as to ẏ said fines, the fraunchises and lyberties of lords, which haue fines and amerciamentes of their tenauntes. And as ẏ said exemplifications made & purchased as afore is saied, which were caused to come in the parliament, & to be declared in ẏ said parliament, that the same may not nor ought to auaile or hold place to the said villaines or land tenaunts as to ẏ fraunchyse of their bodies, nor to chaung the condition of their tenure, and customes of old time due, nor to do prẽudice to ẏ saied lordes to haue their seruices and customes as they were wont of olde tyme. And it is ordayned that vppon this declaration, the sayed Lordes shal haue letters patents vnder the great seale as many and such as they shall nede, if they the same require. Anno. xxv. cap. 6.

4. ¶ Where as diuers villaynes & neyfes, as well of great lordes as of other people as well spirituall as temporal, do kyue wõin cities, townes, & places enfraunchised, as ẏ city of Londõ & other like, and same diuers suits against their Lordes

Fyne

Fraunchs

Tenure

Letters p

Neifs

Cities London

Lordes

Lordes

Cõmissiõs Iust. of p.

Rebels

Impison Mayntayne

Lordes, to the intent to make the free by the aunswere of lordes: It is accorded and assented, that the lordes nor other shal not be forbarred of their villens because of their aūswere in law, An. 9. R. 2. cap. 2.

Suits

*Vitaile & vitailers.*

Officer

NO officer in Citie or towne, ỳ by reason of his office ought to kepe allyses of wines & vitailes in as much as hee is attendaunt to hys office, shal not buy wines nor vitailes neither in grosse, nor by retaile. And if any doo, and bee thereof conuict, the marchaūdise, whereof hee is conuict, shalbe forfait to the king, and the iii. part thereof shallbee deliuered to the partie that sued the offendour as ỳ kings gift, and in such case he that wil sue for a thing so forfaited shalbee receiued. And the Chauncellour, Treasourer, Barrons of the Eschequer, Justices of eyther Bench, & Justices assigned to take assises, shall admit such plaints by writs and without writtes, and shall determine thē, & shal performe al thinges contayned in these articles, in fourme abouesayed, and neuertheless the king may assigne his iustices to execute this thinge in cities and Boroughes, when and where it pleaseth him. An. 12. E. 2. cap. 6.

Buys

Forf. 3. parts

Chaūcelor Treasorer Justices

2 ¶ Bouchers, fishmongers, hostelers, bruers, bakers, pulters, and all other sellers of all manner vitaile, shalbee bound to sell the same vitaile for a reasonable price, hauinge respect to the price that such vitailes be sold at, in the places adioyninge. So that the same sellers haue a moderate gaines, & not excessiue, reasonably to be required according to the distaunce of the place from whence the said vitailes bee caried. And if any sell such vitailes in any other maner, and thereof be conuict in the maner and fourme aforesaid, hee shall pay the double of ỳ same that hee so receiued, to ỳ party dampnified, or in default of him, to any other that wil pursue in this beehalfe: And the Maires and Bailifes of Cyties, Boroughes, marchaunt townes and of the portes of the sea and other places, shall haue power to enquire of all & singuler which shal in any thinge offend the same: And to leuie the sayd paine to the vse of them, at whose suit such offenders shalbee conuict.

Sellers Vnders Price

Forf.

Maiors Baylifes

Enquire

And in case that the same Maires and Bailifes be negligent in dooinge execution of the premisses, and therof bee conuict beefore our Justices, by vs to be assigned: then the same Maires and Bailifes shallbee compelled by the sās Justices to pay the treble of the thing so sold, to the partie dampnified, or to any other in default of him, ỳ wil pursue. And neuertheless towardes vs they shalbee grieuously punished. Ann. 23. E. 3. ca. 6.

Negligent

Punishe

3 ¶ For the great and outrageous dearth of vitailes, which hostelers, herbergers, and other regratours of vytailes make through the Realme, to the great dammage of the people passinge through the realme: It is accorded and stablished, that the Justyces learned in the lawe, which be good and conuenient, shallbe newely chosen to enquire of the deedes and outrages of such holsters, regratours, labourers, & all other comprised in the statut an other tyme thereof made, and them to punish, and moreouer to doo right to the kynge and hys people, sauinge alwaies to euery Lord and other, their fraunchises in all poyntes. An. 27. E. 3. cap. 3.

Dearthe

Justices

Regrators

Punishe

Fraunchs

4 ¶ Euery man, that bringeth vytailes, whatsoeuer they be, in the City, by land or by water, may freely sel the same to whom shal please him, without beeinge interrupted or impeached by fisher, boucher, pulter, or any other. And that the Maire and Aldermen of the Citie may rule and redresse the defaults of fishers, bouchers, and pulters as they do of those that sel breade, ale, or wine, notwithstanding charters of fraunchises,

Citie Sell

Maior

fraunchises, and statutes, customes or other priuiledges made or vsed to the contrary. And that the said Maire and Aldermen do and put the same in execution, vppon the paine late ordayned touchynge the Citie of London, so that punishment of such bee not made because of any singuler profit. An. 31. E. 3. cap. 10.

London

5 ¶ Anno. 37. Ed. 3. ca. 3. an act was made for the pryce of pultry. But it was repealed by 38. Ed. 3. capitulo 2. And An. 16. R. 2. ca. 9. 11. 12. diuers actes concernynge fish and vytailers were made. But they were repealed by An. 7. R. 2. ca. 21.

Forens Aliens

6 ¶ Al maner forens & aliens, being of the amitie of the kinge and of hys realme, and comming within the said city of Londō, & other cities, boroughs and townes within the sayed realme, as wel within liberties as without, wt fish and all manner of other vitailes, there tarynge, and goynge againe to their owne countries, shal fromhenceforth be vnder ỹ sauegard and the especiall protection of the kynge.

London

R. protectiō

And there it shalbee lawful to them & euery of them and by the strength of these presents they may fromhenceforth cut their fishes and vitailes afore said, without impechement or denynge of any man, or in peces, & in part in al at retaile, or in grosse, as to them best shal seeme. to sell and make their profit, any charters, statuts, ordinances, priuiledges, or customes made or had to the contrary notwithstanding. An. 6. R. 2. ca. 10.

Retayle

¶ Nota by Anno. 7. R. 2. capitulo 11. this last act was repealed. But it was after reuyued as hereafter appeareth. 10. & 11.

7 ¶ Al the vinteners and vitailers as wel fishers as other, comminge with their vitailes to the Citie of London, shalbe fromhenceforth vnder the gouernaunce and rule of the Maire & Aldermen of the saied citie for the tyme being, as in times past it hath be vsed. An. 7. R. 2. cap. 11.

Vinteners Vytailers London Maior

8 ¶ In the right of vitailers it is accorded, that they shal haue reasonable gaines, after the discretion and limytation of the said Justices, & no more, vppon paine to be grieuously punyshed after the discretyon of the said Justyces where no paine is limitted in certayne beefore this time of the said vitailers. And that sherifes, stewardes, of Lords, of fraunchises, Maires and bailifes, and al other that haue assise of bread and ale to keepe, for the correction of the same, shal take no amercia ment nor fine of no default touchynge the assise, for the which a man or a woman by the lawe ought to haue bodyly penaunce, accordinge as it is an other time ordained by statute, but they shall iudge them to the same bodyly penaunce as the default requireth, and shall doe due execution thereof. And that Maires Bailifes and stewardes of fraunchise, and all other that haue the order and surueying of vittailes in cities, Boroughes, marchant townes and elsewhere, where vitailes bee sold in the Realme, shall put the Statute, made the xvb. yeare of the raygne of kinge Edward, graund father to our Soueraigne Lord the kinge that now is, which beginneth, Because a great part of the people, touchinge the estate of vitailers and hostelers, and other sellers of vitailes in due execution.

Vitaylers Shirifes Stewards Maiors Baylifes

Hostler Horsbread

And that no hostelar make horsebread in hys hostry nor wythout, but Bakers shal make it, and the assise thereof shalbee kept, and that the weyght bee reasonable after the pryce of the Corne in the market, and ỹ the same Hostelers, shall sell hey and otes after a reasonable pryce, so that they take not but one halfepeny ouer the common price in the market and that they take nothynge for lytter. Anno. 13. R. 2. cap. 8. Thys artycle concerninge horsbread is altered as appereth horse bread. 1.

Hey Otes

9 ¶ The sayed statute (3. Anno. 6. R. 2.

R.2.capitulo.10.beefore 6.)be firmely holden kept and duely executed after the fourme and effect thereof, notwithstandinge the letters patents late graunted to the contrary to perſonnes of London, by the ſaid late kinge Richard vppon his laſt paſſage towarde Ireland. Anno.1.H.4.ca.17.

Hoſtler

10 ¶The ſtatute of vitaylers and hoſtelers, and other ſellers of vytailes, made the xiii.yere of the ſayd king Richarde, be holden and kept and putt in due execution, and if any hoſtler do the contrarie, and that duelie prooued, the ſame hoſteler ſhall from tyme to time incurre the payne of the treble valure of ỹ breade made by him in hys houſe, or elſe where, contrary to the ſaid ſtatut, and alſo the ſame hoſtler ſhal encurre the quatreble valure of that, that

Fyne.

hee hath taken ouer an halfpeny of euerie buſhell of otes aboue the common price in the market, and that as well at the ſuit of the kynge as of the party. Anno. 4. Henrici quarti capitulo.25.

11 ¶The ſayed ſtatutes (s. Anno 6.R.2.capitulo.10.and Anno.1.H.4. capitulo 17. beefore 6. & 9.) ſhallbee firmely holdē and kept, any other ſtatutes or ordinaunces made to the contrary not withſtanding, Joined to the

Diſturbe Alien Retayle

ſame, that if anie manne diſturbe any foreine or alyen to ſell their fiſh in groſſe or at retaile in part or in whole contrary to the ſaid ordinaunces, and of that bee duely attainted at the ſuyt of the king, or of the partie, that thē he

Fyne.

ſhall forfayt tenne pound. And hee ỹ wyll ſue for our Soueraygne Lord the kynge or for hym ſelfe, ſhall haue the

Moytie

one halfe, and the kinge thother halfe. And ſuch ſuyt ſhalbe taken for any offence done in the Citie of London againſt ỹ ſaid ordinance, for him which will ſue for our Soueraigne Lord the king or for him ſelfe, in what countie that pleaſeth hym of the Counties of Middleſex, Hertford, Eſſex, Kent,

London

Surrey, or in the Cytie of London. An.14.H.6.ca.6.

Letters p.

12 ¶All the letters patents graūted by him to anie perſon or perſons of any office of ſerchinge or ſurueyinge of wyne, ale, beere, or any other vitayle, ſhalbe vtterly voyd and of none effect. And that no perſon, other then ſuch gouernours before reherſed, or other ētituled by point of charter, from the feaſt of Eaſter next comminge, by colour of ſuch letters patentes ſo obtayned, or afterward to bee obtained, as beefore is ſayed, ſhall vſe or exerciſe any ſuch office, vppon paine of forfaiture for euery

Moytie

default xl.li. The one halfe therof to our Soueraigne Lord the kynge, to be employed onely to the vſe of hys houſe, ỹ other halfe to him that in this behalfe will ſue for the ſame by accyon of debt, wherein like proceſſe, rule & demeanour ſhallbee hadde, as is commonly vſed in other accyons of debt at ỹ common law: And that the defendaunt in any ſuch accyon ſhall not bee receyued nor admitted to hys lawe: Nor that any protection or eſſoine of ỹ kings ſeruice be to him in any wiſe allowed. an. 12.E.4.cap.8.

Vitailer Office

13 ¶Whenſoeuer and as often as any vitailer is choſen to beare anie office within any Citie borough or towne corporate, which for the time that hee ſhall ſtand and bee in ſuch office, ſhould haue the aſſiſing and correction for ſelling of vitails, that then two diſcrete and honeſt perſonnes of the ſame Cytie borough or towne corporate not being vitailers, ne anie of them being a vitayler, ſhalbee choſen by the comminaltie of the ſame Citie, Borough or towne corporate, in like fourme as the ſaied officer ſhalbe choſen, which two perſonnes with the ſayd officer ſhalbee

Othe

ſworne truely to aſſe and ſett the prices and aſſiſes of vitayle there for the tyme that anie ſuch vitayler ſhall abyde in the ſayed office. And that then yt ſhallbee lawfull to all and euerie of the ſaid officers, after the ſame vitayles be ſett and aſſeſſed by the ſame officer &

the

the sayed two personnes, or one of the same two personnes, the other beinge absent to marchaunt and sell wynes and all other vitayle in grosse and at retaile, during the time that hee shall bee in any such office, wout any thing therefore to forfayt. The saied statut, act or ordinaunce or statute to the contrary made in any wise notwithstandinge.

Provided alwaie, that thys act or any thynge therein contayned, extend not to dyscharge any Wynter of the Cyties of London, Yorke and Couentrey nor none of them, for any wyne or vytaile to bee sold by anie retayle within any of the said Cities of London, Yorke and Couentrey. An. 3. H. 8. cap. 8.

London Yorke Couentrie Retayle

14 ¶ Upon euery complaint made of any enhauncinge of prices of such vitayles, wythout ground or cause reasonable in any part of this Realme, or in anie other the kinges dompynyons, the Lord Chauncellour of England, the Lord Treasourer, the lord President of the Kynges most honourable counsaile, the lord priuie seale, the lord Steward, the Lord Chamberlaine, & all other lords of the kings counsayle, the Treasourer and Cõptroller of the kings most honorable house, ẏ Chaũcellour of the Duchy of Lancaster, the kynges Justices of either Bench, the Chauncellour, Chamberlaines, vnder Treasourer and the Barrons of the kinges Eschequer, or seuen of them at the least, whereof the Lord Chauncellour, the Lord Treasourer, the Lord President of the kinges Counsel, or ẏ lord priuie Seale to be one, shall haue power and auctoritie, from tyme to time, as the case shall require, to sett and tare reasonable prices of all such kinds of victuales abouesspecified, how they shalbe sold in grosse or by retayle for relefe of the kings subiectes: And that after such prices set and tared, in fourme aforesayd, proclamatyon shall bee made in the kings name vnder the great seale of the said prices in such parties of this Realme as shalbee conuenient for the same. And be it &c. that al fermours, owners, broggers, and al other vitailers whatsoeuer, haunting or keeping any of the kinds of victualles afore rehearsed, to thintent to sel, shall sel the same to such the kings subiects, as wyll buy them, at such prices as shalbee set and tared by the saied proclamation, vpon the paines to bee expressed and limitted in the sayed proclamation, to be lost forfaited & leuyed to the kynges vse, in such wise as by ẏ same proclamation shalbe declared.

Vitaylers

Provided alway that this act nor any thing therein contained, shall not bee hurtfull to Maires, shirifes, baylyfes, or other officers of Cities, boroughes, or townes corporat nor to any person or personnes, or bodyes politike, haunge auctoritie to sett prices of such victualles, or of any of them, but that they and euery of them may set prices therof, as if this act had neuer ben had nor made.

Maiors Shirifes Bailifes

And be it &c. that no person nor persons, vnlesse it be by lycence vnder the kings great Seale, from hencefoorth shal carrie or conuey, or cause to be caried or cõueied, any corne, biskes, muttons, beales, porkes, or any of ẏ aboue said victuales to any the parties beyõd the sea, except only for the victualling of the towne of Calleis, Guisnes, hãmes and the marches of the sãe. And except for the victuallinge of maisters, mariners & the marchants of shippes, passing ẏ seas, and also except barrelled butter and meale to bee caryed to ẏ partyes of Ireland, as hath been accustomed vppon paine of forfaityng of the value of the thyng conueied and carryed into the parties of beeyond ẏ sea, contrary to this act, the one halfe therof to the vse of our said soueraigne lord, and the other halfe to the party ẏ wyll sue for the same by byll, playnt, writte or information in any of the kynges Courtes. In whych suites the

Lycence

Conney Victaile

Caleys

Shipps

Ireland Forf.

Moytie

defendaunt

defendant shal not wage his law, nor any protection or essoine for him shall be allowed. Ann. 25. H. 8. ca. 2.

15 ¶ No manner of personne or persones after the twentie date of January next comminge, shall cary and transport out of thys Realme, by any Shippe, Crayer, or other vessel whatsoeuer, into anie place in the partyes beyond the Seas, or into the Realme of Scotland, any wheat, Rye, Barley or other corne or graine growinge with thys Realme, or any malt made within the same, or any Beere, Butter, Cheese, herringe or wood (except onely to and for the victuallynge and furniture of the Towne of Caleys, Hammes, & Guysnes, and the towne of Barwike, and the marches of the same, wythout sufficient and lawfull authoritie so to doo, vpon the paines and penalties hereafter ensuinge, that is to say, the owner and owners of ỹ said shippes and other vessels, to forfait the said shippes, craiers and other vessels, wyth all their apparayles to them and euery of them belonginge, wherein the said corne, butter, cheese, herringe, victuall, or wood shalbee so transported and caried, and the owners and owner of the said corne, butter, Cheese, herringe, and woodde, to forfayt the double value of the same, so caryed and conueyed, and the master and maryners of euery of the sayd Shyppes craiers and vesselles, for euery such offence to forfayt all theyr goods, & to be imprisoned, by the space of one whole yeare wythout bayle or mainprise.

And be it &c. that if any persone or persones, after the sayd xx. day of January, doo cary and conuey away by boat, crayer or other vessell, or otherwise, any wheate, Rye, Barley, malt, or other corne or graine, or any Beere butter, cheese, herringe or wood, to any shippe or vessel beeing on the seas, or in any hauen, creeke, or other place of the border of this realme to bee transported, caryed and conueyed into anie place, in the parties beyond the Seas, or into the realme of Scotland, wyth out sufficient authoritie so to do, that then euery owner of the sayed victualles, corne and other thinges abouesayed so transported or caryed, and the owner & owners of euery such boate or vessell, and the boatemen and mariners of the same shal loose forfayt & suffer all such forfaitures, paynes and penalties as is aboue rehearsed, thone moitie of all and euery whych forfaiture or forfaitures to bee to the kinge and Quenes hyghnesse their heyres and successours, and the other moytie to hym or them that will sue for the same, by bil, information or accyon of debt, or otherwise, in any of the king & Quenes highnesse courtes of record, in which accion, bill, or suit the defendaunt shall not wage his lawe, nor haue any essoine or protection to hym allowed.

And bee it &c. that if any persone or persons shal obtaine of the kynge and Quenes maiesties, their heirs or successours or of any of them, any lycence to cary and transport any corne, victuall, or wood into any parties beeyond the seas, that if he or they to whom any such licence shallbe graunted, or any other to whom such person or persons hauinge such licence shall geeue, graunt or sell his or their saied licence vnto, shall cary and conuey, or cause to bee Caryed and conueyed any more Corne, victuall, or wood, then shalbee contained in his or their sayed lycence, shal forfait the treble value of the sayd corne, victual or wood so caried & transported, without sufficient authoritie, & shall suffer imprisonment for one whole yere in the common gaole, where he shalbe apprehended, there to remaine without baile or mainprise.

And be it &c. that no manner of persone or persones, after the sayed xx. day of January, that shall obtaine, or haue any such licence for transporting

any

Forf. Coyne Victayls Barwike Forf. Forf. Imprison Mainprise Conuey Forf. Imprison Mainprise Moytie Lycence Forf.

and Caryinge, anie Corne, victuall, or wood into any parties beeyond the seas, shall shippe, lade, and straught the same, or any part thereof, at sundry places within this realme, but at one place certain, vpon paine of forfaiture of the saied corne, victuall and wood, and all his goodes and cattels, the one moitie thereof to the kinge & Quenes maiesties, their heirs and successours, and the other moytie to hym or them that wyll sue for the same by accyon of debt, byll, playnt, informatyon, or otherwise, wherein noe wager of lawe essoine, or protection, shalbe to him allowed.

Straught

Place
Forf.

Moitie

And for the better execution of thys act, bee it &c. that all and singuler Justices of peace, aswell within the liberties as without, within their seuerall auctorities and commissions at anie tyme wythin three yeares next after such offences cõmitted, shall haue full power & auctoritie to enquire aswell by the othes of twelue lawefull men, as also to heare & examyne the matter maisters, & mariners of the said shippes, craiers, and other bellels, and all and euery other person and persons of al and singuler the offenders agaynst this present act and to heare and determine ỹ same offences, as they may & ought to heare & determine any other trespasses and offences.

Iust. of p.

Enquire

Examine
Mariners

Hier & ter.

Prouided alwaies, and be it &c. that at all time and times hereafter, when the commõ price of corne within this realme is, that wheat shall not exceede the price of vi.s. viii.d. the quarter, and Rie, iiii.s. the quarter, & Barley. iii.s. the quarter, it shalbee lawfull to euery personne and persons to carry & transport ouer the sea to any place beeyond the seas, at their pleasure, any of ỹ said kindes of corne, so that it bee not the Kings & Quenes enemies.

Price

Transport

Prouided alwaies and bee it &c. that thys act or any thynge therein contained, shall not extend to any personne or personnes for the necessary victaillinge

Victall

of any shippe shippes or other bellels, but ỹ they & euery of them may vitaile the saied shippes and bellels as they might haue done before the makinge of this present act. This act or any thig therein contained to the contrary notwithstandinge.

Prouided alwaies and bee it &c. that thys act or any thynge therein contained, shal not bee preiudiciall or hurtful to the lord great Admiral of England, for the time being, or to the king & Quenes maiesties iurysdiccyon of the Admiralty, but that the saied lord Admirall, or hys deputie or deputyes may and shal exercise, vse and execute all kynd of iurisdiccion belonginge to the sea, accordinge to his or their commissions, as they might lawfully haue done heretofore. Thys act or anie thing therein contained to the contrary notwithstanding. Anno. 1 & 2. P. & M. cap. 5.

Admirall

## ¶ *Vnion & seuering of churches.*

AVnion or consolidation of ii. churches in one, or of a Church & chappell in one, that one of them not beeynge aboue the yearely value of fyue pounds, as it is rated and valued at to the kinges highnesse, in hys court of the first fruites and tenths, and not distant from the other aboue one mile in any place or places within this Realme of England, may be frombence forth had or made by thassent of the ordinary or ordinaries of the Dyocesse, where such Churches and chappelles standen, and by the assentes of the incumbents of them, and of all such as haue full right title and interest to the patronages of the same churches and Chappels being then of full age. And that al such vnions and consolidations had or made of two churches in one, or of a church & chappell in one as is aforesaid, shalbee good, sufficient, lawfull, firme, stable, and auailable in the lawe, to remaine, endure and continue for euer vnited and knit in one, in such

Church vi.li.

One mile

Ordinaris

Incumbent

Patrons

manner

maner and fourme as by writinge or writinges vnder the seale of such ordinaries, incumbents & patrons it shall be declared and set forth.

And bee it &c. that al vnions & consolidations of al churches and chappells which have heretofore bene vnited or knitte together in one by the assent of the ordinaries incumbentes and true & lawful patrons in fee simple of them as is aforesayd, shal also remayne, and bee fromhencefoorth adiudged & deemed in the lawe to endure & continue for ever vnited and knit in one, without any dissolution, vndoinge vnknittinge, or repeale of them or of anie of them by any manner of meane or way, saunge to the kinges maiestie his heires and successours al ỳ tenthes and first fruites of all such Churches and Chappels, as bee heretofore vnited or consolidated in one, or that hereafter shalbee vnited & consolidated in one accordinge to the same or such like rates and valuations as ỳ same churches and Chappelles or any of them nowe are rated or valued at to the kynges sayed Maiestie, in hys sayed highnesse court of the first fruites and tenthes.

Tenthes
First fruits

Prouided alway that all vnions and consolidations and euery of them hereafter to bee had or made of any church or Chappell wythin anie Cytie or Towne corporat, wythin thys Realme of England, without the assent of the Maires Shirifes and commynaltie of the citie, where such churches, church or chappel be or shalbee: Or without the assent of such bodyes corporat of other Townes Corporat, where such Churches Church or Chappel be or shalbee, by the names of their corporacyons in writing vnder their common Seale shalbee clerely void and of no force ne effect, any thinge beefore expressed or any ordinaunce, law, custome or statut to the contrary thereof in any wise notwithstandinge.

Cytie
Maior Shirifes
Assent
Common Seale

Prouided also that where the inhabytauntes of any such poore Parishe, or the more part of them, wythin one yeare next after the vnion or consolydacyon of the same Parishe, by their writinge sufficient in the lawe, shall assure the incumbent of the sayd Parishe for the yearely paymcnt of so much money, as with the sume that the sayed Parishe is rated and valued at in the kings highnesse sayd court of the first fruytes and tenthes shall amount to the full summe of eight li. sterlinge, to be leuyed and payed yerely by the sayed inhabitauntes to the sayd incumbent and hys Successours, that then al such vnions or consolydations hereafter to be had or made of any such poore parishe as is aforesayed, shallbee voyd and of none effect, anie thynge, statute or ordynaunce, to the contrary hereof in any wise not withstandinge.

Incumbent

Prouided alwayes, that thys sayd prouiso shall not extend to any vnyon or consolidation of any church or chappel had or made before the making of this estatute, anie thynge in the said prouiso mencyoned to the contrary therof notwithstandinge. An. 37. H. 8. ca. 19.

2 ¶ In An. 1. Ed. 6. was an act made (not printed) for vnitinge the Parishe Churches of Onger and Grensted, in Esser. But by An. 1. M. 2. parliamẽt ca. 10. that statut was repealed. And by this stat. of An. 1. M. these 11. churches were seuered as they were before. And diuers thinges at large be in this statut of Ann. 1. M. concerninge these matters.

3 ¶ In Anno. 1. E. 6. ca. 9. was an act made for vnitinge of certayne parish churches in Yorke, wt diuers artycles concerning that matter.

Yorke

And after An. 1. M. 1. parl. c. 15. an act was made for the reedifyinge of ỳ parish Church of S. Clins in Stongate in Yorke, which was put downe by ỳ former statute.

¶ From

Purueyour Badger

FRom henceforth no maner of pur-
uetour, taker, badger, loder, or other
minister, may or shal take or bargaine
for any kyndes of victuall or grayne,
in any of the said markets or Townes
of Cambridge and ỳ Citie of Oxford,
nor shal take or bargaine for any vic-
tuall within the compasse of fiue mile
therto adioining wout ỳ cõsent, agree-
ment or good wil of the owner or ow-
ners, neither shal attempt to cary, take
away, or bargaine for any manner of
graine or other victual bought or pro-
uided within ỳ said space of fiue miles
by any common minister of any Col-
ledge, hostell, or hall, to bee spent with-
in any of the sayed Colledges, hostels,
or halles, vppon paine of the forfaiture
of the quadruple value of any such ma
ner graines or victual so taken or bar-
gained for, in any of the sayed mar-
ches, or within the sayed space of fiue
miles agaynst the wil of the owners,
as is abouesaid, or attempted to be ta-
ken, caried away or bargained for, be-
inge prouided as is abouesaid, for to be
spent in any the Colledges, hostels, or
halles. And further shal suffer impry-
sonment for the space of iii. monthes
without baile or mainprise, and that ỳ
Chauncellour or Vicechauncellour, or
his commissary for the time beinge, in
either of the said vniuersities with two
Justices of peace of the county, where
in the said vniuersities be set, shal haue
ful power by authoritie of this act, to
enquire by the othes of xii. men, of and
vpon the defaultes and offences com-
mitted, cõtrary to the tenour thereof,
& to see due punishment & reformaty-
on therof in forme aforesaid, frõ tyme
to time. The one halfe of which fore
said forfaitures to bee to the common
treasure of either the said vniuersities
respectiuely to the fault committed a-
gainst this their priuiledge, the other
halfe to the party that will sue for the
same by action of debt, bil, plaint, or o-
therwise in any court of record, or be-
fore the foresayed Chauncellour hys
Vicechauncellour or commissarie for ỳ
time being, & ii. Justices of peace, as is
before expressed.

Prouided that this act shall not bee
put in execution at any time or tymes
whensoeuer your maiestie, or ỳ heires
and successours of your maiestie our
soueraigne Lady shall please to come Queene
to any of both the sayd vniuersities, or
wythin seuen miles of either of them,
but shalbe in suspence duringe ỳ time
only & not longer.

Prouided alwaies and bee it &c. that
thys act or any thinge therein contai-
ned, shall not in any wise bee preiudy-
cial or hurtful to the Maires, bayliues, Maior Bayliffe
& comminalty of the City of Oxford,
nor to ỳ Maire and comminalty of ỳ
towne of Cambridge, or to their suc-
cessours, for and concernynge anie of
their liberties or priuiledges, but that
they and euery of them, and their suc-
cessours respectiuely may haue, & vse
the same in such maner and forme as
they or any of them might or ought to
haue done before the makinge of thys
act, any thing in this act contayned to
the contrary notwithstanding. An. 2.
& 3. P. & M. ca. 15.

2 ¶ Be it enacted and ordeined by ỳ
authoritie of this present parliament,
that fromhencefoorth no maner of pur
uetour, Taker, Badger, Loader, poul- Purueiour Badger
ter, or other minister for the Queenes
Maiestie, her heires or successours, nor
any other common Poulter, shall, or
may take, or bargayne for any kind of
victuall or grayne in any of the sayed Vitayle
markettes or townes of Cambridge &
the Citie of Oxford, or eyther of them
nor shall take or bargayne for any vic-
tuall or grayne within the compasse of
the aforesaid fiue myles thereunto ad-
ioyninge, without the consent, agree-
ment, good will, and lycence of either Lycence Chaũcelor
of the said Chauncellours, Vicechaun-
cellours for the time being, in writing
had and obtayned, vnder the Seale or
seales of the office of the sayd Chaun-
cellour or Vicechauncelleur of eyther
of the

Vitayle Cambridge Oxford

b. myles

Corne

Fort.

Imprison Mainprise Chaũcellor Vic- chaũ- cel.or

Just. of p.

Punishe

Moitie

of the said vniuersities, and in no other sourme then in the said lycence in writing shalbe conteyned and expressed, so as the same geue not to any of the saied Purueiours, Takers, Badgers, Loaders, Poulters, or others, any further auctho*r*itie and power, then they haue or may lawfully vse in other parts of the same countrie, being without the sayed limittes of fiue myles, neyther shall attempt to carry, take away, or bargaine for any manner of graine, or other victuall bought and prouided within the saied space of fiue myles by any common minister of any colledge, Hostel, or Haule, to be spent within any of the said Colledges, Hostelles, or Haules, without lyke lycence and assent, and in no other sourme then is next aforesaied mencioned, vpon like paines, forfaitures & imprisonmentes, and to like vses as are limitted and ordained by the said former statute (viz. 2. c. 3. P. & M. before 1.) And that the said Chauncellours or Vicechauncellours for the time being of eyther of the said Vniuersities, with two Iustices of peace of the saied Vniuersities, Citie, Towne, or County, wherein the said Vniuersities bee sett, shall haue lyke power & auctho*r*itie by this act, to enquire vpon the defaults & offences contrary to the tenour hereof, and to see due punishement & reformation thereof in sourme aforesaied, as was to them limitted & appointed by the said former act.

And be it further by the auctho*r*itie aforesaid enacted and ordayned, that if any person or persons within the sayed precinct of fiue miles, shal refuse reasonably to serue the necessary prouision of the saied vniuersities, according to the true meaning of thys present act: that then it shalbee lawfull to any of the Queenes maiesties takers or purueyours, to prouide any corne or victual of any such person or persons, within any part of the precinct aforesaied, for the vse of the Queenes maiestie, as shalbee declared and notified to the sayed Purueiours, or takers, to bee persones not worthie of the said priuiledge, for not reasonable seruing the necessities of the said Vniuersities, by the Chauncellour or Vicechauncellour for the tyme being, of eyther of the said Vniuersities, with the assent & consent of two Iustices of peace resiaunt within eyther of the said Vniuersities, Citie, Towne or County, vnder the handes and seales of the said Chauncellour or Vicechauncellour, and the said two Iustices of peace, as the said Purueiours or takers lawfully may in any other place, without the saied precinct of fiue myles, & not otherwise: The said former act, or any thing therein contained, or any other clause, article sentence or matter whatsoeuer to the contrary notwithstanding.

Prouided that this act shall not bee put in execution at any tyme or times whensoeuer the Queens Maiestie, her heires or successours, shall come to any of both the said Vniuersities, or within seuen myles of eyther of them, but shalbe in suspence during that time only & no longer.

Prouided alwaies, & be it enacted by the auctho*r*itie aforesaied, that this act or any thing therein contained, shal not in any wise bee preiudiciall or hurtfull to the Maior, Bailiffes and Comminaltie of the Citie of Oxford, nor to the Maior or Comminalte of the Towne of Cambridge, or to their successours for & concerning any of their liberties or priuiledges: but that they and euery of them, and their successors, respectiuely may haue & vse the same, in such manner & sourme as they or any of them might or ought to haue done before the making of this act, any thinge in thys act contained to the contrary notwythstanding.

Prouided alwaies that this act shall continue vntill the last day of the next parliament. An. 13. El. ca. 21.

For the better maintenaunce of learning, & the better relefe of Scholliers in the Vniuersities of Cambridge and

Oxford, and the Colledges of Winchester, and Eaton. Be it enacted &c. that no Maister, Prouost, President, Warden, Deane, Gouernour, Rector, or chiefe ruler of any College, Cathedrall Church, Hall, or house of learning in any of the vniuersities aforesaid, nor no Prouost, Warden, or other head officer of ỹ said colledges of Winchester or Eaton, nor ỹ corporation of any of the same, by what title, style, or name so euer they now bee, shall, or may be called, after the end of this present Session of Parliament, shall make any lease for lyfe, lyues, or yeres, of any their landes, tenementes or other hereditamentes to the which any tithes, errable land, meadowe, or pasture doth or shall appertaine, except that the one thyrd part at the least of ỹ old rent be reserued and paid in corne, for the sayed Colledges, Cathedrall Church, Halles, and houses, that is to say, in good wheate, after vi.s. viii.d. ỹ quarter or vnder, and good malte after vi.s. the quarter or vnder, to be deliuered yerely vpon dates prefixed at ỹ said Colledges, Cathedral Church, Halles, or houses, and for default thereof, to pay to ỹ said Colledges, Cathedral Church Halles, or houses, in ready money, at the election of the said lessees, their executours, administratours, and assignes after the rate, as the best wheat & malt in the market of Cambridge, for ỹ rẽts that are to be paied to the vse of ỹ house or houses there, and in the market of Oxforde, for the rentes that are to bee paied to the vse of the house or houses there, and in the market of Winchester, for the rents that are to be paied to the vse of the house or houses there, and in the market of Windsor, for the rẽts, that are to be paied to the vse of ỹ house or houses at Eaton, is or shalbee sould the next market day before the said rẽt shalbee due without fraude or deceipt: and that all leases otherwise hereafter to be made, and al collaterall bondes or assurance to ỹ contrary by any of the said corporations, shalbe voide in lawe to al intentes and purposes. The same wheate, malt, or the money comming of the same, to be expended to the vse of the reliefe of the commons and dyet of ỹ said Colledges, Cathedrall Church, Halles, & houses only, & by no fraud nor colour let nor conueyed away from the profite of the said colledges, Cathedral Church Halles, & houses, & the fellowes & scholers in the same, & the vse aforesaid, vpon paine of deprauation to ỹ gouernour & the founders of the said colledges, cathedrall Church, Halles, and houses, & all other thereto consenting. Prouided alwaies that this act, or any thing therein contained, shal not extẽd or be in any wise preiudicial to any lease to be made of a barne called Mouches barne, with a certaine portion of tithes, rising, growing, & being in the parish of Southwarke in the county of Surrey, being parcell of the possessions of Maydelein colledge in Oxforde, so that ỹ terme demised in & by ỹ said lease exceede not ỹ number of xx. yeres, from & after ỹ feast of S. Michael ỹ Archangell next comming, any thinge therein specified to ỹ contrary notwithstanding. Prouided also, that this act shal not extend to any lease to be made by the President and scholers of ỹ colledge of S. John Baptist in Oxford, to any heire male of Sir Thomas White, late knight & Alderman of London, founder of the said colledge, which lease shalbee made according to the meaning of ỹ foundation & statutes of ỹ said colledge of ỹ manour of Fifelde, & no other hereditamentes

An. 18. El. cap. 6.

¶ *Voucher.*

IT is prouided, that none, being vouched to warrantie before our Justices, in plea of lande or tenement; shalbee amerced from henceforth, because he was not present when he was vouched to warrantie, except the first day of the comming of the Justicers. But if the partie vouched be within the shyre, then the sheriffe shalbee commaunded

Maister

Head officer

Leases

Rent Corne

Leases Bondes

Lloyde

Deputies

Sir Tho. White

Warrantie

Amerced

Shyrife

mannded to cause him to be within the third or fourth daye, according to the distaunce of the place, as it was wont to bee done in the courte of the Justicers. And if he dwell without the shere, then hee shall haue reasonable sūmons of xv. dayes at the least, after the discretion of the Justicers, and the common law. Marlebridg. cap. 26. Anno. 52. H. 3.

Sūmons

2 ¶ For as much as many people are delayed of their ryght by false vouching to warrantie, It is prouided, that in writtes of possession, first of all in a writ of Mordaunncestour, of cosinage, of aiell, Nuper obiit, of intrusion, and other like writtes, whereby landes or tenements are demaūded which ought to discend, reuert remaine or eschete by the death of any auncestour, or otherwyse, if the tenaunt vouch to warrantie, and the demaundaunt counterpleadeth him, and will auerre by assise, and by the countrey, or otherwise as the court will award, that the tenaunt or his auncestour (whose heire he is) was the first that entred after the death of him of whose seasion he demaundeth: The auerment of the demaundaunt shalbee receyued, if the tenaunt will abide therupon, and if not, he shalbee further compelled to another answer, if he bee not his warrauntour present, that will warrant him freely, and incontinent entre into the warrantie. Sauing vnto the demaundaunt his exceptions agaynst hym, if hee will vouch further, as hee had before agaynst the first tenaunt. From henceforth in all manner of writtes of entre, which make mencyon of degrees, none shall vouch out of the lyne, or in other writtes of entre, where no mencion is made of degrees, which writtes shal not bee maintained but in cases where the other writts of degrees cannot lye nor hold place. And in a writt of ryght, it is prouided, that if the tenaunt vouch to warrantie, and the demaundaunt will counterplede hym, and bee ready to auerre by the countrey, that hee that is vouched, nor his auncestours, had neuer seysen of the lande or tenement demaunded, fee or seruice by the handes of the tenaunt or his auncestours, synce the tyme of hym, on whose seysen the demaundaunt declareth, vntill the tyme that the writ was purchased, and the plea moued, wherby he might haue inseoffed the tenaunt or his auncestours: Then let the auerment of the demaundaunt be receiued, if the tenaunt will abide therupon, and if not, the tenaunt shalbee further compelled vnto an other answer, if hee be not present that will warrant hym freely, and incontinent entre in answer. Sauinge vnto the demaundaunt his exceptyons against hym, as he had afore against the first tenaunt.

Mordaūcestour
Cosinage
Aiell
Nup obiit
Intrusion

Exception

And the said exception shall haue place in a writte of Mordaunncestour, and in the other writtes before named, as well as in writtes that concerne right.

And if perase the tenaunt haue a decde that compriseth warrantie of an other man, which is bound in any of these cases before mencioned to the warrantie of his right degree, his recouerie by a writte of warrantie of charters cut of the hinges Chauncery shalbee saued to him, at what time soeuer hee will purchase it, how be it the plea shall not bee delayed therefore. Westm. 1. ca. 39. An. 3. Ed. 1.

Auerment

3 ¶ If a man be impleaded for land in the same Citie, and doth vouch a forreine to warrantie, hee shall come into the Chauncerie, and haue a writte to summon his warrantour at a certayne day before the Justices of the benche, and an other writte to the Maior and Bailifes, that they shall surceasse in the matter that is before them by writte, vntyll the cause of the warrauntie bee determyned before the Justices of the benche, then shall hee that is vouched be commaunded to goe into London, to answere vnto the chiefe plea. And a writ shalbe awarded for the demaūdāt

Lyne

Right

Citie
Forreine
Chauncery
Simon
Maior
Bayliffes
London

by the Iuſtices vnto the Maior & baili-
ffes, that they ſhall proceede in ỹ plea.
And if ỹ demaundaunt recouer againſt
the tenaunt, the tenaunt ſhal come be-
fore the Iuſtices of the bench, which
ſhal direct a writ to the Maior & Bay-
liffes, that if the tenaunt haue loſt hys
lands, they ſhal cauſe the land to bee ex-
tended, and valued, & ſhal returne the
extent at a certain day vnto the bench,
and after it ſhalbe commaunded to the
Shirifes ſherife of the ſhere (where the warran-
tee was ſummoned) that he ſhall cauſe
the party, that doth vouch, to haue as
much of the lande of the warrantour
in value as he loſt. Glocester. cap. 12.
An. 6. E. 1.

4 ¶When any demaundeth land a-
Warrantie gainſt an other, and the party that is
impleded, voucheth to warranty, and ỹ
warrantour denieth his warrãty, and
ỹ plea hangeth long betwene ỹ tenaũt
and the warrauntour: And at length
when it is tried, that ỹ vouchee is bound
to warrantie by the lawe and cuſtome
of the realme hitherto vſed, there was
none other puniſhement aſſigned for ỹ
vouchee, ỹ denyed his warrantie, but
onely ỹ he ſhould warrantiſe, & ſhould
be amerced, becauſe he did not warrãt
before, which was preiudicial vnto the
demaundaunt, becauſe he ſuffred often
times great delaies by collusiõ betwen
the tenaunt & the warrantour, Where
fore our ſouereigne lord the kyng hath
ordained, that like as the tenaunt ſhould
looſe the lande beinge in demaunde, in
caſe where he vouched, and the vouchee
could diſcharge him ſelfe of the warrã-
tee, in the ſame wiſe ſhal the warran-
Denye tour leſe, in caſe where he denieth hys
warrantie, and it bee found & tried a-
Enqueſt gainſt him that hee is bounden to war-
rantie. And if an inqueſt be depending
betwene the tenaunt and the warran-
tour, and the demaundaunt will require
a writ for to cauſe the iury to come, it
ſhalbee graunted him. Wil. 2. cap. 6.
Anno 13. Edwardi primi.

5 ¶Where as the tenaunt in a plea of
land hereditament hath vouched one to war-
ranty, & thereuppon the demaundaunt
would auer, ỹ he, nor none of his anſ-
ceſtours (ſince the time ỹ the anceſtour
of the demaundaũt was ſeiſed) was in
poſſeſſion of the ſaid landes, neyther in
demeſne nor in ſeruice, if ỹ partie vou-
ched were preſent, & would warrantiſe
the land freely vnto the tenaunt, ſuch
auerrement of the demaundaunt hath
not ben vſed to be admitted, except the
partie vouched had bene abſent, & that
by reaſon of a certaine ſtatute of the
kinges lately made amongſt other ſta-
tutes of weſtminſter, 1. ca. xxxix.

¶Wherefore our ſoueraigne lord the
king, conſidering the fraud, deceipt, and
malice, and alſo his owne damage and
diſherſon of his crowne, that in ỹ ſaid
caſe hath many times happened in hys
court, & daily doth, where as ſome hol-
ding of ỹ king in chiefe by an whole ba-
ronie, in a plea hãging before ỹ iuſtices
of the bench vppon their demaund to
vouche particularly knaues bondmen
and ſtraungers (which they will bring
forth) of whom neyther they nor their
anceſtours had neuer any thing in the
lands, ỹ they warranted, nor in any o-
their landes & tenemẽts within this Re-
alme, neither in demeſne nor in ſeruice,
as hath bẽ teſtified by diuers of ỹ kings
faithfull ſubiects, ſo that by ſuch cautell
fraud, & malice ỹ ſame tenaũts holding
by an entire barony, do defraud ỹ king
of ỹ aduantage ỹ they ſhould incurre
if ỹ demaũdaũt ſhould recouer againſt
them, & like wiſe ỹ ſuch perſons haue
warranted, ỹ is to wit, euery one for
his portion that he ought to warrant,
hee may defend him ſelfe by ỹ body of
his ſeruaunt, placed & hired by them ỹ
hold baronies, & ſo vpon one writ & one
demaund, there were xx. or xl. ſingers of
battails, ỹ which was a right hard pe-
rillous exãple for poore men, in time co-
ming ỹ ſhalbe demaundaunts againſt
great & riche men, which will defend thẽ
ſelues by ỹ malice aforeſaid: And the
demaũdãt can not haue his auerremẽt
againſt

against such warrantours, when they be vouched in fourme aforesaid, because they bee present & wil warrantise freely, by hys common counsaile hath ordained, and from henceforth, that is to say from the feast of S. Hillary, the xv. yere of his raigne, he hath straightly cõmaunded that whatsoeuer tenaunt doe vouch, and the demandaunt wil auerre in fourme beefore reherſed, his auerrement shalbe admitted whether ỳ partie vouched be absẽt or presẽt, without any respect had thereunto. Anno. 20. E. 1. statute of vouchers.

Auerre

Dedes

6 ¶ In deedes also where is contained Dedi & concessi tale tenementum wõut homage, or without a clause that conteyneth warrãtie, and to be holden of the geuers and theyr heyres by a certaine seruice. It is agreed, that the geuers and their heires shalbe bounden to warrantie. And where is contained Dedi & concessi &c. to bee holden of the chiefe lordes of the fee, or of other, and not of ỳ feoffours or of their heirs reseruing no seruice without homage, or without ỳ forsaid clause, their heirs shal not be bounden to warranty, notwithstanding the feoffour during hys owne life by force of hys owne gift shalbe bounden to warrant. statute bigami. An. 4. E. 1. ca. 6.

warrantie

Feffour

7 ¶ If one being impleded in the city of London, doe vouch a forein to warrantie, the Maior, & the Bailiffes shall adiourne the parties beefore the Justicers of the bench at a certaine day, and shall send their record thyther. And the Justicers shal cause the warrantour to be sũmoned beefore them, and shall trie the warrantie. And the maior and the bailiffes in the meane tyme shall surceasse in the matter that dependeth afore them by writt, vntill such tyme as the warrantie be determined, before ỳ Justicers of the bench. And when the matter shalbe determined, commaundement shal be geuen to the vouchée to depart into the citie, & to answere vnto the first plea. And the demaundaunt at his suit shall haue a writt from the Justicers of the bench vnto the maior and bayliffes, that they shall proceede in the plea. And if the demaundaunt recouer, the tenaunt shall come to the Justicers of the benche, & haue a writte to the maior and bayliffes that in case the tenaunt haue lost his land, they shal cause it to bee extended, and retourne the same extent vnto the bench at a certaine day, & after it shalbee commaunded to the sheriffe of the shere, where the warrantie was sũmoned, that hee shal cause ỳ tenaunt to haue of the lãds of the warrantour to lyke value. And if it fortune that the tenaunt make default at the day that is assigned hym in the bench, then shall there go forth a writt from the Justicers of the benche to the maior & bailiffes, to seise the land demaunded, into the kings hands by a pety Cape, and to sũmon the tenaunt that he be at the hoistings at a certaine day, whereat the Justices shalbee aduised to geue iudgement vppon the same default, if he can not saue it: and in case he can saue it, then the Justicers shalbe certified thereof by their record, and by the same recorde they shall pleade the warrantie. An. 9. E. 1.

London
Forreyne
Maior
Baylifes
Iourne

Writt

Shirifes

Value

Seyse
Peti Cape.
Hoistings

8 ¶ From henceforth if the tenaunt vouch to warrantie a dead man, and ỳ demaundauntes will auerre, that the vouchée is dead, or ỳ their is none such, their auerment shalbee receiued without more delay. An. 14. E. 3. ca. 18.

Dead man
Auerre

¶ *Vpholsters.*

NO person ne persons shall make or daine, vtter, ne put to sale in faires nor in markettes within this his sayd Realme, any feather beddes, bolsters, or pillowes, except they be stuffed with one manner stuffe, that is to saye, with drye pulled fethers, or els with cleane downe alone, & wt no scalded feathers nor fendowne, nor none other vnlawfull & corrupt stuffe as is afore reherſed (S. horse herenites heare, deere heare, & goates heare, which is wrought in

Feires
Markets
Fetherbeds

lyme lates, but vtterly to bee dampned for euer, except if any person or persõs for their owne proper vse in their houses, make or doe to be made, any of the forsaid corrupt & vnlawfull stuffe and wares, so they be not offred to be sold in faires & markets vpon payne of forfaiture. And also in likewise, quiltes, matresses, & cushions be stuffed with one maner of stuffe, that is to say, wt cleane wolle, or with cleane flockes alone, and with none such vnlawfull stuffe afore rehearsed, vpon payne of losse & forfaiture of all such vnlawfull wares, and marchandises. An. 11. H. 7. ca. 9.

Forf. Quiltes Matresses Cushions

Forf.

2 ¶ No person or persons, whatsoeuer shal make to thentent to sell, or offer to be solde, any fetherbed, bolster, or pillowe, except the same bee stuffed wt dric pulled fethers, or cleane down onlie, wout munglinge of scalded fethers, sendowne, thistle downe, sande, lime, grauel, vnlawful or corrupt stuffe, hear or any other, vppon paine of forfaiture of all such fetherbeddes, bolsters, & pillowes, & euery of them so offered to be sold, or the value thereof.

Fetherbed

Forf.

And bee it &c. that from and after ỳ said day no persõ or persons shal make to thentent to sell, or offer, or put to sale any quilt, matresse or cushions, which shalbe stuffed with any other stuffe thã fethers, woolle or flockes alone, vppon paine of forfaiture of all and euery such quilts, matresses or cushions, so sold or stuffed to be sold, or the value therof.

Quilt Matresse Cushions

Forf.

Moytie

The moity &c. to ỳ king &c. ỳ other moity &c. to such &c. as wil sue &c. wherein &c. An. 5. E. 6. ca. 23.

¶ *Vses.*

An. 4. H. 4. ca. 7. it was enacted for disseisées to haue their actions vpon disseisin against the parnour of the profits during their liues. And other actions of plees of land to bee brought against ỳ pernour of the profits within the yere after ỳ action accrued. See of this matter feffemẽtes. 1.

Pernor of profites

2 ¶ An. 11. H. 6. cap. 4. that al actions

Mone dis. grounded vpon neuel disseisin should by maintainable against the pernour of ỳ profites.

3 ¶ An. 1. R. 2. cap. 5. it is enacted, that where he was seised iointly with other to the vse of any person, that his interest should vest in his other coseffees. And where he was sole seised to ỳ vse of any, ỳ his interest should vest in him that had ỳ vse.

4 ¶ Euery estate, feffement, gift, release, graunt, leases & confirmations of lands, tenements, rents, seruices, or other hereditaments, made or had, or hereafter to be made or had by any person or persõs being of ful age, of whole memory, at large & not in duresse to any persõ or persõs, & al recoueries & executiõs had or made, shalbe good & effectual to him to whõ it is made, had, or geuẽ and to al other to his vse, against ỳ seller, feoffer, doner, or graũtor of ỳ same, and against the sellers, feoffers, donors or graũtors & his & their heirs claiming the same, onely as heire or heires to the same sellers feoffers donors or graũtors & euery of them: and against all other hauing or claiming any title or interest in the same, only to the vse of the same seller, feoffer, donor or graunter or sellers, feoffers, donors, or graũtors or his or their said heires at the time of the bargaine, sale, couenaunt, gift or graunt made, sauing to euery person & persons such right title acciõ or interest by reason of any gift in tayle thereof made as they ought to haue, if thys act had not bene made. Anno. 1. R. 3. capitulo. 1.

Feoffment vel cet sale Graunt Leale

Right Tayle

Formedon

5 ¶ An. 1. H. 7. ca. 1. Formedone was geuen against the pernour of ỳ profits, & hee & his heire to haue voucher, aide prayer, age & aduauntage, as tenaunt in possession. And recoueries against the pernour of the profites, to bee as good as though hee were tenaunt in possession.

Giftes

6 ¶ All deedes of gifte of goods & cattales made or to be made of trust to the vse of the person or persones that made the same deede of gift, be void & of none ef-

Moyde

effect. An. 3. H. 7. ca. 4.

Execution

7 ¶ An. 19. H. 7. cap. 15. an act was made ỳ execution for debts and recognisances and statutes should be sued of lands in vse. And ỳ the lords of whom the lãds were holden in socage should, after the death of him that had the vse, haue relefe and heriot & other seruices. And the lord of the villein that purchased lãds in vse, might enter into ỳ lãde.

Lordes

Relefe
Herriot
Villeine

8 ¶ An. 1. H. 8. ca. 15. it is enacted ỳ those to whose vse Empson or Dudley were seysed of lands &c. might enter & make estates thereof to other to theyr vses notwithstãding the attainders of Empson & Dudley. And that their confeffers to others vses, to be seysed of, to ỳ former vses of the whole notwithstãding ỳ said attaindours, wt one exceptiõ to ỳ Lord Fitzwater &c.

Empson
Dudley

9 ¶ Where by the common lawes of this Realme, lands, tenementes & hereditamentes, bee not deuisable by testament, nor ought to be transferred from one to another, but by solempne liuerie and seyson, matter of Record, writting sufficient made bona fide, without couine or fraud. Yet neuertheleſſe diuers and sundry imaginatyons, subtile inuentions, and practises, haue bene vsed, whereby the hereditamentes of this Realme, haue bene conueied frõ one to another by fraudulẽt feoffemẽts fines, recoueries, and other assurances craftely made to secrete vses, intents, & trustes, & also by willes & testamentes sõtime made by nude parolx & wordes some time by signes & tokens, & some time by writing, & for the most part made by such persõs as be visited with sickenesse in their extreame agonies & paines, or at such time as they haue had scantly any good memory or remembrance, at which time they being prouoked by greedy & coueteous persons, lying in awayt about them, doo many times dispose indiscretely & vnaduisedly their lands & inheritances. By reasõ whereof, & by occasiõ of which fraudulent feoffements, fines, recoueries, & other like assurances to vses, confidences and trustes, diuers & many heires haue bene multiplyed at sundry times, disherited, the Lordes haue lost their wardes mariages, reliefes, heriots, eschetes, aides pur faire fitz Chualer, & pur fils marier, & scantly any person can be certenly assured of any Lands by thẽ purchased, nor knowẽ surely against whõ they shal vse their actions or executiõs for their rightes, titles, & duities. Also men maried haue lost their tenures by the curtesy. Women their dowers, manifest perury by tryall of such secrete willes and vses haue bẽ committed. The kinges highnesse hath lost the profits and aduauntages of the lands of persõs attainted, and of ỳ lands craftely put in feoffement to the vses of alies borne, and also the profittes of waste for a yeare and a day of landes of felones attaynted, & the lordes their eschetes thereof, & many other inconueniences haue happened and dayly doe increase amonge the kinges subiectes, to their great trouble and vnquietnesse, and to the vtter subuertion of the auncient common lawes of this Realme. For the extirping, & extinguishment of al such subtill practised feoffements, fines, recoueries, abuses, & errors heretofore vsed and accustomed in this realme, to the subuersion of the good and auncient lawes of the same, and to the intent that the kinges highnesse, or any other his subiectes of thys Realme, shal not in any wise hereafter by any meanes or inuention, be deceyued, dammaged, or hurted by reason of such trustes, vses, or confidences. It may please the kings most royall maiestie, that it may be enacted &c. in maner & fourme following, ỳ is to say, ỳ where any person or persõs stand or be seised, or at any time hereafter shal happen to be seysed of & in many honoures castels, manors, lands, tenements, rents seruices, reuersions, remainders, or other hereditamẽts to ỳ vse, confidence or trust of any other person or persons

Trust

or of any body politike, by reason of any bargaine, sale, feoffements, fine, recouery, couenaunt, contract, agreemẽt, will, or otherwise, by any maner means whatsoeuer it bee, that in euery such case, all and euery such personne and persones, and bodies politike, that haue or hereafter shall haue any such vse, confidence or trust in fee simple, fee tayle for terme of life, or of peres, or otherwise, or any vse, confidence, or trust, in remainder or reuerter, shall from henceforthe stand and bee seised, deemed and adiudged in lawfull season, estate and possession of & in the same honors, castels, manors lands, tenemẽts, rents, seruices, reuercions, remainders and hereditaments with their appurtenaunces, to al intents constructions & purposes in the lawe, of and in such like estates as they hadde or shall haue in vse, trust or confidence, of or in the same. And that the estate, title, right and possession that was in such personne or persons, that were or hereafter shalbe seysed of any landes, tenements, or hereditaments, to the vse, confidẽce or trust of any such person or persons, or of any bodye politike, be frõhencefoorth clerely demed and adiudged to bee in him or them ỹ haue or hereafter shal haue such vse, confidence or trust, after such qualitie, maner, fourme and condicions as they had before in or to the vse, confidence or trust that was in them.

And be it enacted that where diuers & many persons be or hereafter shall happen to be ioinctly seysed, of and in any landes tenements, rents, reuertions, remainders, or other hereditaments to the vse confidence, or trust of any of them, that bee so iointly seysed, that in euery such case, that those person or persons, which haue or hereafter shal haue any such vse confidence or trust in any such landes, tenementes, rents, reuersions, remainders or hereditamẽts, shal from henceforth haue & be demed and adiudged to haue onely to them or them that haue or hereafter shall haue such confidence or trust, such estate possession and seasen, of and in the same landes tenements, rents, reuertions, remainders, or other hereditamentes, in lyke nature, maner and fourme, conditions and course, as he or they had before in the vse, confidence or trust of the same lands, tenements, or hereditamentes, sauing & reseruing to al & singuler persons and bodies politike, their heires & successours, other then those person or persons, which be seysed, or hereafter shalbe seysed of any lands, tenementes or hereditaments, to any vse, confidẽce or trust, al such right, title, entre, interest, possession, rentes & action as they or any of them haue had before ỹ making of this act.

And also sauing to al & singuler those persons, and to their heires, which bee or hereafter shalbe seysed to any vse, al such former rights, title, interest, possession, rents, customes, seruices and actions, as they or any of them might haue had to his or their owne proper vse in or to any manors, lands, tenements rents or hereditaments, whereof they be, or hereafter shalbee seysed to any other vse, as if this present act had neuer bene had ne made, any thing contained in this act to the contrary not withstãding. And where also diuers persones stand & be seised of and in any lands, tenements or hereditaments in fee simple or otherwise, to the vse or intent that some other person or persons, shal haue and perceiue yerely to them, and to his or their heires, one annuall rent of x.li. or more or lesse, out of the same lands and tenementes, and some other person one other annuel rent to hym & hys assignes for terme of life or yeares or for some other spectall time, according to such intent & vse, as hath bene heretofore declared, limitted and made thereof. Be it enacted ỹ in euery such case ỹ same persons, their heirs & assignes, ỹ haue such vse and interest to haue and perceiue any such annuel rẽts out of any landes tenemẽts, or hereditamẽts ỹ they

Adiudged

Right Entre

Right Vse

Estate

Vse Trust

Ioyntly

Rent

Trust

they and euery of them their heires & assignes, bee adiudged & deemed to bee in possession and season of ỳ same rent, of and in such like estate as they had in the title interest or vse of ỳ said rent or profit, and as if a sufficiẽt graũt or other lawfull conueyaunce had ben made and executed to them by such as were or shalbee seysed to the vse or intent of any such rent to bee had, made or payed, according to the very trust & intent thereof. And that all and euery such person and persones, as haue, or hereafter shal haue any title, vse, & interest, in or to any such rent or profit, shal lawfully distraine for non paimẽt of the sayed rent, and in their owne names make anowties, or by their bailifes or seruaunts make contestacions & iustifications, & haue al other suites, entries and remedies for such rentes, as if the same rents had bene actually and really graunted to them with sufficient clauses of distresse, reentre, or otherwise, according to such conditiõs paines or other thing limitted and appointed vpõ the trust & intent for paiment or suertie of such rent.

Possession

Trust

Distreine

Anowtie

And be it &c. that where as diuers personnes haue purchased, or haue estate made and conueyed of and in diuers lands tenementes & hereditamentes vnto them and to their wiues, and ỳ heires of the husband, or to ỳ husband and to the Wife, and to the heires of their two bodies begotten, or to the heires of one of their bodies begotten, or to the husband and to the wyfe for terme of their lines, or for term of life of the sayed Wife: Or where any such estate or purchase of any landes, tenementes or hereditamentes hath bene or hereafter shallbee made to any husband and to his wife, in manner and forme aboue expressed, or to any other personne or persons, and to their heires and assignes, to the vse and behoofe of the sayed husband and wyfe, or to the vse of the wife, as is before rehersed, for the ioynter of the wyfe, ỳ then in euerie such case, euery woman maried, hauinge such ioynter made or hereafter to be made, shal not clayme nor haue title to haue any dower of the residue of the landes tenementes or hereditamentes that at any tyme were her sayed husbandes, by whom shee hath any such ioynter, nor shall demaund nor clayme her dower of & against them that haue the lands and inheritaunces of her sayed husbande. But if shee haue no such ioynter, then shee shalbee admitted and inhabled to pursue, haue, and demaund her dower by writ of dower, after the due course & order of the common lawes of thys Realme, this act or any law or prouision made to the contrary thereof notwithstanding.

Tayle

Ioynter

woman

Dower

Prouided alwayes that if any such woman bee lawfully expulsed or euicted from her said ioynter, or from any parte thereof, without anie fraud or couine by lawfull entrie, accion, or by discontinuance of her husband, then euerie such woman shalbee endowed of almuch of the residue of her husbands tenementes or hereditaments whereof shee was before dowable, as the sãe Landes and Tenements so euicted and expulsed shall amount or extend vnto.

Euicted Ioyntes

Dower

Prouided also, that this act nor any thing therin contained or expressed extend or bee in any wise hurtfull or prejudicial to any woman or womẽ heretofore beeing maried of for or concerninge such right title, vse, interest or possession, as they or any of them haue claime, or pretend to haue, for her or their ioynter or dower, of in or to anie manours landes tenementes or other hereditamentes of anie of their late husbands beeing nowe dead or deceased, any thinge contained in this act to the contrary notwithstandinge.

Woms

Ioynter Dower

Prouided also that if any wyfe haue or hereafter shal haue any mannours lands, tenemẽts or hereditamẽts vnto her geuen or assured after mariage for

wife

Landes

for terme of her life, or otherwyse in ioynter, except the same assurance bee to her made by act of Parliament. and the said wife after that fortune to ouerliue the same her husbande, in whose time the said ioynter was made or assured vnto her, that then the same wife so ouerliuinge, shall and may at her libertie after the death of her saied husband, refuse to haue and take the lands and tenementes so to her geuen, appoynted or assured, duringe the couerture for terme of her life, or otherwise in ioynter, except the same assurance bee to her made by act of parliament, as is aforesaid, and thereupon to haue, aske, demaund and take her dower, by writt of dower, or otherwise, according to ỹ common law, of ỹ in all such landes, tenements, and hereditamentes, as her husband was and stode seysed of any state of inheritance, at any tyme duringe the couerture, any thinge contained in this act, to the contrary in anye wise notwithstanding.

Act of parliament

Refuse

Ioynter

Dower

Prouided also that thys present act, nor any thinge therein contained extend nor be in any time hereafter interpretated, expounded or taken to extinct, releale, discharge or suspend anie statute, recognisaunce or other bond by the execution of any estatute of, or in any landes, tenementes or hereditaments, by the auctoritie of this act to any personne or personnes or bodies politike, any thinge contayned in thys act to the contrary therof notwithstandinge.

Statute Recog.

And for as much as great ambiguities and doubtes may arise of the validitie and invaliditie of wylles heretofore made of any landes, tenements, hereditaments, to the great trouble of the kinges subiectes, the kinges most Royall maiestie mindinge ỹ tranquilitie and rest of his lovinge subiects, of hys most excellent & accustomed goodnesse is pleased and contented, that it bee &c. that all manner true and iust wylles and testamẽts heretofore made by any personne or personnes deceased, or that shall decease before the first day of May, that shallbee in the yeare of our Lord God M. D. xxxvi. of any landes tenementes, or other hereditamentes, shallbee taken and accepted good and effectuall in the lawe after such fashion manner and fourme as they were commonly taken and vsed at anie time within foorty yeres next before the makynge of thys act, anie thynge contayned in thys act or in the preamble thereof, or any opinion of ỹ common lawe to the contrary thereof notwythstandinge. Prouided alwayes that the kynges highnesse shal not haue demaund or take any aduantage or profitte for or by occasion of ỹ executinge of any estate only by auctoritie of thys act to any personne or persons or bodies politike which now haue, or on this side the sayed first day of May wherin shallbee in the yeare of our Lord God a thousand fiue hundred thirtie and fiue shal haue any vse or vses trustes or confidences in anie manours, landes tenements or hereditaments holden of the kinges highnesse by reason of primer seysen liuerie, ouster le maine fine for alienation relefe or herpot. but that fines or alienations reliefes and heriotes shallbee paied to the kinges highnesse. And also liueries and ouster le maynes shall bee sued for vses, trust and confidences to be made and executed in possession by auctoritie of thys act after ỹ from the sayed first day of Maie, of landes and tenementes and other hereditamentes holden of the kynge in such like manner and fourme to al intentes constructyons, and purpoles, as hath heretofore bene vsed or accustomed by the order of ỹ lawes of this realme. Prouided also that noe other personne or persons or bodies politike of whom any landes tenementes or hereditaments be or hereafter shalbee holden, mediate or immediate, shal in any wise demaund or take anie fine, relefe,

Wylles

Testamẽts

Vse Trust

Primer seisin Liuerie Ouster le mayne Relefe Herios

Fine

Reliefe harriot

reliefe or herriote for or by occasion of the executinge of any estate by ỹ auc-thoritie of thys act, to any persone or personnes or bodies politike, beefore the said firſt day of May whych shall bee in the yeare of our Lord God a thousand fiue hundred thirtie and fiue. And be it &c. that all and singuler per-sonne and personnes and bodyes poli tike which in any time on this side the sayed firſt day of May whych shalbe in the yeare of our Lord God a thou-sand fiue hundred thirtie and fiue, shal haue any estate vnto them executed of and in any landes tenementes or he-reditaments by the auctheritie of thys act, shall and may haue and take the

Auauntage

same or lyke aduauntage, benefitte, boucher, aide prier, remedie commo-ditie and profit by action entre condi-tion, or otherwise to all intentes con-tructions and purposes, as the persone or personnes seysed to their vse, of, or in any such landes, tenementes or he-reditaments, so executed, had, should might or ought to haue hadde at the time of the execution of ỹ estate there-of by the auctheritie of this act, against any other persone or personnes of or for any waſt, disseyson, treſpas, con-dytyon broken, or any other offence, cause or thyng concerning or touching the said lands or tenements, so execu-ted by the auctheritie of thys act. Pro-

Actions

uided also and bee it &c. that actyons now depending against any persone or personnes seysed of or in any landes tenements, or hereditaments, to anie vse, truſt or confidence, shal not abate ne bee discharged for or by reason of executing of any estate therof, by auc-thoritie of this act, before the said firſt day of May, which shallbe in the yere of our lord god M.D.xxxvi. any thing contained in this act to the contrarie notwithſtanding. Prouided also that thys act nor any thynge therein con-tained, shall not bee prejudicial to the kinges highneſſe for wardeſhippes of

Wardshyp

heires, nowe beinge within age, nor for liueries, or for ouſter le maines to bee sued by any persone or personnes nowe beinge within age, or full age, of any landes, or tenementes vnto ỹ same heire or heires now already dis-cended any thynge in this act contai-ned to the contrary notwithſtanding. Prouided also and be it &c. that al and singuler recognyſaunces heretofore knowledged, taken or made to ỹ kings vſe, for, or concerning any recoueries of any lands, tenementes or hereditа-ments, heretofore vſed or had, by writ or writs of entre vpon diſſeiſon in le poſt, shal fromhencefoorth bee vtterly void & of none effect to al intents, con-ſtructions, & purpoſes.

Liuerie

Ouſter le mayne

Recog.

Voyde

Prouided also that thys act nor anie thing therin contained, be in any wiſe prejudiciall or hurtful to any perſonne or personnes, borne in Wales or the marches of the same, which shall haue any estate to them executed by auctho-ritie of thys act, in any landes tene-ments or other hereditaments with-in thys Realme, whereof any other perſonne or personnes nowe ſtand or bee seysed to the vſe of any ſuch per-ſonne or personnes borne in Wales or the marches of the ſame, but that the ſame perſonne or persons borne in Wales, or ỹ marches of ỹ ſãe, shal or may lawfully, haue, retaine, and keepe the ſame lands, tenementes or other hereditamentes whereof eſtate shall bee ſo vnto them executed by the auc-thoritie of thys act, accordynge to the tenour of the ſame: anythynge in thys act contayned, or in anie other act or prouiſion heretofore had or made to ỹ contrary notwithſtanding. An. 27. H. 8. ca. 10.

Wales

## ¶ Vſurie.

FRomhencefoorth vſury ſhall not runne agaynſt any within age frõ the tyme of the death of hys anceſtour (whoſe heire hee is) vnto hys Lawfull age. No Neuertheleſſe

Under age

that

that the payment of the principal debt with the vsurie that was beefore the death of his auncestour (whose heire he is) shall not remaine. Perton ca. 5. An. 20. H. 3.

2 ¶ None frombencefoorth shall take vsurie vppon landes, rentes, or other thing, whereupon vsurie hath not ben take before Saint Edwards tide last past, but the couenauntes afore made, shall stand, that vsurie may cease. And al those which owe debt to Iewes vpon gages mouable shall redeeme the betwene this & Easter at ỳ farthest. And if any Iewe take vsurie against this establishment, the kinge by hym selfe, nor by none of his shall meddle to helpe the to their debt, but wyl punish them at hys pleasure for the trespas. And to Christiens shall do right to recouer their gages. Statut de Iudaismo.

3 ¶ An. 2. H. 7. ca. 5. was an act made against vsury. But it was after repealed. An. 11. H. 7. cap. 8. as here next following appeareth.

Chenisance 4 ¶ That all vnlawfull chenisaunces & vsury be dampned, and none to bee vsed vpon paine of forfaiture of ỳ value of the money or goods so chenysed or lent, the said forfaiture to renne vpon the seller or lender thereof. And also for asmuch as dyuers Englysh and estraungers brokers whych bene named and assigned to occupy lawfull brocage, been inuarers and bargaine makers of vnlawful chenisaunce and vsury and in some part of vnlawfull exchaunges, to the hurt of our said soueraigne Lord and thys hys sayd Realme: Therefore it is &c. that all such brokers dealinge vnlawfully of any of the premisses be put a part, and neuer to occupy as brokers within thys Realme, as they may bee espied and fond in Cyties Boroughes and townes, by Maires Bailifes or any of them, or of they[r] mynisters where such bargaines is vsed. And that euery broker that is found defectiue in makynge of vnlawfull brocage, shal forfayt for euery default twenty pownd. And haue imprisonment for halfe a yeare. And furthermore to be punished by the pillory or otherwise to their open rebuke and shame, the kynge to haue the one halfe of euerie of the sayd forfaits, and the partie that wyl sue the other halfe of the same by accion of debt in ỳ common lawe, and the defendaunt in the same accyon be not admitted to wage his law ne essoine ne protectyõ before the same defendant allowed. An. 3. H. 7. cap. 6.

5 ¶ All maner of person or personnes lendinge money to and for a tyme takinge for the same loane ante thynge more besides or aboue the money lent by way of contracte of couenaunt at the time of the same loane, sauing lawfull penalties for non payement of the same money lent, and that al manner of person and personnes whych hereafter sell any goodes, cattels, or marchandises, to any personne or persons beeing in necessitie, and the seller him selfe or by his broker or factour in that behalfe againe buy the same goodes, catteles or marchaundises of the same person to whom they were sold, being in necessitie of his broker or factour in that behalfe within three monethes after they ben solde, or a lesse summe of money thẽ they were sold for, knowing the same goodes so bought againe afore by the same buyer or buyers, to bee sold after the fourme aforesaid, and that euerie personne and personnes lending or taking any money to anie personne or personnes, to a certayne tyme, and taketh lands tenements or any hereditamentes or other boundes for suertie profite and sure payment of hys or their money lent at the time assigned without condition or auenture, and also at the tyme of the same loane or taking of the sayd money, couenaunteth appointeth or contracteth that hee or they that so lend or taketh money shall haue the reuenues and profites

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Landes
Suertie

profittes of the landes, tenementes, or hereditamentes of him that so borowyth or taketh money, by a certaine time, that then euerie persone hereafter vpon any of the premisses committed, forfeit the money or the value in money of the said money, goods, cattelles, marchaundises, as is aboue sayd so sold or lent after such value as they bee sold or lent for any fourme aforesaid, whereof the kynge shall haue ỹ one moitie of the same forfaiture, and the partie that wyll sue the other moitie. And if no man wyll sue, then the kynge haue the whole. And thys suyt for the sayed penaltie and forfaiture to bee as well at the kinges suyt as anie other that wyll sue by informatyon in anie of the kinges Courtes of record, and such processe to bee hadde in the same as is vsed in other accions of debt at the common law, in ỹ same courts. Prouided alway that in the Courtes of Thaūcery and Eschequer they shall make such processe as hath beene vsed aforetyme in informatyons afore the commenced, wherein the defendaunt shal not wage his law, nor protection ne essoine de seruice le roy in the same allowable. And that the same act and ordinaunce made the sayed three yeare (8. Anno 3. H. 7. cap. 6. before 4.) and all thynges therein contayned be frō henceforth vtterly voyd and of none effect. Reseruinge alwaies to the spirituall iurisdiction their lawfull punishmentes in euery cause of vsury. An. 1. H. 7. ca. 8.

¶ All and euery actes statutes & lawes hertofore made, of, for, or concerninge vsury, shiftes, corrupt bargaines, chenisaunces, and euery of the, and all paynes forfaitures and penalties concernynge the same and euerie part thereof, shal from henceforth be vtterly voyd and of none effect to all intentes construction and purposes.

And bee it &c. that no persone ne persones of what estate degree or condition soeuer he, or they bee, from &c. shal by him selfe factour attourney factaunt or deputie sell hys marchaundises or wares to any person or persons and within thyes monethes next after by him selfe, factour, attourney, deputie, or by any other persone or persones to hys vse and behofe, buy the same marchaundises or wares or any part or parcel therof, vpon a lesser price knowinge them to be the same wares or marchaundises, that hee before dyd so bargayne and sel, vpon the paynes and forfaitures hereafter lymitted in thys estatute.

And bee it &c. that no persone or persones of what estate &c. by way or meane of any corrupt bargayne, loane, eschaunge, chenisaunce, shift, interest of any wares, marchaundise or other thynge or thynges whatsoeuer, or by any other corrupt or disceiptfull waie or meane, or by any couine, ingine, or deceiptfull way or conueyaunce, shal haue, receiue, accept, or take in lucre or gaines, for the forbearing or geuing day of payment of one whole yeare, of, and for hys or their money or other thynge, that shalbee due for the same wares marchaundises or other thynge or thynges aboue the summe of tenne pound in the hundred, and for after that rate and not aboue, or, and for a more or lesse summe, or for a longer or shorter time and no more greater gayne or summe thereuppon to be hadde, vpon the paynes and forfaytures hereafter in thys act mencioned and contayned.

And bee it &c. that if any persone or persones, at any tyme after &c. doo bargayne and sell or lay to morgage by any way or meane any mannours landes, tenementes, or hereditamentes to any persone or persones vppon condition of payment or non payment of any summe or summes of money to bee had, payed, or made, at any day certaine, or before any such day by hym that shall so bargaine sell or lay to morgage the same mānours landes,

Foyl. Moitie Proces Spirituall iurisdiction Shiftes Vsurie Sell 3. monethes Buy Loane Gaines 10. li. the C. Morgage Landes

landes tenementes or hereditamentes that the same persone or persones to whom any such mannours, landes, tenementes or hereditamentes shalbee so bargained, sold or laied to morgage, shall not by reason thereof, haue ne take in lure or gaynes of the issues reuenues, and profittes, of the same mannours, landes, tenementes, or hereditamentes aboue the sume of terne pound in the hundreth for one whole yeare, and so after the rate aboue sayd for a more or lesser summe, or for a liger or shorter tyme and no more, nor otherwise upon the paines, forfaitures and penalties hereafter in this present statute ymputed and expressed. And be it &c. that if any persone or persones, of what state &c. shall doo any act or acts thinge or thinges contrary to the tenour fourme and effect of this statute, or of any clause, article or sentence contained in ý same, that than all and euery offendour and offendours therein or in any part therof, shall forfayt and loose for euerie such offence the treble value of the lordes, marchaundises, & other thinges or thinges so bargained sold eschaunged or shifted, and the treble value of the issues and profittes of the said mannours landes tenements and hereditamentes so had, taken or receyued by reason of any such bargaine sale, or morgage, and also shal haue and suffer imprisonment of his body, & make fine at the kinges will and plea sure. The moytie of which forfaitures of the sayd treble value, shal bee to the kinge, and the other moitie to him or them that will sue &c. in which &c. wager &c. prouided alway, and be it &c. that this act ne any thyng therein contained shal not in any wise extend to any lawfull obligation indorsed with a condition, nor to any statute or recognisaunce made and to bee made for the payment of a lesser summe, so that the same obligation, statute or recognisaunce be made for a true iust and perfect debt, or for the performaunce of any other true couenauntes made or to be made vppon a iust and true intent hadde betweene the parties, other then in cases of vsury, interest, corrupt bargaines, shyfte, or circumstaunce, ne yet shall extend to any recouerie fine feoffement release confirmation or graunt made or to be made vppon condycion with a true intent other then to such recoueries, fines feoffements releases confirmatyons and grauntes, as shalbe made vppon condition extendinge to vsury interest corrupt bargaines shiftes, or circumstaunce, any thyng in this statute, contayned, or any lawe, statute or ordynaunce heretofore hadde vsed or made to the contrary notwythstandinge. Anno tricesimo septimo Henrici octaui capitulo. 9.

7 ¶The sayed act and statut (s. Anno. 37. H. 8. cap. 9. before. 6.) Anno quinto Edwardi 6. capitulo. 20. an act was made for punishment of vsury & altering the other, but that is repealed as followeth.

8 ¶Bee it enacted, that the statute (before 7.) made in the fift & sixt yeare of the raigne of kynge Edward the sixt, and euerie braunch and artycle of the same, from and after the fine and twenty day of June next commynge, shalbe vtterly abrogated, repealed, and made voyd: and that the sayd act made in the said. xxvii. yere of kyng Henry the eight, from and after the said xxth. day of June next commynge, shalbee reuiued, & stand in full force, strength, and effect.

And bee it further enacted, that all bondes, contractes, & assurances collaterall or other, to bee made for paiment of any principal, or money to bee lent, or couenaunt to be performed, upon or for any vsury in lendinge or doinge of any thyng against the said act now reuyued, vppon or by which lone or doynge there shalbe reserued or taken aboue the rate of terne pounder for p.r.li. the hundred

hundred for one yeare, shalbee vtterly void.

Brokers

And bee it further enacted, that all brokers, solicitors and driuers of bargaines for contractes or other doings against the said statute nowe reuiued, wherevppon shalbe reserued or taken more then after the rate of ten pound for ỳ lone of a hũdred li. for a yere, shal be to al intents & purposes iudged, punished, and vsed as councellours, attorneys, or advocates in any case of præmunire.

Præmunire

And forasmuch as al vsurie beeynge forbidden by the lawe of God, is sinne and detestable: Bee it enacted, that al vsurie, loane and forbearinge of money, or geuinge daies for forbearinge of money by way of lone chevisaunce, shifts, sale of wares, contract, or other doinges whatsoeuer for gaine, mencioned in the said statut which is nowe reuiued, wherupon is not reserued, or taken, or couenaunted to bee reserued, payed or geuen to the lender, contracter, shifter, forbearer, or deliuerer, aboue the summe of tenne pound for the lone or forbearinge of a C.li. for one yeare, or after that rate for a more or lesser summe or time, shalbe from the xxv. day of June next commynge, punished in fourme followinge, ỳ is to say that euerie such offendour against this braunch of thys present statute, shal forfait so much as shalbe reserued by way of vsurie aboue the principal for any money so to be lẽt or forborne. All such forfaytures to bee recouered & imployed, as is limitted for forfaytures by the sayd former statut nowe reuiued.

Forf.

And be it further enacted that Justices of Oyer & Terminer and Justices of assise in their circuites, Justices of peace in their sessions, Maires, Shirifes, & Baylifes of Cities, shall also haue ful power and authoritie to enquire heare, and determine of al & singuler offences committed agaynst the said statut nowe reuiued.

Iust. of oier
Iust. of all.
Iust. of p.
Maiors
Shirifes
Bailifes

And bee it further enacted, that the said statut nowe reuiued, shalbee most largely and strongly construed for the repressinge of vsury, and against al persons that shal offend against the true meaninge of ỳ said statut by any way or deuice, directly, or indirectly.

Prouided alway, that thys statute doth not extend, nor shalbe expounded to extend vnto any allowances or paiments for the findinge of Orphanes, accordinge to the auncient rates or customes of the city of London, or any other city where like order is for ỳ custodie of Orphanes, & their goods, as is in the said citie of London.

Orphanes

London

Prouided alwayes, and be it further enacted by the authoritie aforesaid, ỳ if any person or persõs, shall from and after the said xxv. day of June, offende contrarie to the saied statut reuiued by thys present act, made in the xxxvij. yere of the raigne of the said late king Henry the eight, that then al and euery such offendour and offendours shall and may also be punished and corrected, accordinge to the Ecclesiasticall lawes heretofore made against vsury. And that all and euery person and persõs, offending in vsury, shifts, or chevisance against this present act, & not taking or receyuinge, but onelye after the rate of tenne poundes in the hundred, or vnder, for a yere, shalbee onely punished by the paynes & forfaitures prouided and appointed by this act, against such, as shal not take or receiue ouer and aboue the rate of x. poundes in the hundred for a yeare, and not otherwise. This acte to continue & endure for and duringe the space of syxe yeares, next after ỳ end of this present Parliament, & from thence vnto the end of ỳ first session of the parliament then next ensuinge.

Punishe

And be it further enacted by the authoritie aforesayd, that if this present act shal not bee continued in the first session of the parliament next ensuing the

the said terme of fiue yeares, and then in the same Session no other statut or prouision made against vsury or corrupt cheuisaunce: that then al and euery the lawes and statutes repealed by this act, shal remayne and bee of such like force and effect, as if this present act had neuer ben had ne made. An. 13. El. ca. 8.

*Wager of lawe.*

Bailifs lawe

NO Bailife from hencefoorth shall put any manne to his open lawe nor to an othe vppon his owne bare sayings without saythfull witnesses witnesses brought in for the same. Ann. 9. H. 3. mag. carta. ca. 28.

London

2 ¶ Where as much people be greued and attached by their bodie in the Citie of London, at the suit of people of the same Citie, surmysinge to them that they bee debtours, & yet will they proue by their papers, whereas they haue noe deede nor tayle: It is assented, that euery manne bee receiued to his lawe by people sufficient of his condition against such papers, and the creansour shal take suerty by an other way if hee will, without puttinge the party to plede to the enquest, if he wil not of his owne gree. Anno 38. E. 2. cap. 5.

Papers

Suertie

Enquest

Insurrections

3 ¶ Ann. 6. R. 2. stat. 2. ca. 4. It was enacted that in actions supposed to be done by any in the late insurrection, y def. ne might wage his lawe.

London

Suites

4 ¶ To eschewe diuers mischeuues, which haue ben, & be from day to day aswell within the citie of Londō as within other cities and other places within the Realme of Englande, of that that diuers feyned suits of debt hath ben taken, aswel by the people of the saied Cities, as of other places against diuers people surmisinge them by their saied suit, that they ought to haue accompted before auditours assigned of diuers receiptes, bates, and contracts had betwixt them, and that they were found in arrerages vpon y same accompt in diuers great sūmes, surmisinge by the same suites sutyme their apprentices, and somtyme other of their seruauntes to be the auditours where there was neuer receipt nor dutie bet wixt such parties, and where the sayd apprentices and seruaunts did nothinge knowe of such accompt, to y intent to make them, agaynst whom such suites were taken, to put them in inquest in the same suites, and to put them from the wagynge of their lawe in such case. By reasō whereof, by such fauourable inquesties taken thereupon of the neighbours of those that haue taken such suites, hath beene condemned in many great summes, to the great impouerishinge and destruccion of them: It is ordayned & stablished, y the Iustyces in the kynges court and other Iudges, before whō such suites and actyons shalbee sued and taken, in al such cases in cities, and Boroughes shall haue power to examine the attournets and other whom please thē, & thereupon to receiue the defendants to their law, or to trie the same by inquest after the discretion of the Iustyces and Iudges aforesayed. An. 5. H. 4. cap. 8.

Iustices

Attournies

Where wager of lawe is put out in any accion, see in euery such title as any such acciō is spoken of.

*¶ Wales.*

IN the second volume of old statutes is a longe act made. Anno. 12. E. 3. intituled, Statuta Wallie, wherein is many good lawes concernynge the diuisions of wales into countyes, and cōcerning diuers officer and officers, and concerninge trial, and concerning the deuisions of actions, & the fourme of many writs proceding therin, much like to the lawes of England.

Lordes

2 ¶ All the lordes of the marches of Wales shalbe perpetuall inhēdyng and ānexed to the crowne of England as they and their auncestours haue be

Crowne

at all

at al times past and not to the principalitie of wales, in whose hands so euer the same principalitie bee, or hereafter shall come. Anno. 28. E. 3. capitulo. 2.

3 ¶ Fromhencefoorth no welshman bole borne in wales, hauing father and mother borne in wales, shal purchase lands and tenenementes within the towne of chester, Salop, Bridgenorth Ludlowe, Leompstre, Hereford, Glocester, Worcester, nor other merchaunt Townes ioyning to the marches of Wales, nor in the suburbes of the same, vppon paine of forfaiture of the same lands and tenementes to the Lordes of whom such landes or tenements be holden in chiefe. And also ỳ no such Welshemen be from hencefoorth chosen or receiued to bee citezen or burgesse in any Citie, Borough or marchãt Towne & ỳ such Welshmen which now be in any such Citie, Borough or fraunchised Towne, beeing Citizens or Burgesses shall find sufficient suertie & put a good cawcion of their good a bearing as well towards our soueraigne Lord the kinge and hys heires of his realme of England, as for to hold their loyalty to ỳ gouernours of such Cities, Borroughes, or Townes for the time beeing, in saluation of the same cities, borroughes, or townes, if ỳ same Welshman wil dwell therein, so that none of them fromhencefoorth be receyued nor accepted to no office of maior, bailiffes, chamberlaine, constable, or warden of the portes or of the iayle, nor to the common counsaile of such cities, borroughs, or townes, nor ỳ hee bée in no wise made other occupier or officer in the same, nor that none of the said Welshmen from hencefoorth beare any maner armour within such citie, borough, or marchant towne, vpon paine of forfaiture of the same armour, & imprisonment till they haue made fine in this behalfe. An. 2. H. 4. capitulo. 12.

4 ¶ Vpõ a greuous cõplaint made to our soueraigne lord ỳ king by ỳ comõs in ỳ parliamẽt, how ỳ people of Wales, sõetime by day & sõetime by night, come within ỳ counties ioyning vpon the marches of wales, and do take diuers distresses of horses, oxen, kyne, shepe, swyne and other their goodes to a great number, and the same doe leade driue and carrie away to the seignories where they be resiaunt, and there withholde them tyl gree bee made at their will, and that aswell of them that haue not offred, as of them that haue offended, and also the saied people of Wales doe dayly arrest the people of the saied counties commynge wyth their marchãdises or other their goods & cattelles, & affirme plaints against them of debtes, couenauntes, trespasses, and other actions, whereof they be no parties nor pledges, to the entent to greue them by diuers & outragyous amerciaments and costes, to the great impouerishing and vtter vndoing of ỳ people of the said counties: Our soueraigne lord the king considering ỳ mischeues aforesaid, & willing thereupon to prouide remedie, by the assent and aduise of the said lords, and at ỳ request of the saied commons, hath ordayned & stablished, that if any people of the said counties be arrested and greeued, as afore is said, foorthwith letters testymonialles shalbe made, reciting theyr greuaunce directed to the gouernoures or stewards, where such offenders bée resiaunt wyth their goodes & cattelles receiued in Wales, vnder the seales of the sheriffes of ỳ said counties, or of ỳ maiors and bailiffes of the Cities and Borroughes, or stewardes of fraunchises, where such people so greeued bee dwelling, to the intẽt that the said gouernours or stewards shall doe to bee delyuered to thẽ their distresses goods & cattelles, so taken or arrested. And if they make not deliuery of such dystresses goodes and Cattelles so taken or arrested, within vii. daies after request to them made, then it shalbe lawful to

Chester
Forfaiture
Citizen
Suertie
Loyaltie
Office
Maior
Bailife
Constable
Armoure
Fort.
Imprisonment
Distres
Goods
Arrest
Testimonials
Shirifes
Steward
Deliuer

Arrest the englyſh people ſo grieued, to arreſt al men that commeth with ỳ goodes & cattels of thẽ of ỳ ſeignoꝛies of wales where ſuch offendoꝛs be inhabiting oꝛ reſiaunt, & the ſame to retayne, till that Retayne full agrement be made to the ſaid parties greued, with their myles, coſtes and expences, together wᵗ their goods and catteles aforeſayd. Anno 2. H. 4. cap. 16.

5 ¶ If any Welſhmen from henceforth do enter into the counties ioyning to the ſame in ỳ realme of England, and in the ſame do brenne, kill, ra Felonie uiſh, oꝛ committ any other ſelony oꝛ Trespas treſpaſſe, whereof he is attainted with in the realme of England by ỳ lawes of ỳ ſame realme, by outlagary oꝛ abiuration, and repaireth into Wales, and abideth there, that vpõ the certifi cation and recoꝛdes to be made by the Iuſtices of our ſoueraigne loꝛd ỳ kyng in England, beſoꝛe whom they ſhalbe England ſo conuict, vnder their ſeales to the Loꝛdes and myniſters, where ſuch felons ſhalbe found in Wales, fynal execution be made vpon the ſame felons by the ſaꝛe loꝛdes oꝛ miniſters, & ỳ vpõ agreuous paine. An. 2. H. 4. ca. 17.

6 ¶ The Loꝛdes of the marches of L. marches Wales ſhal oꝛdaine and ſett ſufficient ſtuffing and ward in their caſtels and ſeignoꝛies of wales, to the intent that in time to come no loſſe, riot, noꝛ damage come to our ſoueraigne loꝛd the king oꝛ to hys realme, noꝛ to none of his lyege people by their tenaũts, reſyaunts, noꝛ nõe other welſhemẽ in their default, as hath come and bee done foꝛ default of good gouernaunce in tyme paſt. An 2. H. 4. cap. 18.

7 ¶ No whole engliſhmã by ill. yeres next following ſhalbe conuict at ỳ ſuit Englishmẽ of any welſheman within wales, ex cept it be by the iudgement of Engliſh iuſtices, by ỳ iudgemẽt of whole Engliſhmen burgeſſes, oꝛ by enqueſtes of Enquest boꝛoughes townes & engliſhmen of ỳ ſeignoꝛies where ſuch engliſhemen be arreſted. An. 2. H. 4. ca. 19.

8 ¶ From henceforth no welſheman be receiued to purchaſe landes noꝛ te Purchas nementes within England, noꝛ with in the boꝛoughes noꝛ Engliſh townes of wales, vpon paine to foꝛfait ỳ ſame Forf. purchaſes to the Loꝛdes of whom the ſaid landes and tenementes be holden as ſuch eſtate which the ſaid purchaſoꝛ had in the ſame, noꝛ that no welſhmã ſhalbee accepted burgeſſe, noꝛ to haue Burges any other libertie within the Realme noꝛ wiñ the boꝛoughs & townes afoꝛe ſaied. An. 2. H. 4. ca. 20.

9 ¶ No Engliſhman lyege to our ſo Englishmẽ ueraigne loꝛd the king, be conuict by a ny welſhe man within fraunches oꝛ wõut, in any countie, bandzed, oꝛ court within the lande of wales, of what ſo ſo euer eſtate, but by engliſhmẽ and of the next venue, & people of good fame, and not procured, noꝛ that the Engliſh burgeſſes which haue maried welſh Burgeſſes womẽ, haue franchiſes with the Engliſhe Burgeſſes. An. 4. Henrici quarto cap. 26.

10 ¶ No walker, rimour mynſtrell, Vacabond noꝛ vacabound bee in any wiſe ſuſtayned in the land of Wales, to make cõmoꝛthes noꝛ gathering vpon the common people there. Anno. 4. Henrici. 4 cap. 27.

11 ¶ No congregations be made noꝛ Cõgregations ſuffred to be made by the welſhmen in any place of Wales, foꝛ to make oꝛ take any counſel, vnles it be foꝛ an euident and neceſſary cauſe, and by lycence of the chiefe officers & miniſters of the ſame ſeignioꝛy, where ſuch thing ſhalbe done, and in the preſence of the ſame officers & miniſters, vpon payne of impriſonment, & to make fine & raũſome at ỳ kinges wyll. Anno. 4. H. 4. Impriſon' Fine capitulo 28.

12 ¶ From henceforth no Welſh Armoure man be armed noꝛ beare defenſible ar moure to merchaunt townes, churches, noꝛ congregatiõ in the ſame, noꝛ in the high wayes, in affray of the peace of ỳ High wayes kinges lyege people, vpon paine of im priſonment, & make fine & raunſome at Impriſon Fine the

the kinges will, except those which bee lawfull lyege people to our soueraigne lord ỹ king. An. 4. H. 4. ca. 29.

Victuals Armour

13 ¶ No English man nor Welshman of what estate or condicõ that hee bee, send or bring by colour of marchãdise or other waye, any victuals or armour to any partie of wales, without the speciall lycence of our Soueraigne lord the king, or of his counsell, vnles it be for stuffing or enstoring of castelles & English townes, vppon paine of forfaiture the same victuales and armour and that in euery part of the marches of Wales and townes of ỹ marches, there be English Constables for to enquire serch & arrest all such victailes and armour, & the same constables for their trauaile shall haue the vi. part of such forfaitures so by them found. An. 4. H. 4. cap. 30.

Forf. Constables

Castels

14 ¶ No welsheman shal haue castel fortresse, nor house defensiue of his owne nor of other to keepe, otherwise then was vsed in the time of king Edward conquerer of wales, vpon paine of forfaiture of the same. Except bishopps & other temporal lordes for their owne bodies. Anno quarto Henrici quarto capitulo. 5.

Forf. Bishopps Lords

Justice Chãberlain. Officer

15 ¶ No Welshman be made Justice Chãberlaine. Chãcellour, Treasourer sheriffe, steward, constable of castell, receyuour, eschcatour, cozoner, nor chief forester nor other officer, nor keper of the records, nor lieutenaint in any of the said offices in no part of wales, nor of ỹ counsaile of any English lord, not withstanding any patent made to the contrary with this clause, non obstante quod sit wallicus natus, except bishops

Bishops

in wales, and of those and other whom the king our soueraigne lord hath found his good and trew lyege people, bee will to be vsed by hys counsell. An. 4. H. 4. ca. 32.

Garisons Castels English men

16 ¶ The garnysons of the castelles & walled townes there, bee auncied & vsed differently of valiant englyshe persons, & auengers to the seignoryes where the said castels be sett, & not of any man mixt of the sayed parties or seignozies in wales, or the marches of the same, till the said lande of wales be otherwise iustified & appeased for the time to come. Anno 4. H. 4. cap. 33.

17 ¶ No Englishman maried to any Welshwomã of the amitie or aliance of Owen ap Gleyndour, traytour to our Soueraygne Lorde, or to any other welshwoman, after the rebellyon of the said Owen, or that in time to cõe marieth himselfe to any welshwoman, be put in any office in wales, or in the marches of ỹ same. An. 4. H. 4. ca. 34.

Officer

18 ¶ Touching felonies and robberyes done wythin anie seignourye of South Wales, it is ordeined and stablished, that the people of the countrey where such felons bee borne, resceyued, or dwellynge, shall take the same felons and bryngе them to the Jayle of the same countrey, where they shalbe taken, or els they shalbee charged & make satisfaction of the felonyes and roberies also rayed to the parties, and that by the ordinaunce and award of the Lorde of the same seigniourie. An. 9. H. 4. cap. 3.

Felons

19 ¶ No theefe nor felon in Wales openly knowen, bee not suffered to disclayme out of the seigniourie where the felonie was done, and that such manner of disclaiming be vtterly eschewed and put out. And that as well the sayd theues openly knowen, as other theues be put to answer as prꝛuicle to the endictementes or accusementes in the same seigniouries where ỹ theues bee taken, without beynge delyuered by disclaiming & or by letters of mayne in any maner. Anno 9. Henrici 4. cap. 4.

20 ¶ An. 1. H. 5. ca. 6. it was enacted vpon paines expressed in ỹ statute, ỹ no actiõ suit or demaũd should be against any of the kings subiects for killing of any of ỹ rebelles ỹ then late were in ỹ rebellion in wales.

Rebels

21 ¶ For almuch as sythence the rebellion of the welshmen nowe late reformed, many of ỳ rebels of wales, wyth other their adherentes, wyth force and armes in ỳ maner of warre, sometymes by daie and somtymes by nyght, haue comen into the countyes of Salop, Hereford, and Glouceſtre, and in other places borderyng vpon the same countreys, and in diuers woodes and other places there hid and lodged, haue trayterously and felonyously taken many of the kynges faythfull liege people, some in ridyng about their marchaundiles and doyng their other busynes, and some in their houses, where they were abyding, doyng their workes and their husbandrie in godes peace and the kynges, and those the kynges liege people so taken, haue brought out of their countrey to diuers partyes of Wales, and therein haue kept and wythholden with them in the mountaines of those parties of Wales by halfe a yeare, somtyme more and somtyme lesse, tyll they haue raunsomed some of the said liege people to an C.li. and some more after their rate, in lyke manner as is vsed in tyme of warre, to the great damage and mischiefe of the people of the said counties and countries, and to an euill example if it be not ỳ rather remedyed, as ỳ kyng by the grieuous complaint of the comẽs hath perceiued. Our soueraigne lord the king, willing against ỳ such offenders to ordayne a due punishement: hath ordained and stablished, ỳ the Justices of peace within the counties of England assigned for the time, shall haue power to enquire, heare & determine al maner of such treasons & felonyes as well at the kinges suit as at the parties. So that in case that such offenders will not appeare before the said Justices to answer as the law requireth in thys behalfe, till they be according to the custome of the Realme outlawed, then the same Justices shal certyfie by their letters vnder their seales to the officers of the seignoryes in which such outlawes be withdrawē abyding or reſiaũt of the outlawry vpon them so pronounced. And that the same officers vpon that certification, take the bodies of those outlawes, and do execution vpon them in the same seigniourie, as the lawe demaundeth without fine or raunsome in this behalfe to be made. An. 2. H. 5. ca. 5.

Justi. of p.
Enquier
Oier & ter.
Treasons
Felonies

Execute

22 ¶ If the sheriffe vnder sheriffe, or any sheriffes ministers, maior & bayliffes of townes and boroughes, or any other person conuersant within the said County, knowe and see any such personne endicted or outlawed in any place within the said county, that hee shall arreſt take and bringe him to the gaiole within the said countie, & there shal deliuer him to the gaioler after the law of the realme. And if any such person endicted or outlawed, wil disobey ỳ arreſt to be made in the fourme aforesaid, that he against whom such disobeysaunce is made shal leuye huy and cry. And that euery person that is conuersant within ỳ said county that heareth the huy and cry, shall come and ayde hym that leuied the said huy and cry to take ỳ said offender, & shal doe their power that to do. And if they can not take him, they shall follow and pursue him out of the said county wt huy & cry. And that the sheriffe, vndersheriffe, and their ministers, maior and bailiffs conuersaunt & hearyng of such huy and cries, shall make due execution of the sayed ordynaunce according to their power, vpon the paine, that is to say the sayed sheryffe vndersheryffe and their ministers, Maior and Bailiffes to make fine and raunsome to the king, and the sayed personnes conuersaunt and bearers that is to saye, a knyght C. shillynges, an Esquire fourty shillynges, & all other inhabitaũts twenty shyllinges.

Shirife
Maior
Baylife

Arreſt

Disobey

Hue & cry

Execution

Fine

Knight
Esquier

And that the Justices of peace in the said county for ỳ time being, shal haue power to enquire, heare, & determine

Just. of p.
Enquire
Oier & ter.

vpon

vppon the defaults and negligences of the saied Sheriffe, vnder Sheriffe, and ministers, Maior and Bailifes Conuersant and hearers of the said lues and cryes. And more ouer the king wil that the statute of westminster 1. touching like matter shalbe put in execution. An. 23. H. 6. cap. 5.

23 ¶ Hath apprcued ratified, and affirmed al manner of statutes made in any parliament against Welshmen before this time not repealed. And more ouer hath ordayned by the authoritie aforesaid, that al grauntes of fraunchyses, markettes, fayres, and other liberties to buy or to sel, to bake or to brewe and to sell within the townes of North Wales made to any Welshman before thys time, shalbee voide and of no value. And that all the villeynes of our Soueraigne Lord the kinge within Northwalles shalbe bound & constrayned to do such labours and seruices as they of ryght haue vsed to doe of olde time, notwithstanding any graunt made to them, or any vsage vsed by them of a later time to the contrary. And ỳ such officers shall haue power to compell them to do such labours and seruices, as they haue vsed to compell them beefore this time lawfully. An. 25. Henrici. 6. cap. 1.

24 ¶ Forthwith vpon the charge geuen to any enquest hereafter to bee taken and sworne beefore any Justices, steward, lieutenaunt or other officer within wales or the marches of the same, of for and vpon any trauerse, against the kinge, or the tryal of any recognisance broken, or any other forfaiture forfaited to the king, or of, for, or vppon the triall of any murder, felon, or accessary of felony or murder, one officer or other person shalbe deputed & sworne in the presence of the said Justiciar or other officer for the true and diligent keping of ỳ same iurrours. And that the same officer or other persone so sworne without the speciall commaundement of the said Justiciar or other officer, shall not do or suffer to bee ministred to the same iurrours, any bread, drink, or meate, fire or light, nor shall suffer ỳ same iurrours to speake to any person or persons, nor the same officer nor other persō sworne without the commaundemēt aforesaid, shall not speake to the said iurrours, but onely to demaūd of them of their agrement vnto such time as the same iurrours shall haue geuen their verdict, any vsage or custome heretofore vsed to the contrary notwithstanding.

And if the same officer or other persone so sworne in forme aforesaid, do not execute and accomplish the premisses in the oth beefore rehersed in euery point and article, then the same officer or other person sworne, shalbe punished & imprisoned, & make fine and raunsome to the kinges highnes by the discretion of the said iusticiar, steward, lieutenaūt or other officer.

And also be it &c. that if the same iurrors do acquit any such felon, murderer or accessary, vpon whose triall they shal be charged, or geue any vntrue verdyct against the king vppon the triall of any trauerse, recognisaunce, or other forfaiture, contrary to good and preignaunt euidence mynistred to them by persons sworne beefore ỳ said Justiciar, steward lieuetenaunt, or other officer, or that ỳ saied iurrours or any of them doo eate drinke or speake to, or vnto any other person or persōs, then to such as be sworne with them, or otherwise misdemeane themselues after they be sworne, and beefore they haue geuen their verdict, that then the Lord President, & other of the counsaile of the marches for the time being, vpon notice or complaint thereof to them made, shal not onely haue power and authoritie by this present act to cal such iurrours beefore them, but also the same iusticiar, steward, or other officers afore whom any such acquitall, vntrue verdict or misdemeanours shall happen to bee made, shall haue full power and authoritie to compell such iurrours and euery of them vppon paine of imprisonment



Fraūchises Markets Fayres

Voyde Villeines

Labour Seruice

Enquest

Trauers Triall

Officer Othe

Wreade Drinke Iurrours

Officer

Imprison Fine

Acquite

Verdict

Misdemes

L. president

Recog. ment to bee bounden by recognisance in a certaine summe of mony, by their discretions to be limitted, that ỹ same iurrours and euery of them, shal personally appeare at a certayne day by the same iusticiar, steward, or other officer to bee limited, before the lord Presydent and other of the counsaile aforesaid, for ỹ time being, then and there to abide and stand to such direction and order, as the same

Counseyle counsaile shall make ordaine and decree of, in and vppon the same. And that the same counsaile shal thereupon haue authoritie and power, by examination or

Oier & ter. otherwise, to heare and determine all & euery such cause, and shall haue like authoritie to commit euery of the same iurrours to prison, or other punishement, as shalbe thought most mete, by the discretiō of the said counsaile, or otherwise

Taxe assesse to taxe euery such iurrour to hys fine or raunsome by the same discretyon as bee payed and leuied of their landes, goods, & cattels to ỹ vse of ỹ kings highnes. An. 26. H. 8. ca. 4.

25 ¶ All and singuler person and persons dwelling or resiant within Wales or in the lordships marchers of ỹ same from time to time, and at al tymes here after vpon such monition or warning geuen for the court to be kept in Wales, or in any of the lordshippes marcher afore said, as before this time hath bene vsed,

Court

Appere shal personally repaire resort and appere before the Justice, steward, lieutenaunt or other officer at al and euery sessions,

Sessions court & courtes to be holden before ỹ sāe iustice, steward, or other officers in any whatsoeuer castel or fortresse or other place within Wales, or within the precinct, limits, and iurisdictions, of euery of the lordshippes marchers or seignories afore said, or the marches of the same, as by

Justice Steward the saied Justice, steward, or other officers shalbe appointed, & then or there shall geue his or their personall attendaunce, to do, execute, and accomplish, al and euery thinge and thinges which to him or thē shal afferre and appertaine,

Fyne vpon paine of such fines forfaitures and amerciamentes, as shalbe affeered, assessed, and taxed by the Justice steward or other officer to the kinges vse, if it bee within any of the kinges Lordshippes marchers.

And if it bee within any other Lordeshipes marches, then to ỹ vse of the lord of the said lordship marcher for the time beeing. The said forfaitures and amerciamentes to be leuied perceiued and taken by way of distresse of the goods and cattalles of euery person not appearing at the said court or courtes, or not doinge executing, or accomplyshing hys duetie, as is aboue said.

Distres

And for asmuch as the officers in the Officers Lordshippes marchers in Wales haue oft and sundry times heretofore vnlawfully exacted the kinges subiects wythin such lordshippes, where they haue hadde rule or authoritie by many and sundry waies and meanes, and also commytted them to straight duresse and imprysonment for small and lyght fayned causes, & extorcionsly compelled them there by to pay vnto them fines for their redemptions, contrary to the law: Therefore bee it &c. that if any steward, lieutenaunt or any other officer of any Lordshipe marcher, do faine, procure, or imagine any vntrewe surmise against any persone or personnes that shall so geue their personall attendaunce before them at such court or courtes, and vppon the same vntrue surmise committ them to any duresse or imprisonment, contrary to the law, or contrary to the true and lawdable custome of that Lordshippe, that then vppon sinyt made vnto the kynges commissioners or counsaile of the marches for the tyme beeing by any such person or personnes so imprisoned, or by any their frendes, that then the same cōmissioners or counsaile shal haue full power and authoritie to send for such steward, lieutenaunt, or officer, and also for the person or persons so imprisoned. And if the same person or persons so imprisoned, can euidently proue before the saied counsaile by good and substanciall wit-

Steward Lieutenaull

Imprisō

wytnesse or other wise, that his imprisõmẽt was vpõ any fained surmise wõut cause reasonable or lawfull, that then ỹ same commissioners, shal haue full power and authoritie to assesse ỹ said officer to pay to the said persõne or persones wrongfully imprisoned, sixe shillinges viii.d. for euery day of their imprisonment or more, by the discretion of ỹ sayd commissioners, according to the hurtes and behayuour of the persone or persons imprisoned. And that ỹ same commissioners shall sett further fine vppon the sayed officer to be paied to the kinges vse as by their discretions shall bee thought conuenient. And in case the same officers do refuse to appeare before ỹ sãe cõmissioners, incontinent after any cõmaundement to them directed and deliuered, after any such cõplaint made to the same commissioners, that then the same commissioners shal haue ful power & auctority vpõ euery default made by any officer or officers, to assesse & sett vppon euerye such officer or officers makinge default such fine or fines to be leuied to ỹ kings vse, as by their discretiõs shalbe thought conuenient. And that the same commissioners shal haue full power and authoritie to compell the saied officer or officers by way of imprisonment aswell to pay such fine as shalbe set and tared vpon them to the kynges vse, as to pay to euery persõ and persones so imprisoned, such sumes of mony as they shalbe assessed to pay for their wrong imprysõmẽt. And also bee it &c. that no person or personnes dwelling or remaunt within wales or the Lordshippes marchers of the same, of what estate, degree or condition soeuer he or they be of, comming, resorting or repayring vnto any Sessions or court to be holden within wales, or any lordshippes marches of the same, shall bring or beare, or cause to bee brought or borne to the same Sessions or court, or to any place within the distaunce of two myles from ỹ same sessions or court, nor to any towne, church, faire, market or other congregation, except it be vpõ a hue or cutcrie made of any felony or robbery done or perpetrated, nor in ỹ high waies in affray of the kinges peace or the kings liege people, any bill, longe bowe, crosse bowe, handgun, sworde, staffe, dagger, halberde, morespike, speare, or any other manner of weapon, priuie coate, or armour defensiue, vpon paine of forfaiture of the same weapon, priuie coate or armour, and to suffer imprisonmẽt & make fine & raunsome to the kinges highnesse by the discretion of the kings commissioners of his marches for the time being, except it be by the commaundement, lycence, or assent of the saied Justices, steward, or other officer or of the commissioners or counsaile of the marches for ỹ time beeing.

And that no person or persons frombẽce forth without licence of the said cõmyssioners in writing, shall wõ Wales or marches of the same, or in any sheres adioyning to the same, require, procure, gather or leuie any Commorthe, Bydalle, tenauntes ale, or other collection or exaction of goods, cattalles, money or any other thing, vnder colour of maryage or suffring of their children saying or singing their first masses, or gospels of any prieستes or clarkes, or for redemption of any murder or any other felonie, or for any other maner of cause by what name or names soeuer they shalbee called, nor shall make or procure to bee made any games of running, wrestling, leaping, or any other games, the game of shootinge onely excepted & forprised, vpon paine of one whole yeres imprisonment of euery person or persons as shal gather or procure to be gathered, any such collectiõ or exaction, or shall make or procure to bee made any games as is aforesaid. And further they and euery of the shall make such fine, as by ỹ discretion of the kinges commissioners of his marches shalbe thought conuenient.

And further the saied commissioners by this present act, shal haue power and auctoritie to heare and determyne the sayed offences by their examination.

And that no person or persons, shal hereafter at any time cast any thing into any court within Wales, or in any lordships marchers of ẏ same, by ẏ meane or name of an Arthell, by reason where of the court may be letted, disturbed, or discontinued for that time, vpon paine of one whole yeres imprisonment of any such persone or persones as shall cast or cause to be cast any such Arthell into any court or courtes hereafter to be holden within Wales or Lordships marchers of ẏ sãe. Any custome before this time vsed to ẏ contrary notwithstanding.

Court

Arthell

Imprison

And that al sessions and courts hereafter to be holden within Wales or the lordshippes marchers of the same, shall be kept within the most surest and peasible place within the same Lordshippe marcher, where the said Justice, steward, or other officer shall appoint, and for the punishement and speedy triall as wel of ẏ counterfaiters of any coine current within this Realme, washing, clipping, or minishing of the same, as of all and singuler felonies, murthers, wilful burning of houses, manslaughters, robberies, burglaries, rapes, and accessaryes of the same, and other offences feloniously done, perpetrated, & committed, or hereafter to be done, perpetrated and committed within any Lordshippe marcher of Wales. Be it &c. that ẏ Justices of the gaiole delivery, & of ẏ peace and euery of them, for the time being in ẏ shere or sheres of England, where the kinges writte runneth, next adioyning to the same Lordshippe marcher or other place in Wales, where such counterfaitting, washing, clipping or minishing of any coine currant within this realme, or murther hath bene or hereafter shalbe committed or done, or where any other felonies or accessaries shalbe hereafter committed, perpetrated, or done, shal haue from hencefoorth ful power & authoritie at their sessions & gaiole delyuery, to enquire by verdict of xii. men of the same shere or sheres next adioyning within England where ẏ kings writte runneth, there to cause al such counterfaytors, washers, clippers of money, felons, murderers, and accessaries to the same, to be indicted according to ẏ laws of thys land: in lyke manner & fourme as if the same petie treasons, murders, felonies, & accessaries, to the same badd bene done committed or perpetrated wtin any of the said sheres within the saied Realme, and also to heare determyne & iudge the same, according to the lawes of the realme.

Sessions Courts

Place

Triall Counterfeitours Washing Chipping Felonies

Iust of g. deliuery

Iust. of p.

Sessions Enquire

Indict

Petty treason

Diers in.

And that al foreine plees pleaded by any of the said malefactoures and offendours, shalbe tried and determined in ẏ said shere or sheres, and that ẏ acquital or fine makinge for any of the causes aforesayed, in any of the Lordshippes marchers, shalbe no barre for any persõ or persons being indicted in ẏ sayd shere or sheres, within two yeares next after any such murder or felony done. And further it is &c. that ẏ said Justices of peace & gaiole deliuerie, & euery of them, shall haue ful power and authority to award al maner of processe, as well of outlawry as otherwise, against all & euery such offender & offenders, so indicted in maner & fourme & according to ẏ customes & lawes vsed & accustomed within thys realme of England. And that the saied Justices or two of them, afore whom any such offender shal happen to be outlawed or attainted by vtlagary, shal immediatly vpon the same vtlawrie or attainder direct and send vnto the kings officers of his lordshippes marchers, or to their deputy, or vnto the lorde or lordes marchers of the same lordship marche, or to his or their officer or officers, or to their deputies, wherein such office murder or felony, shal happen to be done, or where any such offendour murderer, or felon, shal happen to be reliant, a certificate vnder the seales of them or two of them, of any such vtlawry or attainder, commaunding them and euery of them by the same, vnder payne of forfayture of an hundred pounde to the kynge, to be leuied and prouyded, aswell of the goods

Forein plees

Barre

2. yeres

Just. of p.

Certificat

Forf.

goodes, cattelles, landes, & tenements of the same lord or lordes marchers, as of goods, and cattels, lands, & tenementes of the kinges officer there, to apprehend and attach, or cause to bee apprehended and attached the body or bodies of the same offendour or offendours, so outlawed or attainted, and safely to keepe or cause to bee kept the same offendour or offendours, till such conuenient time before the next sessions of the kings Iustices of his gaiole deliuerie of the shire where such offendour or offendours shall happen to be outlawed or attainted, as to ỳ kinges officer of his lordshippes marchers, or to their deputies, or vnto ỳ Lord marcher or Lordes marchers of the same lordship marcher, or to his or their officer or officers, or their deputies, where such offender or offenders shalbee apprehended, attached, detained & kept, shalbee thought expedient for the conuetance & conductinge of the same offender or offenders, in maner & forme following, to e deliuered frō ỳ kings officers or their deputyes, or the lord marcher or lords marchers, or hys or their officer or officers, to other persōs assigned by thys act to receiue and conuey such offendour or offendours by indenture to bee made betweene ỳ deliuerer or deliuerers, & the receiuer or the receiuers. What is to say, that the kings officers of hys lordship marcher or their deputies, or the Lord or lordes marchers of the lordship marcher, or his or their officer or officers, or their deputies, where such offendour or offendours shalbe apprehended, attached, deteyned, and kept, shall safely and surely conduct & conuey, or cause to be conducted and conueyed the same offendour or offendours to the next lordshippe marcher toward ỳ shire where the same offendour or offendours shal happen to bee outlawed or attainted. And that the kings officers of ỳ same Lordshipp marcher or their deputyes, or the Lorde or Lordes marchers of the same lordshippe marcher, or his or their officer or officers or their deputies, shall receiue and safely and surely conduct and conuey the same offendour or offendours to ỳ next lordshipp marcher. And so ỳ kings officers of euery lordshipp marcher, or their deputies, or the lord or lordes marchers of the same lordshipp, or his or their officer or officers, or their deputies, to receiue, conduct and conuey safelie and surely euery such offendour or offendours from one lordshippe marcher to an other lordship marcher, by indenture as is aforesaid, vnto the time that such offendour or offendours shalbee safely deliuered before the sayd Iustyces of the gayole deliuerie, vpon paine of forfaiture by euery of ỳ kings officer or lord marcher, by whose default the same offender or offenders shall ne may not appeare before the same Iustices at their said sessiōs, there to stand and abide the order of ỳ kings lawes, hundred pound, to bee leuied and perceiued of the goods and cattels, lands, & tenementes of ỳ same officer or lord to the kings vse. And ỳ all and euerie officer & officers, lord & lords or other persones to whom any certificat shall be directed, as is aboue said, shal at the next sessiōs & gaiole deliuerie to be holden after ỳ apprehension or attachmēt of such offender or offenders, retourne the same certificat in due fourme, and what he or they haue done in that behalfe vpon the paine aforesaid. Sauing alwaies to all and euerie offender or offēders, al & singuler trauerses, challenges, exceptions, aduauntages, & al other plees, to or & vpon ỳ vtlawry pronounced or promulged against ỳ same offender or offenders, in manner and fourme as is & hath ben vsed & accustomed by the lawes of this realme for any ỳ kings subiects dwellinge wiṫin ỳ same realme.

Attache

Conduct

Forf.

Indenture

Sessions

Officers

Prouided alwaies & be it &c. that if any person or persons which shal happen hereafter to be indicted, outlawed, arraigned

arrained connicted or attaynted by ver-
tue of thys act, doo find such sufficient
Suerties sucrties beefore the kinges Justices of
his gaile delinerie, as by their discretiõ
shalbe thought conuenient, ẏ the same
person or persons shal not fromthence
forth commit nor do any felony, mur-
der or felonious office, nor be accessa-
ry to any felony, murder, or felonious
offence, but at al times frõthencefoꝛth
shalbe of good behauiour agaynst the
king our souerayigne lord his heirs and
succeſſours, his and their lawes, and
subiects: that then ẏ same Justyces of
Iust of g. gaole delinerie for the time being, with
deliuery and by thassent consent and agrement
of the said president, & two of ẏ kinges
commissioners or counsaile of the mar-
ches for the time beinge, or three of thẽ
at the least, whereof the lord president
or one of the said counsaile to be one,
shall and may by their discretion for
one time onely, admit any such offen-
der to a certain fine or sume of money
Fine on him by thẽ to bee assessed & tared,
to bee surely paied to the kinges vse, &
shall haue full power and authoꝛytie
Dischargo by thys present act to dyscharge anie
such offender or offenders, so arrained
outlawed connicted and attainted of al
and euery such felony murder, or felo-
nious offence, and accessaryes of the
same, and of all exactions and punish-
ments of death which the same offen-
der or offenders should suffer by ẏ cõ-
mon lawes of this realme, for the same
Appeale offender or offenders stand not appea
led of the said felony, murder, or felo-
nous offence, or accessary of the same
offences at the time of his saied dys-
charge. And that euery such offender
so discharged as is aboueſaied, shalbee
for the same offence or offences done
within any of the kings lordshipps mar-
chers or any other lordshipps marchers
discharged aswel against ẏ kings high-
nesse his heires or succeſſours, as a-
gainſt al the Lords marchers for one
time onely.

Prouided alway and bee it &c. that
this present act, nor anie thing therin
cõteined, shall not extend ne take place
to abridge, depriue, or minorate any li-
berties, priuiledge, or auctoꝛitie of any Priueledg
lorde marcher, heretofoꝛe graunted to
the same lorde, or lawfully vsed or ac-
customed by the saied lord, or any his
auncestors, vnlesse the foꝛesaied offen-
ders happen to bee endicted, outlawed,
arrayned, connicted, or attaynted, by
force of this act, as is aboueſaid, with
in two yeare next after such murder,
or other felonious offence perpetrated
done or cõmitted within the saied lord-
ship marchers or any of thẽ. Any thing
in this present act beefoꝛe rehearsed to
the contrary notwithstanding.

And furthermoꝛe bee it &c. that all Murders
murthers, roberies, felonies, & accessa- Felonies
ries of the same, which shall happen
hereafter to bee done, perpetrated, or
committed within the shire of Mere- Mereonith
neth in Wales, shall & may bee from
hencefoꝛth enquired, heard, and deter-
mined in the counties of Carnaruan,
or Angleſey, befoꝛe the kinges Justy-
ce of Noꝛth wales or his deputy for
ẏ time being, by verdict or enquest, to
bee taken by the inhabitants of the sãe
shires of Carnaruan and Angleſey, or
otherwise if by ẏ discretion of the Jus-
tice there or his deputy shalbe thought
conuenient.

And that the same Justice or his de- Justice
putie for the time beinge, shal haue ful
power and auctoꝛitie by his discretiõ,
by force of thys present act, to heare &
determine all and euery the foꝛesayed Hier & ter.
murders, felonies, roberies, and acces-
saries in foꝛme aforelaid. And where
heretofoꝛe vpõ diuers murders, robe-
ries and felonies perpetrated & done,
aswell within the Lordshippes Mar-
chers of Wales, as in other places of
Wales without the same lordshipps,
the offenders diuers times flie and es-
cape from the same lordship, or other Escape
place where such offence was cõmit-
ted, and haue repaired and resoꝛted in-
to another lordship marcher, and there
by

by the aide, comfort and fauour of the said lord of the same lordship or his officer or officers, haue ben abidinge and resiaunt, into which lordshipps ỳ same lords marchers haue and do pretende a custome and priuiledge, that none of the kings ministers or subiectes may enter to pursue, apprehend, and attach anie such offender therevnto repaired, as is aforesaid, by reason whereof the same offenders wer vnpunished, to ỳ examination & encouraginge of other euil disposed people.

It is therefore &c. that euerie officer and officers, and their deputies, vppon commaundement geuen by the commissioners or counsaile of the marches for the time beinge, shal bringe, send, or deliuer euery such offender to ỳ officer of the Lordshipp marcher, or other place where anye such offence is or shal be committed or done vpon the metes & boundes of the said lordshipps, or to ỳ said commissioners or counsaile, accordinge as the same officers by thē shall be commaunded, vnder paine of fourty poundes, ỳ same commaundement or cōmission to bee directed to any such officer to be sent, conueied and deliuered by a sergeant at armes, or a pursuant attendaunt on the said counsell in the marches for the time beeinge. An. 26. H. 8. ca. 6.

Wrands Fyat.

Sergeant at armes Pursuant

26 ¶ An. 26. H. 8. cap. 11. an act was made for punishment of Welshmen attemptinge assault or fraies vpon ỳ inhabitants of Hereford, Glouc. & Shropshire, to endure to the last day of the next Parliament. And after it was continued. An. 28. H. 8. ca. 6. and 31. H. 8. ca. 7. & 33. H. 8. cap. 17. to endure to the last day of the next parliament, & then it expired.

27 ¶ Where diuers and many forestes be in Wales, & the marches of the same, as wel of the inheritaunce & possessions of our sayd soueraigne lord the kynge, as of diuers others beeing Lordes marchers: wythin which forests, certaine vnreasonable customes and exactions haue beene of longe tyme vnlawfully exacted and vsed, cōtrary both to the lawe of God & man, to the exceede wronge and great impouerishinge of diuers of the kinges true subiects: the effect of which sayed vnlawfull exactions and customes bee hereafter declared, that is to weete. It hath bene there vnlawfully vsed, that if it fortune anie of the kinges subiects to passe, go or ryde thorough, or in anie waie or pathe of anie of the sayed forestes, not hauinge vppon hym or thē that so shal fortune to passe, go or ride, a tokē deliuered to him or them by the chiefe forresters, rulers, walkers, or fermours, the which token shalbee well knowen amongest all them that are walkers and rulers vnder him or thē, or that hee or they that so shall fortune to passe, goe, or ride, in or thorought any of the said forestes, be not yearely tributours or chenseers: thē he or they so goinge, ridinge or trauailinge, in or thorough out any of the sayd forestes, hauing no token or beeing yerely tributours or chensers, as is aforesayed, haue vsed to pay by vnlawfull exaction vnto the sayed forresters, rulers, walkers, and fermers, of the said forests, a grenous fine or reward. And if anie persomne or persons not hauinge such token or tokens, and not being a yerely tributour or a chenser, as is aforesaid, should happen to be taken, found or espied by any of the saied forresters, rulers, walkers, or fermers, or their assignes, by the space of viii. foote out of the high way, then he or they so beinge taken, found or espyed out of the high waie, wythin anie of the sayed forestes, as is aforesayed, to forfayt & loose vnto the sayed forresters, rulers walkers and fermers, all such money and gold as should by them bee found vpon him or them so beinge taken in any of the saied forestes, out of the high way as is aforesaed. And also the same persomne or persones so beinge taken or found out of the high way,

Forfait.

Forests

Customs

Forf. way, to forfait and loose a ioynt of one of his or their hands, or else to make fine therefore with the saied forresters, rulers, walkers, and fermers, at the will and pleasure of the sayed rulers, walkers, or fermers. And if also that it happen any beast or quicke cattell to come, goe, or escape, into any of the said forestes by stray, of theefe stollen or otherwise, the said forresters, rulers walkers or fermers, after knowledge to him or them geuen, haue likwyse vnlawfully vsed to seyse and take the same beasts, or cattaile, as his or their owne, and marke them wt the marke of their forest there vsed: and so seysed marked taken and thē retaine as cattell forfayted vnto their owne vse, by reason whereof the owner & owners of the same cattel haue bene cleare wtout remedy for the hauinge againe of the said cattell, except onely by way of redemption or buynge againe of their owne cattell, contrary to al equity and conscience: In consideration whereof, it may please &c. to enact &c. that from the feast of the Natiuitie of S. John Baptist next comming, which shalbe in the yeare of our lord God 1536. all the said vnlawful customes to bee determined, voyd, and hadde for nought throughout all and euery the sayd forestes, within Wales & the marches of the same. And that it shalbe lawfull from thēceforth to al and euerie of the kinges true subiects, & al other persone or personnes beringe in league and amitie with our soueraigne lord ẏ king his heires & successours kings of England, freely quietly & in peace to passe and repasse, frauaile and goe into and thorough the sayd forestes and euerie of them both on horsebacke & on foote, as wel followinge & drawinge of cattel as wt carryinge of wares or otherwise about their lawfull busines & affaires without any fine forfaiture, tolle, custome exaction, or other imposition to be taken, exacted or demaunded of thē or of any of thē, by the saied forresters, rulers, walkers, fermers, or their assignes. And if it shal chaunce or happē any of the said forresters, rulers, walkers, fermers, or their assignes, or any of thē, at any time after the saied feast of S. John Baptist, to take any perso or persons being the kinges true subiectes or otherwise in league & amitie wt our said soueraigne lord his heirs or successours kings of England, as is aforesaid, and exact and take of them or of any of them any of the said forfaytures, fines, tolles, customes, or exactions, as is aboue mencioned, and bee thereof lawfully conuicted: that then be or they so doing and offending contrary to this act, to incurre & stand in the daungers of the estatut heretofore prouided for robberies by the kinges high way and the same to be tried before the Justices of the peace in ẏ next shire adiasnant, accordinge to ẏ lawes of this realme of England. And further be it &c. ẏ if any maner of beast or quicke cattel of any of the kinges true subiects, or other the kynges frendes, at any tyme after the sayd feast of the Natiuitie of S. John Baptist, to cōe into any of the said forests by strayes, theefe stollen or otherwise, & there to bee marked & seysed by any of the said forresters, rulers, walkers, fermers, or their assignes, or any of them, and the owner or owners of the same cattell, within one yeare and a day then next ensuing, chaūce to find the sayd cattell so taken, and lawfully proue the same to be his or their owne proper cattell, that then the same cattell to bee redelyuered to the owner or owners therof accordynge to the auncyent lawe of thys Realme of England, ẏ said owner or owners reasonably payinge for the keping of such cattel after the rate of the tyme that such cattell shall haue ben in ẏ custody & keping of any such forresters, rulers, walkers, & fermers or his or their assignes, in such maner and fourme as heretofore hath ben in like case vsed to bee done by ẏ lawe of thys

Exact

Connict

Robberis

Just. of ẏ

Customes Voyd

years & day

Pay Keeping

Forresters

this Realme of estrayed cattell, clay-
med and proued by the owners with-
in a yeare and a day next after the sey-
singe of the same cattel. And if any of
the said forresters, rulers, walkers, fer-
Forresters mers, their assignes or any of thē, doo
Deny deny the deliuerance of any such cat-
tell, by them or any of them so seysed,
and marked within anie of the sayed
forests, after the owner or owners of
them shall haue duely & lawfully proo-
ued thē to be hisor their owne proper
goods, and cattelles, as is aforesayed,
Fyne. ỳ then euery such forester, ruler, wal-
ker, fermer, or assignes, so dooing and
offending contrary to thys act, to for-
sayt and pay vnto the party greued ỳ
double value of all such cattel, as shall
be so taken and marked, and not dely-
uered to the owner or owners, as is a
foresaied. And that the party greued,
Detinue may haue hys actyon of detinue at the
common lawe, of, and for the same
cattell against euerie such offender or
offenders, and the same to bee tried in
the next shire adioinaunt: in which ac-
tion the defendaunt shall not bee ad-
mitted to wage hys law, nor essoigne
nor protection shalbe allowed for thē:
Outlagarie and like proceslle of outlagary to bee
hadde and made in the sayed action of
Detinue in the next shire adioynaunt
against euery forester, ruler, walker,
fermer, or their assignes so offendinge
contrary to the tenour of thys act, as
in an action of trespasse at the cōmon
lawe of thys realme is vsed. Ann. 27.
H. 8. ca. 7.

28 ¶ Albeit the dominion, principali-
tie, & county of Wales, iustly & right-
eously is, and euer hath bene incorpo-
rated, annexed, vnited, and subiect to
and vnder the imperial crowne of this
realme, as a very member and ioynt
of the same. Wherefore the kings most
royall maiestie of meere droit and very
right is very head, kinge, lord, and ru-
ler: yet notwithstanding because that
in the same countrey, principality, and
dominion diuers rightes, vsages lawes
and customes, bee farre discrepant frō
the lawes and customes of this realme,
and also because that the people of the
same dominion haue and do dayly vse
a speach nothinge like ne consonant to
ỳ natural mother tongue within thys
realme, some rude and ignorant peo-
ple haue made distinction and diuersi-
tie betwene the kings subiects of thys
realme, and his subiectes of the sayed
dominion and principality of Wales,
whereby great discord, variaunce, de-
bate, diuision, murmure, and sedition,
hath growē betwene his said subiects,
hys hyghnesse therefore, of a singuler
zeale, loue and fauour that he beareth
toward his subiectes of his said domi-
nion of Wales, mindinge and inten-
dinge to reduce them to the perfect or-
der, notice and knowledg of his lawes
of this his realme, & vtterly to extirpe
al and singuler the sinister vsages and
customes differinge from ỳ same, and
to bringe his said subiects of thys hys
Realme, and of hys sayd dominion of
Wales, to an ampable accord and vni-
tie, hath by the deliberate aduyse &c.
ordained &c. that hys sayd countrey or
dominion of Wales shalbe, stand and
continue for euer from hencefor the in-
corporated, vnited and annexed to, and Vnited
with this his realme of England. And
that all and singuler person and persōs Borne
borne and to be borne in the saied prin-
cipalitie, coūtrey or dominiō of wales,
shall haue, enioye, and enherite all and Enherit
synguler fredomes, liberties, ryghts, Freedoms
priuyleges, & lawes wythin thys re-
alme, and other the kynges dominy-
ons, as other the kinges subiects natu-
rally borne within the same haue, and
enioy, and enherite. And that all and
singuler person and persons inherita-
ble to any manors, landes, tenements
rentes, reuersions, seruices or other he-
reditaments, which shall discend after
the feast of all Saints next comming
within the said principalitie, countrey,
or dominion of Wales, or within any
perticuler lordship, part or parcel of the

sayd

sayd countrey or dominion of Wales shall for euer, from and after the sayed feast of all sayntes, bee inheritable to the said mannours, landes, tenemẽts, rents, reuersions, and hereditaments, after the English tenure, without dyuision or particiõ, and after the forme of the lawes of this Realme of England, and not after anie tenure, neafter the fourme of any welsh lawes or customes. And that the lawes ordynaunces & statutes of this Realme of Englãd for euer, & none other lawes ordinaunces ne statutes, from & after the said feast of all Sayntes next comminge, shalbee hadde, vsed, practysed, and executed in the sayed countrey or dompnion of Wales, and euery part therof in like maner, fourme, & order, as they bene & shalbe had, vsed practised and executed in thys Realme and in such like manner & fourme as hereafter by thys act shalbee further established & ordained: any act statut vsage custome president, liberty, prynyledge or other thing, had, made, vsed, graunted or suffered, to the contrary in anie wise notwithstanding. And for as much as there be many & diuers lordshippes marchers, within the sayed Countrey or dominiõ of Wales, lying betweene the shires of England, and the shires of the sayed countrey or dominion of Wales, and beeing no parcell of anie other shires, where the lawes and due correct pon is vsed and had, by reason whereof hath ensued & hath bene practised, perpetrated, committed and done within and among the said lordshipps and countreis to them adioining, manifold and diuers detestable murders, burninge of houses, robberies, theftes, trespasses, routs, riotes, vnlawfull assembles, embraceries, maintenances, recettinge of felons, oppressions, ruptures of the peace, and manifold other malefactes, contrary to al lawes and Justice: And the said offendors therupon making their refuge, from lordshippe to lordshippe, vsers and continued without punishment or correction.

Tenure

Marchers

Shire

For the reformatyon wherof, & for asmuch as diuers & many of the sayd lordshippes marchers bee nowe in the handes & possessyon of our soueraigne lord the king, and the smallest number of thẽ in the possession of other lordes. It is therfore &c. that diuers of ỳ sayed lordshyps marchers shalbe vnited, annexed and ioyned to diuers of ỳ shires of England, and diuers of the sayed lordshyps marchers shalbe vnited, anyexed & ioined to diuers of the Shires of the sayed Countrey or dompnion of Wales in manner and fourme hereafter followinge. And that al ỳ residue of the said lordshyps marchers within ỳ said coũtrey or dominion of Wales, shalbee seuered & deuyded into certaine particuler coũties of shires, that is to say the county or shire of Monmouth, the county or shire or Brecknecke, the county or shire of Radnor, the countie or shire of Montgomery, the county or shire of Denbigh.

Marchers Vnited

Shires

Counties

And that the lordshyps, towneships, parishes, commotes, and cantreres of Monmouth, Chepstow, Marthern, Lanihangel, Magor, Goldcliff, Newport, Wenloge, Lanwern, Carlion, Vske, Crelecke, Kintern, Skinfreth, Grõsmont, Whitcastel, Reglam, Calicote Wiston, Abergeuenny, Pemrose, Creneclo, Mag & Hocuslade in the sayed countrey of Wales, and al & singuler hanors, lordshyps, castelles, mannors, landes, tenements & hereditamentes, lying or being within the compasse or precinct of the sayed lordshyps, townshippes, hamletts, parishes, cõmotes and contreres, and euery of them, in whose possessyon so euer they bee or shalbe, & euery part thereof, shal stand and be, from and after the sayd feastes of al Sayntes guidable, & shalbee reputed, accepted, named and taken, as partes and members of the said shire of Monmouth. And that ỳ said towne of Monmouth shalbe named, accepted repated

Townes

Eridable

Monmouth

reputed, vsed, had and taken head and shire towne of the said county or shire of Monmouth. And that the Shirifes county or shire Court, of, and for the said shire and County of Monmouth, shall bee holden and kept one tyme at the said towne of Monmouth, and the next time at the towne of Newport in the same county or shire, and so to bee kept in the saied two Townes Alternis vicibus, and according to ẏ lawes of this Realme of England for euer, and in none other place. And it is &c. that all actions realles, that hereafter shalbee contained, perpetrated, or sued for any lands, tenements, or hereditaments, or any other thinge within the said county or shire of Monmouth, and al accyons personals, within the same shire or coũty, of the summe of xl.s. or aboue, and all accyons mixt shallbee sued by original writ out of the kings high court of Chauncery of England, and heard, determined and tryed beefore the kings Justices of England, or by assise of Nisi prius within the sayd county of Monmouth, in such like maner, fourme & wise, as al other accyons reals, personals, and accyons mixt sued heard, determyned, and tryed, in, or for any Shire of thys Realme of England.

And that the kinges Justyces of his bench, or of his cõmon bench at Westminster, shal haue full power and authoritie to direct all maner processe to the shirifes and al other officers of the said county of Monmouth, and also to direct writtes of Venire facias, to the same shirife for the trial of euery issue ioyned before thẽ, and also to award commissions of Nisi prius into ẏ sayd county of Monmouth, for the tryall of such issues ioyned before them, in lyke maner and fourme as they doo into euery shire of this realme of England. And all and euery the kings subiectes and inhabitants within ẏ sayed county of Monmouth shalbe for euer, from and after the sayd feast of al Saintes, obliged and bounden to bee obedyent and attendant to the lord Chauncelor of England, the kinges subiectes, and other of the kings most honorable coũsell, and vnto al lawes, customes, ordinaunces and statutes of this realme of England, in like maner, fourme, and wise, as all other the kinges subiectes within euerie shire of this Realme of England be obliged and bounden: any act, statut, vsage, custome, liberty, priuilege or any other thing to the cõtrary in any wise not withstanding. And that the shirife of the coũty shall hold plee or replegiare, and al other suytes & plaintes vnder xl.s. in hys Countie or shire court, in like maner & fourme as all other shirifes doo wythin thys realme of England. And ẏ the sherife eschetours, and corroners, that hereafter shalbee within the saied countie or shire of Monmouth, shalbee obliged & boũden to execute the kings processes & to make due returnes thereof, and to vse and exercyse their offices, according to the lawes and statuts of thys Realme of England, in all and euery thing as ẏ shirifes, eschetours, and coroners be obliged & boũd to do in all & euery other Shire of this Realme of England. And ẏ the sherife and eschetors of the said shire or coũty of Monmouth, that hereafter shalbe appointed by our soueraigne lord the kinge, make their accomptes for their sayd offyces in the kinges Eschequer in England, in like maner and forme as other shirifes and eschetours doo within thys Realme of England, and vppon such like paine and penaltie, as is vpon other Shirifes and eschetours in euerie other shire within this realme of England.

And it is &c. that the Lordshyppes townships, parishes, commotes and cantreds of Brecknock, Crechowell, Tretowre, Penkelly, Englysh Talgarth, Welche Talgarth, Dinas, The Haye, Glinbough, Broyulles, Cantercely, Lando, Blaiullingby, Estrodus,

Colity court

Sessions Reall

Personall xl.s.

Originall Chauncery

K. Justices

Venire facias

Cõmissioners

L. chancelor

Shirifs

xl.s.

Escheators Coroners

Returnes

Sherifs Escheators

Accomptes

Lordships

Estrodne, Buelth and Langors in the said county or dominion of Wales, & al & singuler honours, lordshippes, castels, manours, lands, tenements, and hereditaments, lying or being within the compasse or precynct of the sayed Lordships, Parishes, commotes and Cantredes, or any of them, in whose possessiō soeuer they be or shalbee, and euery part thereof shall stand and bee for euer, from the said feast of al saints
Gildable
guildable, and shalbe reputed, accepted named and taken as parts and members of ỳ said coũty or shire of Brecknocke. And that the saied Towne of Brecknocke shalbe named, accepted, reputed, bled, had and taken head and shire towne of the said county or shire of Brecknocke. And ỳ the shire court
Cosity court
or county of, and for the sayd shire or county of Brecknocke, shalbee holden and kept in the said Towne of Brecknocke. And it is &c. that the lordshipps
Lordships
townes hips, parishes, commotes, and Cantredes of new Radnor, Elistherman, Elueles, Bonghred, Glascbery, Glawdistre, Pighelles church, Peleneth, Blewagh, Knighton, Norton, Preston, Comothuder, Raider, Cuethonion, and Stanage, in the sayed coũtrey of Wales and euery of them, and all and singuler honors, lordships, castels, manors, landes, tenements & hereditaments, lying or being within ỳ compasse or precinct of ỳ said lord ships, townes hips, parishes, cõmotes, and cantredes, or any of thẽ in whose possession soeuer they be or shalbee, & euery part therof, shal stand and be for euer from the sayd feast of all saintes,
Gildable
gildable, and shalbee reputed, accepted named and taken as parts and members of the said coũty or shire of Radnor. And that the said towne of newe
Cosity court
Radnor shalbe named, accepted, reputed, bled, had & takẽ head and Shire towne of the said Countie or shire of Radnor. And that the shire court or county of, and for the sayd countie or shire of Radnor shalbee holden & kept one time at the said Towne of Newe Radnor, and the next time at ỳ towne of Rother Golwy, in that same countie or shire, & so to bee kept in the sãe two townes Alternis vicibus for euer, and in none other place. And it is &c. that the lordships, townships, parishes, cõmotes & cantredes of Mountgomery, Kedewankery, Calwrland, Arnestly, Kenylwocke, Doythure, Powesland, Clomes land, Bale lie, Tempester, and Alcester, in the sayed countrey of Wales, and euery of them, and all & singuler honours, lordshipps, castelles manours, lands, tenementes, and hereditaments, lying or beeinge within the compasse or precinct of the sayed lordships, parishes, townshipps, commotes & cantredes, or any of them, in whose possession so euer they be or shal be, and euery part therof, shall stand & be for euer, from the said feast of all Saints gildable, & shalbe reputed, accepted, named and takẽ, as partes and members of the said county or shire of Mounthomery. And ỳ the said towne of Mountgomery shalbee named, accepted, reputed, bled, had & takẽ, head and shire towne of the said countie of Mountgomery. And that the countie or shire court, of, and for ỳ said county or shire of Mountgomery, shalbe holden and kept the first tyme at the said towne of Mountgomery, and the next time at the towne of Paghenlethe in the same shire or county, and so to bee kept in the sayed two townes Alternis vicibus for euer, and in none other place. And also it is &c. that the Lordships, townelhip, parishes, commotes & cantredes of Denbighland, Ruthin, saint Talle, Kilthowen, Bromfielde, Pale, Chirke, and Chirkland, Hyleſdale and Holpesdale, in the sayd countie of Wales and euery of them, and al and singuler honours, lordshippes, castels, manours, landes tenementes, and hereditamentes lyinge or beinge within the compasse, or precinct of the sayed Lordshippes, Townelhyppes,
communotes,

commotes and cantredes, or any of them in whose possession so euer they be or shalbee, and euery parte thereof shall stand and be for euer from ẏ laied feastes of al Saints guildable, & shalbe reputed accepted, named and taken as parts and members of the said county or shere of Denbigh. And that the said townes of Denbigh shalbe named, accepted, reputed, vsed, hadd and taken, head and shere towne of the countie or shere of Denbigh. And that the county or shere court, of, and for the said county or shere of Denbigh, shalbe holden and kept the first time at ẏ said towne of Denbigh, & ẏ next time at ẏ towne of Wrixham in the said shere or Coũtie, & to be kept in ẏ same two townes Alternis vicibus for euer, & in none other place.

And forasmuch as the Counties or sheres of Brecknoke, Radnor, Mountgomery, & Denbigh bee farre distant from the Citie of London, where the lawes of Englãd be commonly vsed, ministred, exercised, and executed, & for that the inhabitauntes of ẏ said sheres of Brecknock, Radnor, Mountgomery and Denbigh, be not of substance, power and abilitie to trauaile out of their countries to seeke the administration of Justice: It is therefore &c. that the king our Soueraigne Lord shall haue one Chauncery and Eschequer at hys castell of Brecknocke, & one other at his towne and castell of Dẽbigh. And that the sheriffes, eschetours & other officers accomptaunts of the counties of Brecknock & Radnor, Mountgomery and Dẽbigh, from & after ẏ said feast of al Sainctes shalbee yerely appointed by our Soueraigne Lorde the King, for and within euery of the saied sheres of Brecknocke, Radnor, Mõutgomery, and Denbigh. And ẏ the sheriffes, Eschetours & other officers accomptauntes of the counties of Brecknocke and Radnor, from and after the said feast of all Saintes, shall yerely make their accompt before the kinges auditours & such Chãberlaine or Baron of the saied Eschequer, as shalbee thereupon appointed by our saied soueraigne lord the king, in such like manner & fourme, as sheriffes, eschetours, & other officers accomptaunts, do yerely make their accomptes in the kings Eschequer at Westminster, wõin thys Realme of England. And that the sheriffes, Esthetours and other officers accomptauntes of the county of Mountgomery and Denbigh, from and after the said feast of al Saintes, shall yerely make their accompt before ẏ kings Auditours, and such Chamberlaine or Baron of the said Eschequer, as shalbe thereunto appointed by our said soueraigne lord the king in such manner & fourme as sheriffs, Esthetours and other officers accomptauntes, do yerely make their accomptes in the kinges Eschequer at Westminster wõin thys Realme of England. And that Justice shalbe ministred, vsed, exercised & executed vnto the kinges subiectes & inhabitauntes in euery of the said sheres of Brecknock, Radnor Mountgomery & Denbigh, according to the lawes & statutes of this realme of england, and according to such other customes and lawes now vsed in Wales aforesaid, as the king our soueraigne Lord, and his most honorable counsaile shall allow & think expedient, requisite and necessary, by such iusticiar or iusticers as shalbe thereunto appointed by our said soueraigne lord the kinge, & after such forme & fashion as iustice is vsed & ministred to the kings subiects within ẏ iii. sheres of North Wales. And also it is &c. that the Lordshippes, townes parishes, commotes, hundredes & cantredes of Oliverster, Whetyngton, Dashrobe Knoking, Ollehners, Downe, and Churburye, Hundred, in the marches of Wales aforesaid, & euerie of them, and all and singuler honours lordshipps, castelles, manours, townes hamlettes, lands, tenements & hereditamentes lying or being within the

Chauncery Eschequer

Shirifes Eschetors

Accompt

compasse or precinct of ẏ said lordships townes, parishes, cõmotes, hundreds & cantredes or any of them, in whole possession soeuer they be or shalbe, and euery part thereof, shal stand & bee for euer, from and after the said feastes of all Saintes guildable, and shalbe vnited annexed & adioyned to & with the county of Salop as a member, part or parcell of the same, and that the said Lordshippes of Diwelkre, Whetingtõ Marbroke, & knowing with their mẽbers, shalbe takẽ, named, and knowen by the name of the hũdred of Diwelkre in the county of Salop, and thinhabitants thereof shalbe attendant and doo euery thing & things at euery sessions assise and gaiole delyuery to be holden within the county of Salope, as the inhabitauntes of al other hundredes do within ẏ said county of Salop, according to the lawes of thys realme of Englande.

Hundred

And that the Lordshippe of Ellesmer, with the members of the same shalbee vnited, ioyned, and knitt to the hundred of Pimhill in the county of Salop, and shalbe taken named and knowen to be parcell of the saune hundred, and ẏ inhabitauntes thereof shall be attendaunt, and do euery thing and thynges wyth the inhabytauntes of the said hundred of Pimhill, as the inhabitauntes of the same hundred now doo and vse, according to the lawes of this realme of England. And that the lordshippe of Downe with the members shalbe vnited, ioyned, & knitt to ẏ hundred of Chirbury in the county of Salop, & that ẏ inhabitaunts of the said hundred of Churbury & Lordshippe of Downe shalbe attendaũt and do euery thing and thinges at euery sessions assise & gaiole delyuery to be holden within ẏ said county of Salop, as the inhabitaunts of al other hundredes do within the said county of Salop according to the lawes of this Realme of England.

And that the said hundred of Churbury after ẏ said feast of all saints, nor ẏ said hundred of Diwestre nor yet the lordship of Ellesmere shalbe in no wise other wise priuiledged, nor have no other liberty or priuiledg, but as hundreds vnited, annexed and knitt to the saied county of Salop, as other hundredes be within the said county. And that the lordships, townes, parishes, commots hundreds, & cantredes of Ewias Lacy, Ewias harold, Clyfford, Winkorton, Perdelley, Huntington, Whitney Wigmore, Logharnes, and Stepulton, in ẏ said marches of wales & euery of them, & all and singuler honours lordshippes castels, manours, landes, tenementes, & hereditaments, lying or being within ẏ compasse or precinct of the saied lordships, townes, parishes, commotes, hundredes, and cantredes or any of them, in whole possession soeuer they be or shalbee, and euery part thereof shall stand and bee for euer, frõ and after the said feastes of al Saints guildable and shalbe vnited, annexed & adioyned to and wyth the county of Herford as a member part or parcel of the same county of Herford, and that the sayed Lordshippes of Wigmore, And Logharnes, with their members shalbee taken, named and knowne by the name of the hundred of Wigmore in the county of Herford aforesayed.

Guildable

And that ẏ inhabitaunts thereof shal be attendaunt and doe euery thing & thinges, at euery sessions, assise, & gaiol delyuery to be holde with the said county of Herford, as the inhabitants of al other hundredes, doo within the saied county of Herford, according to the lawes of this realme of England.

And that ẏ whole lordship of Ewias Lacy, with the members shalbe taken named and knowen by the name of the hundred of Ewias Lacy within ẏ said county of Herford. And ẏ inhabytants thereof shalbe attendaunt and do euery thing and things at euery sessiõs assise and gaiole delyuery to bee holden within the said county of Herford, as

the

the inhabitantes of al other hundzeds do, wõ ẏ ſaid county of Herford, accozding to ẏ lawes of this realme of England. And that the lozdshippe of Ewias Harold with the members, ſhalbe united, ioyned and knitt to the hundzed of Webtre in the ſaid county of Herford, and ſhalbe taken, named, and knowen to be parcel of the ſaid hundzed of Webtre, & the inhabitauntes thereof ſhalbe attendaunt and do euery thing & things with the inhabitaũts of ẏ ſame hundzed of Webtre, as ẏ inhabitaunts of the ſame hundzed now do accozding to the lawes of this realme of Englãd And that the lozdshippes of Cliffozde, Windlozton, Perdelley, Whitney, & Huntingtõ, with their members, ſhall be taken, named and knowne by the name of the hundzed of huntingtõ wõm the county of Herford afozeſaied: and that the inhabitaunts thereof ſhalbe attendaunt and do euery thing & thinges at euery ſeſſiõs, aſſiſe, & gaiole delyuery to be holden within the ſaid county of Herford as the inhabitauntes of all other hundzedes do within the ſaid countie of Herford, accozding to the lawes of this realme of England. And that ẏ ſaied hundzed of Wigmoze, with the members, and ẏ ſaid hundzed of Ewias Lacy, and the ſaid Hundzed of Hũtington, and the ſaied Lozdshippe of Ewias Harold annexed vnto the hundzed of Webtre, after ẏ ſaid feaſt of all Saintes, ſhalbe in no wiſe otherwiſe priuiledged, noz haue no other lybertie, fraunchiſe, ne priuiledge: but as hundzedes vnited and annexed to the ſaied county of Herford, and as other hundzedes bee within the ſaied Countie of Herford. And that the lozdships Townes, and Parithes of Wollaſton, Tidnam, and Bechley, in the ſaid marches of Wales, and all honours, Lozdshippes, caſtelles, manours, lãds tenements and hereditamẽts lying oz beeing beetwene Chepſtowe bridge in the ſaid marches of Wales, and Glocester there, in whoſe poſſeſſion ſo euer they be oz ſhalbe, and euery part thers of that ſtand and be guildable from; & after the feaſt of al Saints, and ſhall bee vnited, annexed and ioyned to and with the ſayed County oz Shers of Glocester as a member, part oz parcel of the ſame. Guildable

And ẏ the ſaied Lozdſhippes, townes and parithes of Wollaſton, Tidnam, and Bechely, and all honours, Lozdſhips, caſtels, manours, landes, tenements, and hereditaments, lyinge oz beinge betwæne Chepſtowe bydge & ẏ ſhire of Glouceſter as is afozeſaid, ſhalbe united, ioyned & knitte to ẏ hũdzed of Weſebery within ẏ ſaid ſhire of Glouceſter, & ſhalbe taken, named & knowen to bee part and parcell of the ſame hundzed, and ẏ inhabitaunts ther of ſhalbee attendaunt, and doe euerie thing and things tõ the inhabitauntes of the ſaid hundzed of Weſebery, as ẏ inhabitaunts of the ſame hundzedes now do accozdig to ẏ laws of this realme of England. And that the ſayed Lozdſhips of Wollaſton, Tidnam, & Bechely, after the ſayed feaſt of all ſainctes, ſhalbe in no wiſe priuileged, noz haue no other liberty, frãchiſe ne priuilege but as parcel of the ſaid hundzed of Weſebery in the ſaid countie of Glouceſter. And that the lozdſhips townes, parithes, cõmotes, hundzedes & cantredes of Gowerkinney, Biſhops Towne, Landaffe, Sighnith ſupra, Singhnith ſubtus, Wiſkin, Ogmoz, Gleincothnay, Mallagarn, Ruchien, Mallanan, Lanblethian, Lantwide, Mieriall, Auan, Neth, Landway, & ẏ Cleyes in the ſaid Countrey of wales & euery of thẽ, & all honours, lozdſhipes caſtelles, manours, landes tenements and hereditamentes, lying oz beeinge within the compaſſe oz pzecinct of the ſaid lozdſhips, townes, pariſhes, commotes, hundzedes & cantredes, oz any of thẽ, in whoſe poſſeſſion ſo euer they bee oz ſhalbe, and euery part thereof, ſhall ſtand & be guildable foz euer from and after the ſaid feaſt of al Saints, & Guildable

shalbe vnited, annexed, and ioyned to and with the Countie of Glamorgan, as a member, part or parcell of the same.

And that the said shere of Glamorgan & Morgannock, & al the forsaid Lordshippes, townes, parishes, commotes hundredes and cantredes, vnited and annexed to the said county of Glamorgan, shal from and after the said feast of al Saints be reputed, named, excepted and knowen by ye name of ye shere of Glamorgan onely, & by none other name. And that from & after the sayd feast of al Saintes, Justice shalbe ministred and executed to the kinges subiectes and inhabitaunts of ye said county of Glamorgan according to ye lawes customes and statutes of this Realme of England, & after no welsh lawes, & in such forme & fashiō as iustice is ministred & vsed to the kinges subiectes within ye three sheres of Northwales And that the Lordships, townes, parishes, cōmotes, hundredes & cantredes of Lonenythbery, Abermeleis, Redwely, Elfenning, Cornwolthon, Newcastell, Emlin, Abergoilly, in the saied county of Wales, and euery of them, and all honours, lordshipps, castels, manours, landes, tenementes and hereditamentes lying or being wythin the compasse or precinct of the said lordshippes, townes, parishes, commotes, hūdredes, & cantredes or any of them, in whose possession so euer they bee, or shalbe, & euery part thereof shall stand and be guildable for euer, from & after ye feast of all Saints, and shalbee vnited, annexed and ioyned to and with ye countie of Kaiermerthen, as a member part or parcell of the same. And that from and after the saied feast of al Saintes, Justice shalbe ministred & executed to ye kinges subiectes and inhabitauntes of ye said county of Kaiermerthen accordinge to the lawes customes & statuts of this realme of england, and after no welsh lawes, and in such forme & fashiō as iustice is ministred & vsed to the kinges subiects within the three sheres of Northwales. And that the Lordships, townes, parishes commotes hundredes & cantredes of Hauerford west, Kilgarā, Kastellā, Langhuarn otherwise called Mellang herne, Walliwncastell, Dewes land, Lanneahdeyn, Laufrey, Herbert, Slebeche, Rolemarket, Castellan, & land of Lour in the said coūtrey of wales, & euery of them, & al honours, lordshipes castelles, manours, landes tenements and hereditamentes, lying or beeinge within the compasse or precinct of the said lordships, townes, parishes, commotes, hundredes & cantredes, or any of thē, in whose possession so euer they bee or shalbe and euery part thereof, shall stand & be guildable for euer from and after the said feast of al Saintes, and shalbe, vnited, annexed and ioyned to & with the countie of Pembroke. Guildable

And that from and after the said feast of al Saints, Justice shalbe ministred and executed to the kinges subiectes & inhabitaūts of the said county of Pembroke, according to the lawes, customes and statutes of this realme of Englād and after no welshe lawes, and in such fourme and fashion as iustice is ministred and vsed to ye kinges subiects wīn the three sheres of Northwales, & that the lordshippes, townes, parishes commotes, hundredes and cantredes of Tregarn, Generglin, Lādoy Treny, in the said countrey of Wales and euery of them, and al honours, Lordships, castelles, manours, landes, tenementes and hereditamētes lying or being within the compasse or precinct of the said lordshippes, townes, parishes, commotes, hundredes & cantredes or any of them, in whose possession so euer they be, or shalbe, and euery part thereof, shal stand and be guildable for euer, from and after the said feast of al Saintes, and shalbe vnited, annexed, and ioyned to and with the county of Cardigan, as a member part or parcell of the same.

And

And that from and after the said feast of al saints, iustice shalbee ministred & executed to the kings subiectes and inhabitants of the sayd county of Cardigan, according to the lawes customes and statutes of this Realme of England, & after no welshlawes, & in such fourme and fashion as iustice is minystred and vsed to the kinges subiectes within the three sheres of Northwales. And that the lordshippes townes and parishes of Mountway in the said countrey of Wales, in whose possession soeuer it bee, and all landes tenementes and hereditamentes nowlying or beeinge within the compasse or precinct of the said lordshipe, towne or parish of Moūtway, or any of them, in whose possession soeuer they be or shal be, and euery part thereof shall stande and bee guildable for euer from & after the said feast of al Sainctes, and shalbe vnited annexed, and adioined to and with ỳ countie of Mereoneth in Northwales, as a cōmote, mēber, part or parcel of the same. And bee it &c. that all Iustices, commissioners, sheryffes, corroners, eschetours, stewards & their lieutenaunts, and all other officers and ministers of the law, shall proclaime & keepe the sessions, courtes, hundredes, leetes, sheriffes courtes and all other courtes in ỳ Englyshtong, & all other offices, iuries & inquestes, and al other affidauith, verdicts, & wagers of law to bee geeuen and done in ỳ Englishe tong. And also that from hencefoorth no person or persones that vse the welshe speche or language, shal haue or enioy any maner office or fees within ỳ realme of England, Wales, or other the kinges dominion vpon paine of forfaiting the same offices or fees, vnlesse he or they vse and exercise the speche or lāguage of English. And it is &c. that it shalbe lawfull to the sheriffe of euerie of the foresayd sheres of Monmouth, Brecknock, Radnor, Mountgomery & Dēbygh, & euery of them to put euery misruled & suspect persons wtin their sheriffe wecke, vnder cōmon mainprise & suertie of their personall apparaunce as the sheriffes do within euery of the three sheres of Northwales. And that the recognisance of such cōmon mainprise & suertie of apparaunce taken before any of the said sheriffes, shalbe as good & effectuall, as if it were taken by any iustice of record. And that the sherife of the county of Monmouth shall certifie such recognisaunces, common mainprise, or suertie of apparaunce at euery quarter sessions, before the Iustices of peace of the said county of Mōmouth. And ỳ euery person & persones within the said county of Monmouth, put vnder common mainprise, & bound to his personall apparaunce, shall kepe their personall apparaunce at the sessions holden within the saied shere of Monmouth, next after ỳ cluse of Easter, & at the sessions to be holden within the said shere next after ỳ feast of S. Michel tharchangell, vntill such time ỳ they be thereof released after ỳ fourme of the lawe. And that euery of the sheriffes of the said coūties of Brecknocke Radnor, Mountgomery, & Denbigh, & euery of them shal certifie such recognisaunce, common mainprise or suertie, apparaunce by them taken, before such Iustice as shalbe appointed by our soueraigne lord the kyng within euery of the said sheres at euery such sessions to be holden in any of the said sheres before the same Iustice. And that euery person and persones within the sayed Counties of Brecknocke, Radnor, Mountgomery, and Denbigh, And also within the aboue named counties of Glamorgan, Karmarden, Penbroke & Cardigan, or any of them, putt vnder common mainprise, & bounde to hys or their personall apparaunce, as well by the foresaid sheriffes, as by the Iustices of any of the saied counties, shall kepe their apparaunces before the said Iustices at euery sessions within ỳ said coūties, to be holden in such like manner and fourme as is vsed in the three

Mainprise

Recog.

Iust. of p.

Appere

Courts Englishe

Fork.

Sheriffe

sheres of Northwales. And for that ẏ lords marchers before this present parliament haue vsed to put their tenaũts within their lordshippes marchers vnder such common mainepryse & suertie of apparaunce, & haue hadd the forfaitures thereof: which for euer frõ & after ẏ said feast of al Saints shal vtterly cesse & determine:

Therefore bee it &c. that after the said feast of al Saints, euery lay and temporall person now being a Lord marcher, shal haue the moitie or halfe of euery forfaiture of al & euery common mainepryse, recognisance for the peace or apparance, forfaited by any of their tenauntes, inhabitinge within any of their lordships marchers, & they to bee paied the same moitie or halfe by ẏ hãdes of the shirife of euerie of ẏ said coũties, where such forfaitures shalbe, if ẏ sheriffe can leuie the same: and the sãe sheriffe to accompt to our soueraigne Lord ẏ king for ẏ other halfe or moitie in such Eschequer as they be bound to be accomptant.

L. marcher Moitie

Sherife

We it further &c. that immediatly vpon the prorogation or dissolution of thys present Parliament, the Lorde Chauncellour of England shall direct the kinges commissions vnder his graces great seale to such persõs as to him shalbe thought conuenient, to enquire & viewe al the said sheres of Kaermerdin, Penbroke, Cardigan, Monmouth Brecknocke, Radnor, Mountgomery, Glamorgan & Denbigh & euery parts and parcell of them: & vpon such viewe and serch, to deuide them & euery of thẽ into so many hundredes, as they shall thinke most meetest & conueniẽt. And the hũdredes so deuided, shal retourne and certifie with the said cõmission into ẏ high court of Chauncery before ẏ said feast of al saints, & ẏ sãe to remain of record, & to be of such force & effect as it were by act of parliament. And that the said hundredes after ẏ said certificat, shalbee vsed and taken as other hũdredes be in euery other shire within this realme of Englãd. Furthermore it is &c. ẏ immediatly after the prorogation or dissolution of this preſẽt parliament, the lord Chauncelor of England shall direct the kinges Cõmissiõ vnder his graces great seal, to such persons as by him shalbe thought conueniẽt, to enquire, & serch out by al waies & meanes that they can, all and singuler lawes, vsages and customes vsed within ẏ said dominions & coũtrey of Wales, and the same shal returne and certifie to the kinges highnesse and his most honorable counsaile before ẏ said feast of all Saints next cõming, and ẏ vpon deliberate aduise thereof had, and taken, all such lawes, vsages, and customes, as the kinges highnesse & his said most honorable Counsaile shall thinke expedient, requisite, & necessary to be had, vsed, & exercised in ẏ beefore rehearsed sheres or any of thẽ, or in any other shere of ẏ dominions or coũtrey of Wales, shall stand & bee of full strength vertue & effect, & shalbe for euer inuiolably obserued, had, vsed, and executed in the same sheres, as if this act had neuer bene hadd ne made, any thing in the same act contained to the contrary in any wise notwithstãding.

Commiſſi

L. chaūcelor

And it is &c. that for this present parliament, and al other parliamentes to be holden & kept for thys realme, two knightes shalbe chosen & elected to the same parliament for the shere of Monmouth, & one burges for ẏ borough of Monmouth, in like maner, fourme and order as knights & burgeis of the parliament be elected & chosen in all other sheres of this realme of Englãd. And that the same knightes & burgeis shall haue like dignitie, preheminence, & priuiledge, & shalbe allowed such fees, as other knightes and burgeis of the parliament haue beene allowed. And the knightes fees to be leuied, perceiued, receiued, gathered, and paied, in such maner, fourme, and order, as such fees be gathered, leuied, perceiued, receiued and paid in other sheres of this realme

Parlement

Knights

Fees

of

Burgeis lees

of England: And the burgeys fees to be leued as wel within the bozough of Monmouth, as within al other auncíẽt bozoughes within the sayed shere of Monmouth. And that foz this pzesent Parliament, & all other parliamentes to be holden & kept foz this realme, one

Knight

knight shalbe chosẽ & elected to ẏ same parliaments foz euery of the sheres of Brecknocke, Radnoz, Mountgomery & Denbigh, & foz euery other shere wi-thin ẏ said countrey oz dominiõ of wales and foz euery bozough beeing a shere towne within the said countrey oz dominiõ of wales, except ẏ shere towne of ẏ afozesaied county of Pereoneth,

Election

one burgeis: And ẏ electiõ to be in like maner, fourme, & ozder, as knightes & burgeis of the parliament be elected & chosen in other sheres of this realme, And that the knight and burgeis and euery of them, shal haue lyke dignitie, pzeheminence, pziuiledge, & shalbee al-lowed such fees as other knightes of ẏ parliament haue & be allowed. And ẏ knightes fees to be leuied & gathered of the Commons of the shere ẏ they be elected in. And ẏ burgeis fees to bee leuied & gathered aswel of ẏ bozoughes & shere townes as they be burgeis of, as of al other auncient bozoughes wiṫ the same shere.

And it is &c. ẏ al & euery lay & tempo-rall person & persons, now being lozds

L. marchers

marchers, & hauing any lozdships, mar chers, oz lozdships realles, shal from & after ẏ said feast of al Saints, haue all such myses, & pzofits, of their tenaunts as they haue had oz vsed to haue at the first entre into their lands in tymes past. And also shall haue, hold, & keepe wiṫin ẏ pzecinct of their lozdships, courts baron, court leetes, & lawdaies, & al &

Courts

euery thing to the same courts belon-ging. And also shal haue wiṫin the pze-cinct of their said lozdships oz lawday, waise, straise, Infãgthef, outfangthef, treasure troues, deodams, goods & cat-tels of felons, & of persons cõdempned

Felons goods

oz outlawed of felony oz murder, oz put in exigẽt foz felony oz murder, & al-so wzecke de miere, wharfage and cus-tomes of straũgers, as they haue had in times past, & as though such pziuile-ges were graunted vnto them by our soueraigne lozd the kinge by poynt of Chartre: Any thing in this pzesent act to the contrary notwỹstanding. Pzoui-ded alwaie, ẏ this pzesent act, noz any thing therein cõtained, shal take away oz derogate any lawes, vsages oz law-dable customs now vsed within ẏ thzee sheres of Northwales, noz shal not be pzime, noz take away the whole liber-ties of the Duchy of Lancaster: but ẏ the said liberties shal cõtinue & be vsed in euery Lozdship parcel of ẏ said Du-chy within ẏ dominion oz countrey of wales, as the liberties of ẏ said Du-chy be vsed in shere ground, and not coũty palantine within this realme of England. Pzouided also ẏ this act noz any thing therein contained, do not ex-tend noz be pzeiudyciall to any person oz persones to auoid any patent, ioint patent of any office, fees, annuities, oz reuersiõ of any office, fees, oz ãnuities to them graunted foz terme of their life oz liues by our Soueraigne Lozde ẏ king, oz by any other persõ oz persõs other foz the vsing exercising, oz occu-pying of any manner office, oz other-wise, but that they shall haue & enioy their said fees, & al other offices of con-

Offices

stable shippes, pozter shippes, stewards shippes, of leetes, lawdayes, court ba-rons, & other offices, being not repug-naunt against this act: And in case any such offices be repugnaunt against this act, that then the grauntees to haue & enioy their fees, during their life oz li-ues: any article oz clause in this pzesẽt act, to the contrary in any wise notwỹ-standing.

Pzouided also that this act, noz any thing therein contained, be not in any wise pzeiudiciall to the right honozable Henry Earle of Wozcester, foz the ex-ercising vsing & occupying of ẏ offyce of the Justice of the whole Countie of

Glamorgan, any thing in this present act contained, to the contrarie in any wise notwithstanding.

Prouided also, that thys act nor any thing therein contained, extend not to depriue, take away, or derogate any other actes before this time made for the trial of treason, murder, or felonies, or accessaries of the same, committed & done in any lordship marcher in Wales or in ỳ next shires of England adioyning to ỳ said lordship marcher. Prouided alway ỳ lands tenements & hereditamẽts, lying in ỳ said countrey & dominion of wales, which haue bene vsed time out of mind, by ỳ laudable customes of the said cõtrey to ber departed & departable amonge illues & heires males, shall stil so continue & be vsed in like forme, fashion, & condition, as if this act had neuer bẽ had nor made, any thing in this act to the contrary thereof notwithstandinge.

Dentilon Kinge

Prouided also, & be it &c. that ỳ kinges highnes, notwithstanding this act, or any thing therein contained, shall haue power and auctoritie for the terme of three yeres next after the ende and dissolution of this present parliament, to suspend for such tyme as shall please hys grace, or vtterly to repeale, reuoke & abrogate this whole act, or any part thereof from time to time, as shal stãd with his moste gracious pleasure: so ỳ euery such suspending repeale & reuocation from tyme to tyme as often as any such case shal happen, shalbe made in writing vnder ỳ great seale of England, & be annexed to the rolle of thys present Parlyament wherein thys act shalbee enrolled, and proclamation thereupõ to be made in euery shere within ỳ saied countrey & dominiõ of wales And that euery such suspẽding, repeale & reuocation so to be had & made by the kinges highnes, shalbe as good & effectual to al intentes & purposes, as if the same had be done by auctoritie of this present Parliament: thys act or any thing therein contained to the cõtrary thereof notwithstanding. And where by this present act there is appointed one Chauncery and one Eschequer at Brackenoke, & an other Chauncery & Eschequer at Denbigh. It is &c. that ỳ kinges highnes from time to time within the terme of v. yeres, next after the end of this parliament, for due minystration of Iustice in the saied countrey of wales, shal haue power & auctority to erect, make & ordaine such court or courtes and so many courts of record and such & so many iustices, ministers officers, & clerkes, as by his highnelle within the time of v. yeres next after ỳ end of this present parliament shalbee thought sufficient & conuenient, as wel for the due execution of thys act, or of any thing or things that shalbe had, dõ or made by auctoritie of the same, as for the good gouernaunce and rule of ỳ said countrey of Wales. Prouided alway ỳ this act, or any thing or things to be done by auctoritie thereof, shall not be preiudiciall to any person or persõs which now haue by the kinges letters patentes any office or offices of protonotarie or clerke of ỳ crowne in ỳ said countrey & dominion of Wales, but that they and euery of them shal & may still haue and vse their offices, in as large & ample maner forme, fashion and condition, as if this act or any thing to be done by auctoritie thereof had neuer ben had or made, any thyng in this act to ỳ contrary thereof notwithstanding.

Chaficery Eschequer

Courts

Kings

Lordsh

Officers

Repeale

Proclamation

Prouided also ỳ this act, or any thing therein contained, extend not, or in any wise be preiudiciall or hurtful to syr Walter Deuereux knight of ỳ noble order of ỳ garter, lord Ferrers of chartly, of, for & cõcerning ỳ offices of chiefe Iustice of Southwales, the office of Chãberleine of Southwales, & of the cõtties of Carmerden & Cardigan in Southwales aforesaid. And of & for ỳ office of ỳ stewardship of ỳ lordship of Wealth in ỳ marches of Southwales, & of & for ỳ office of receiuourship of ỳ

said lordshyp of Wealth: or of, for or cõcerning any of ẏ said offices: but that ẏ said Lord Ferrers may haue, vse exercise, & enioy the sayed offices and euery of them wyth all fees, wages emoluments, commodities and profitz to the same offyces or to anie of them in any wise belonginge or appertayninge, in as large and ample manner fourme & condition, as if thys act had neuer beene had nor made. An. 27. H. 8. ca. 26.

Kinge

29 ¶ The kinges highnesse (duringe ẏ time of three yeares next after ẏ end of this present Parliament) shall haue power and aucthoritie by writing vnder his great seale, to allot, appoint assigne & limit to euery of the shires, named in the said act (s. Ann. 27. H. 8. c. 26. before 28.) such and so many lordshipps, townes, parishes, hamlet, hundredes, commotes, and cantredes, as his maiestie by his most hygh wysedome shal thinke most conuenient and agreeable for the ease and commodydie of his louing subiectes the inhabytants of the said dominion and principalitie (s. of wales.) And shal likewise haue power & auctho[r]itie to name and assigne the shire townes in euery of ẏ saied shires named in ẏ saied act. And ẏ euery such limitation appointment, nomination & assignemẽt to be made by the kinges highnesse in ẏ behalfe, by auctho[r]itie of this act shalbe as good & effectual to al intents & purposes, as though it had ben don & made plainely & particularly by auctho[r]itie of parliament, any thing contained in the said act, made in the last parlyament, or any other thynge or thinges to the contrary thereof notwithstandinge. Ann. 28. H. 8. capit. 3.

Lordshyps

The kinge during the said three yeres did nothinge concerning the accomplishment of the saied act, wherefore. Anno. 31. H. 8. cap. 11. it was enacted as followeth.

30 ¶ That hys maiestie during the space of other three yeares, next after the first day of this present parliament shal haue like power and auctho[r]itie to do, vse, execute, and accomplish al and euery thinge and thinges limitted and appointed to his maiestie to be done, vsed, and accomplished by the same act made in the sayed 28. yeare of hys graces raigne (cap. 3. before 29.) in as large & ample manner in euery cõdytion as his maiestie mought haue done vsed and accomplished within the sayd time of three yeares, limitted by ẏ sãe act, as is afore saied. And that euerie such limitation, appoyntment nomynation and assignement to bee made by the kinges highnesse in that behalfe, by auctho[r]itie of thys present act, during ẏ space of the saied other three yeres next after the first date of thys present parliament, shalbe as good and effectuall to all intentes and purpoles as thoughe it had ben done and made plainly and particularly by auctho[r]itie of parlyament. Anno. 31. H. 8. ca. 11. See office. Ann. 32. H. 8. capit. 27. of graunte[s] of sheriffe weekes in Wales made void.

Lordshipps

31 ¶ And where the Lordshipps, townes, & hamlets of Hope & Allaph, haue of old time beene reputed, accepted and taken as part and parcell of ẏ county of Flint, and so haue ben continued vntil now of late that by an act of parliament made in the 27. yeare of ẏ raign of our most dread soueraign Lord the kinges maiestie that now is cap. 26. before 28. the same were assigned to the county of Denbighe.

And also where parcel of the parish of Hawarden is at thys day, and of old time hath ben accepted, taken and vsed as part of the sayed county of Flint, & the residue of the sayed Parish of Hawarden is, and allwayes hath bene wout ẏ precinct, limittes & iurisdiction of the same county. See it &c. that as well the saied Lordshippes, Townes and hamlettes of Hope Allaph, and ẏ sayd whole parish of Hawarden, together with the lordshyp of the same, as also

Lordshyps

as also the lordshyps, townes, and parishes of Holdesdale, Hereford & Oseley, & all the lands, tenements and hereditaments within the precinct & limits of the same, or any of them, shal frombencefoorth bee reputed, accepted, take, and adiudged to be within ỳ said county of Flint, as a member, part & parcell of the same county of Flint, & not of, nor within any other Countie or shire, any statute, ordynaunce, law or custome heretofore hadd or vsed, to the contrary thereof in any wyse notwithstandinge.

Prouided alwaies that the inhabitãts and tenauntes of the sayd lordshippes, Townes, hamlettes and Parishes of Hope, Assaph, Holdesdale, Hereford, and Hawarden, shall pay their milles and tallages when and as ofte as the same shalbee due with ỳ inhabitaunts of such shire or shires, as before tyme hath ben accustomed. And that ỳ sayd Lordshyp of Hope, Holdesdale, Hereford, Osely, & Hawarden, wyth the whole & entier parish of Hawarden, & all the groundes landes, tenementes, & hereditaments, within the precinct and limits of ỳ same, shal frõhẽcefoorth bee called, taken and accepted ỳ hundreds, of Holdesdale in the Countie of Flint.

Tallage

Hundred

And that the sayed Lordshippe of Assaph, with all the groundes, landes, tenements, & hereditaments within ỳ precinct & limittes of the same, shalbe taken, accepted, & iudged, to be as part and parcel of the hundred of Rutlande in the same county. Anno. 33. H. 8. capitulo 13.

32 ¶ Our soueraigne lord the kyngs maiestie of his tender zeale and affection that hee beareth towardes his louinge and obedient subiectes of his dominion principalitie and Countrey of Wales, for good rule and order to bee frombencefoorth kept & mayntayned within the same, whereby his said subiects may growe & rise to more welth and prosperity, hath deuised and made diuers sundry good and necessary ordinaunces, which his maiestie of hys most aboundant goodnesse, at ỳ humble suit and petition of hys sayed subiectes of wales, is pleased and cõtented to bee enacted &c. in manner and fourme as hereafter ensueth. First ỳ hys graces sayed dominion principalitie and Countrey of Wales, be frõbencefoorth deuided into xii. Shires, of the whych viii. haue beene Shyres of long and auncient tyme, that is to say: the shires of Glamorgan, Carmerthẽ Pembroke, Cardigan, Flint, Carnaruan, Anglesey, and Hereoneth. And iiii. of the sayed xii. shires, bee newely made and ordayned to bee Shires, by an act made at the parliament, holden at Westminster, in the xxvii. yeare of our sayed Soueraigne Lord hys most noble raigne (capitulo 26. before 28.) that is to say, the Shires of Radnor, Brecknock, Mountgomery, and Denbighe, ouer and beesides the Shire of Monmouth, and diuers other dominions, Lordshippes, & manners in the marches of Wales, united and annexed to the shires of Salop, Herford, and Gloucester, as by the sayd late act more plainely appeareth. Item that ỳ limitations of ỳ hundreds of late made within ỳ said shires by vertue of hys graces commission, directed out of his high court of Chauncery, & againe returned into the same, shal stand in ful strength, force, and effect accordynge to the sayed limitation. Except such of the same, as sith that tyme haue ben altered or chaunged, by vertue of any act or actes of Parlyament already made, or that shalbe altered or chaunged, by any act or actes in thys present Session to bee made. Item that there shalbe & remaine a president and counsaile in the sayd dominiõ & principalitie of wales & the marches of the same, with all officers, clerkes, and incidents to the same, in manner and fourme as hath beene heretofore vsed and accustomed.

Shires

President Counsayle

Whych

Whych ꝓsident and counsayle shall haue powꝛ & authoꝛitie to heare and determine by their wisdomes and discretions, such causes and matters as be or hereafter shalbee assigned to thē by the kynges maiestie, as heretofore hath been accustomed and vsed. Item that there shalbee holden and kept sessions twise in euery yeare, in euery of the sayd Shires, in the said dominion and ꝓincipalitie of Wales. That is to say, in the Shires of Glamorgan, Brecknocke, Radnor, Caermerthin, Pembroke, Cardigan, Mountgomery, Denbigh, Flint, Carnarnan, Mereoneth, and Angleſey, the which sessions shalbee called the kinges great sessiōs in Wales. Item that ỳ Justice of Chester for the time beeinge, shal hold and keepe sessions twise in euerie yere in the shires of Denbigh, Flint, & Mountgomery, & haue nothinge but his old fée of an hundred pounds yerely for the same.

Item that the iustices of Northwales shall in likewise hold and keepe Sessions twise euery yeare, in euery of the sayd shires of Carnaruā, Mereoneth, & Angleſey, and shall haue yearely of the kinges maiestie a yerely fée of fifty poundes for the same. Item that one personne learned in the lawes of thys Realme of Englande, by the kynges maiestie to be named and appointed, shalbee Justyce of the shires of Radnor Brecknocke, and Glamorgan, and shal in likewise hold and kepe sessions twise in euery yere in euery of the sāe shires, and shal haue yearely of the kynges maiestie fifty poundes for hys fee. Item that one other personne learned in the lawes of thys Realme, to bee appointed as is aforesayed, shall be Justice of the Shires of Caermerthen, Pembroke, and Cardygan, and shal in likewise hold and keepe Sessyons twise in euery yeare in euery of ỳ same shires: and shall also haue yerely of the kynges maiesty fifty pounds for hys fée.

Item the sayd personnes or Justices, & euery of them nowe beeinge, or that hereafter shalbe, shal haue seueral letters patents and commissiōs for their offices vnder the kynges great Seale of England, to bee exercised by them selues, or their sufficient deputyes according to their purposes and intents, in their ordinaunces specified. Prouyded alwaies, that their commissyōs to them already graūted vnder the sayd great seale, shal stād in force and effect according to ỳ tenour of the same: vnlesse it shal please the kinges maiestie hereafter to alter or chaunge them or any of thē, this present article last bēfore expressed, in any wise notwythstanding. Item that euery of the sayd Justices within the limittes of their commissions & authorities to thē appointed as is aforesayed, shall hold all manner of plées of the crowne at and in the saied sessions, in as large & ample maner, as the kings chiefe iustyce of England, and other the kynges iustices of the kinges bench there, or any of them may doo in their place or elsewhere wythin the Realme of Englande. And also to hold plees of assyses, and all other plees and actyons, reall, personall, and mixt, in as large and ample manner, as the Kynges chiefe Justice of the common place in Englande, and other Justices of the same place, or any of them may doo in the Realme of Englande. Item that euery of ỳ sayd Justices of wales shal haue powꝛ and authoꝛitie to enquire of all treasōs, murders, felonies riottes, routes, vnlawfull assemblies, extoꝛtions, imbraceries, maintenaunces, reteynours, concealementes, contemptes, and al other offences & euell deedes, of what natures, names or qualities so euer they bee doone, committed or perpetrated, within the lymittes of their commissions & authorities, against the forme of the cōmon lawe of the realme of England, or of any statuts of the same, and to heare

and

Oier & ter.

Sessions

Fee

Fee

Justice

Letters p.

Cōmissiōs

Plees

Assises

Enquier

Oier & ter. and determine the premisses and euerie of them, and generally to minister common Justice to al and singuler the kynges subiectes within the limitts of their commissions and authorities, according to the lawes statuts, & customes of the Realme of Englande, & accordinge to this present ordinaunce. Item that euery of the saied Sessions shalbe kept and continued by the space of fyre daies in euery of ý sayd shires, at either of the sayed tymes, as is and hath ben vsed within the sayd iii. shires of Northwales. And that the sayed Justices shal cause open proclamatiõs to be made in the shier townes, what time and place they purpose to keepe their said Sessions xv. dayes at ý least beefore they keepe the same, to thyntent the kynges Subiectes may haue knowledge thereof. Proclamation

Itẽ ý dayes shal be geuen in al plees, plaints, procelles and atourneimentes from day to day, and Sessions to Sessions, by the discretions of the sayd Justyces, within the limittes of their authorities, for ý good and spedy ministration of Justice, to al & singuler the kinges Subiects, as is or hath ben vsed in Northwales. Dayes

Item that one originall seale, deuised by the kinges highnesse, for Justice to bee ministred in the sayed three shires of Northwales: That is to say the shires of Merconeth, Carnaruã & Anglesey, shalbee & remaine in the charges, kepinge, and custody of the chamberlaine of Northwales. Seale

And that one other originall seale deuised by the kinges maiestie, for mynistration of Justice to bee vsed in the said Shires of Carmarthen, Penbroke & Cardigan, shalbe & remaine in the charges, and keping of the Chamberlain of Southwales. And that likewise one other originall seale deuysed by the kinges maiestie for the mynistration of Justice to bee vsed in the said iii. Shires of Brecknocke, Radnor, Glamorgan, shalbee and remaine in the charge and custodie of the Steward & Chamberlaine of Brecknoke. And that also one other originall seale deuised by ý kings maiestie for ministration of Justice to bee ministred wtin the said shires of Denbigh & Pouĩtgomery, shalbee and remaine in the charge, keepinge and Custody of the Steward and Chamberlaine of Dẽbigh. And that the originall Seale of Chester, shal bee and stand for the originall Seale of Flint, for Justice to be ministred in the sayd shires of Flint, and shalbe and remaine in the charge keping & custody of the Chãberlaine of Chester. Item that the sayed Stewards & Chamberlaines shall Seale with the said seales, that is to say, euerie one of thẽ shal seale with the seale, to hys charge committed, all manner of originall writtes and proces returnable beefore the saied Justices at the Sessions to bee holden in everie of the sayd shires in manner and fourme as is afore sayed.

And shall seuerally accompt and answere the kinges maiestie, for ý profites of the same seale. And that none of the saied Stewards, chamberlayns or chancellours, hauing the charg and keping of the saied seales, shall by occasion thereof, or by colour of any of their offices, compel or cause any person or persons, inhabiting within any of the saied twelue shires, to appere before them selues or their deputies, ne shal haue power or authoritie to heare or determine any plees of the crowne, nor other causes or matters of iustice, otherwise then in this ordinãce is limitted & expressed: But shall haue the charge & keeping of the sayed seales to seale all such originall writtes & proces as shalbee returnable beefore the said Justyces in their said sessyons as is beefore specified, & as hereafter shalbee declared, which writtes and proces shalbee vsed, made, sealed and returned, in manner and fourme as hath ben vsed beefore the Justyces in Northwales. Item ý al such persons Accompt

as

as nowe bee or hereafter shalbee the kinges highnes stewardes, chamberleynes, or chauncellours, wythin any of the sayed twelue Shires, whych by reason of their sayed offices, haue charge for the receipt, collection or accompt of and for the kinges rentes, reuenues, fermes, or profites, to bee due to his maiestie, within the said dominions of Wales, may direct proces vnder ỳ seale being in their charge and custody within the lymits of their auctorityes only against baylifes, rennes, fermours, and other myniſters accomptaunt, to appeare before themselues to answere to and for any the kinges reuenues, fermes, rentes, or profits, and for none other cause, nor against any other person or persons, in like maner and forme as they haue bene accustomed in that case to do. Item that al stewards of any lordships or mannors in Wales, shall and may keepe and hold such leetes lawdayes and court barrons as appertaineth and belongeth to the lordships & manners wher of they be stewards. And to hold plees by playnt vnder the summe of foorty shillinges in euery such Court Baron, and haue and enioy all other auctorities, commodities and profits as stewardes of leetes, lawdaies, and court barons in England commonly haue & ben vsed to haue, by reason of ỳ saied offices, and none other, any law, vsage or Custome in the sayd dominion of Wales, heretofore hadde to the contrary hereof notwithstandinge.

Receiuours

Proces

Stward

Courts

Item prouided alwayes and be it enacted, that the sayed stewardes or any of them, nor the shirife of the said counties in Wales shal haue any power or auctoritie to enquire of any maner of felonie in any such leete or lawday, or tourne wythin the sayd dominion to bee holden.

Enquire Felonie

And that fromhenceforth no leete nor lawday bee kept by the steward or other officer of any lordship or manner in the sayed dominion of Wales, but in such lordships and places, where it was accustomed to be kept before the making of the act of parliament concernynge Wales, made in the xxvi. yere of our saied Soueraigne Lordes raigne (cap. 6.) So alwaies the place where such court shalbe kept, be meete & conuenient for the purpose. Item ỳ al Baires, baliſes, & head officers of Corporat Townes in Wales, may hold plees & determine actyons, and do euery other thing concerning common Justice, accordinge to their lawfull grauntes, & lawdable customes of such townes, so alwaies they followe ỳ course, trade, & fashion of ỳ Realme of England, and not of any Welshe lawes or customes. And that in euery of the sayed townes they may trye al issues ioyned in any action personal by fyre men, accordynge as heretofore in diuers places of the sayed countrey it hath been vsed, any thinge contayned in this act to the contrary notwithstanding.

Place

Trials

Prouided alwaies, and bee it &c. that for as much as there be diuers & many smal boroughes and Townes corporat within the sayed dompnyon of Wales, whereof many haue their cõmencement by graunts, made from ỳ marches, & summe by other means, our said soueraigne lord shal frõhenceforth by vertue of thys act haue full power and auctoritie by hys letters patentes, to be inrolled in hys graces high court of Chauncery at any tyme within seuen yeare hereafter next ensuinge to the end of thys present parliamẽt, to repeale, adnichilat, & dissolue such and as many of the sayed Boroughes and Townes corporat, and all liberties and customes of the same, as to hys hyghnelle shalbe thought expedient, to the intent his maiestie at his graces pleasure may newely erect, ordaine, & make such & as many other boroughes & townes corporat wythin ỳ said dominion, being more apt and conuenient for ỳ purpose, & endue thẽ

Repeale

Townes

wyth

vñ ſuch liberties & franchiſes, as to his moſt excellẽt wiſdome ſhalbe thought neceſſary for the wealth of the ſayed countie. Item the kinges maieſtie is pleaſed and cõtented of his moſt gracious goodnes, that ſuch as haue patentes of any offyce of ſtewardſhipps chamberlainſhips, chaũcellerſhipps, or Juſtyceſhippes, wythin the ſayed dominion of wales, for terme of their liues, ſhal haue & enioy their certayne ordinary and annuell fees of money vſed and accuſtomed to bee paied and borne by the kings highneſſe, by vertue of any their letters patentes duringe their intereſt therein, but in no wiſe to take or claime any caſuall fees claimed by colour of their offices, contrary to this preſent ordynaunce: Any cuſtome in wales, or anie thynge in this act to the contrary notwythſtanding. Item ouer & beſide the originall ſeales, there ſhalbee iiii. inditiall ſeales deuiſed by the kinges maieſtie, wherof one ſhall remaine with the Juſtice of Cheſter, which is appointed by thys act, to be Juſtice of the ſhires of Flint Denbigh, & Mountgomery, to be vſed within the ſaid ſhires, to ſeale all iudycial proces & bils, that ſhalbee ſued beſore the ſaid Juſtice, in the ſeſſions to be holdẽ within the ſame ſhires. And that one other of the ſaid iudicial ſeales ſhal likewiſe remaine & be in ẏ charge & cuſtody of the ſaied Juſtice of Northwales. And that the third of the ſayed ſeales ſhalbee and remaine in the cuſtody and charge of the Juſtice of ẏ iii. ſhires of Glamorgan, Brecknocke, & Radnor. And the fowerth of the ſayed ſeales ſhall remaine in the charge and cuſtody of the Juſtice of the ſaid three ſhires of Pembroke, Carmarthẽ and Cardigan. And the ſaid Juſtyces ſhall ſeale with the ſaied inditial ſeales, that is to ſay, euery of them with the ſeale committed to his charge & cuſtody, as well all billes as all other inditiall proces that ſhalbe ſued beſore them in the ſaid ſeſſion vpon any originall billes or writs, & al other proces that ſhalbe awarded from any of the ſaid iuſtices, ſhalbe ſealed vñ the ſaid inditial ſeale. Item that euery of the ſayd Juſtices, ſhall accompt & aunſwere to the kings maieſtie for the profitts of the ſaied ſeales being in his charge and cuſtody in maner and forme as herafter ſhall be declared. Item that the Teſte of euery bil and inditiall proces that ſhall paſſe vnder the ſaid inditiall ſeale, ſhall be vnder the name of ſuch of the ſayed Juſtices from whõ ſuch bill or inditial proces ſhall paſſe, in lyke manner and forme, as is vſed in the common place in England. Item that al actions real & mixt, attaints, conſpiracies, aſſiſes & Quare impedit, appeales of murther & felony, & all actions graunted vpon any ſtatutes, ſhalbe ſued by originall writs to be obtained & ſealed with the ſaied original ſeale, returnable beefore the ſaid Juſtices at their ſeſſions, with in the limittes of their auctorities, in maner & forme as is afore mẽcioned. Item ẏ al maner of perſonal actions, as debt, detinue, treſpas, accompt, and ſuch like amountinge to the ſumme of xl. ſhillinges or aboue, ſhalbee ſued by writtes originall, to bee obtained and ſealed as is aforeſayd, or by billes at ẏ pleaſure of the partie ſuing the ſame beſore the ſaid Juſtices, wythin the limittes of their auctorities, as is vſed in Northewales. And that all perſonal actions vnder the ſumme of forty ſhillinges: that is to ſay, debt, treſpas, detinue, accompt, and ſuch lyke, ſhall & may bee ſued beefore anie of the ſaid Juſtices in ẏ ſaid ſeſſions, by byll, as is vſed in Northwales. And that euery originall byll concernynge actions perſonals, ſhalbe ſealed wyth the kinges originall ſeale, beeynge in the cuſtody of the ſayed Juſtyce, before whom ſuch perſonall actyons by byll ſhalbe brought and commenced. And that ſuch fees ſhalbee payed for the writtinge and ſealinge of ſuch originall writtes and billes, as hereafter

Officers

Fees

Seales

Juſtices Accompt

Teſte

Actions

writs

Bills

Fees

after shalbee expressed, that is to say, for the sealynge of euerie originall writ to bee sued in and vppon the causes aforesaied, and for euery bill to bee pursued in actyons personall, whereof the debt, and dammages amounteth to the summe of foerty shyllinges, or aboue, the partyes pursuynge the same shall pay for the Seale of euery such writte or bill five pence.

And for euery iudiciall proceese to bee sued vppon any such originall writte, or bill, the partyes pursuinge such iudiciall proceese, shall pay for the sealing thereof seuen pence, whereof ẏ kynges maiestie shall haue five pence, and the Justice sealinge such iudyciall proces, shall haue one peny. Item that euerie bill, in personall actyon, whereof the debt, dutie or damage amounteth not to foerty shyllinges, and all manner iudiciall proceese to bee sued vppon the same, shall also bee Sealed wyth the kyngs sayd iudicial seale, and the parties pursuinge the same, shall pay for the seale of euery such bill, and iudicyal proceese thereuppon to bee sued three pẽce, whereof the kynges maiestie to haue two pence, and the Justyce sealinge such proceese to haue a peny.

Item that all writtes of Scire facias, and writtes of good abearinge, or for the peace, or writtes of Supersedeas vppon the same, and all other proceese to be sued from the sayed Justices vpon any record or suggestion admitted by any of the sayd Justyces, wythin ẏ limittes of their aucthorities, shall also bee sealed wyth the sayed iudicyall seale. And that the parties pursuinge for the same, shall pay for the seale of euery such writtes and proceese seuen pence, whereof the kinges highnesse shall haue five pence, and the Justyce by whom such proceese shalbee Sealed, a peny. And that euery exemplification vppon anie record, before any of the sayed Justices, shalbee sealed wyth the kynges sayed iudiciall seale, & the party pursuinge the same shall pay for the seale thereof twenty pence, whereof the kynges highnesse shall haue fiftene pence, and the Justices sealyng the same, fower pence,

Fines

Item that recouery and fines, concordes and warrantes of Atturney for the same, shall and may bee taken beefore euerie of the sayed Justices, of lands tenements, & hereditaments within his aucthoritie, by force of hys generall commission, without anie writte of Dedimus potestatem, to bee sued for the same, in lyke maner and fourme as is vsed to bee taken before the kynges chiefe Justice of hys common place in England.

Dedimus potestatem

Item that all fines hereafter to bee leuyed before anie of the sayed Justices wyth proclamation made the same Sessions, that the sayed fine shalbe engrolled, and in two other great Sessions then next to bee holden within the same Countrey, shalbee of the same force and strength to all purposes, as fines leuied before the Justices of the commõ place in England.

Item that euerie person suing writs of entre in ẏ post, or writtes of couenaunt or anie other writs for any recouery to bee had by assent of parties or otherwise, or for fine to bee leuied, shall pate such fines to the kinges vse for the same as well fines pro licentia concordandi, as all other maner of fines, as is vsed in the kings chauncery, or else where in any of the kinges Courtes of Englande, whych fines shalbee payed to such personnes, as shall seale the originall wryttes for that purpose. And that they shall accompt for the same in like fourme as they shall doo for the profittes of the sayed originall seale as is aforesayed.

writts

writts

Item that the kynges fiuer vppon euery fine to bee leuyed, shalbee payed as is vsed in the common place in England, that is to say, two shillinges, which kinges fiuer shalbe payed to the Justice, afore whõ such fine shalbe leuied. Whereof the kings highnesse shal haue xx.d. and the

R. fiuer

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prenotary entring the same shall haue ii.d. and the Justyce afore whom such fine shalbee levied other ii.d. And that the same Justyce shal accompt for the kings part therof like as hee shall for the profittes of ỳ kinges iudiciall seale, committed to his charge in manner & fourme as is aforesayed. Item there shalbe iiii. prenotaries for the making of all iudicial processe, and for the entringe of al plees processe and matters of record in ỳ Sessyons to bee holden before the sayed Justices, whereof one of the sayed Prenotaries shall attend vppon the said Justice appointed for ỳ three shires of Northwales.

Prenotarius

And one other shall attend vppon the Justice assigned for the three shires of Flint, Denbighe, and Mountgomery. And the third shall attend vppon ỳ Justice assigned for the three Shires of Carmarthin, Cardigan, and Pembrooke. And the fowerth of the sayed Prenotaries shall attend vppon the Justice assigned for the three shires of Glamorgan, Brecknocke, & Radnor. And these fower Prenotaries, as often as their sayd offices shalbee void, shalbee named and appointed by the kings highnesse, by hys maiesties letters patentes vnder hys great Seale of England. And where one John Arnold gentleman hath the office of the Prenotary and clarkeshipp of the crowne by ỳ kinges highnesse letters patents within the said three shires of Northwales. And that one Jhon Breakenhed hath the office of the prenotary and Clarkeshipp of the crowne by the kinges letters patentes wythin the sayed Shire of Flint. And that likewise one John Leonard hath the office of the Prenotary and clarkship of the crowne by the kynges letters patentes within all the residue of the said dominion of Wales. The kinges maiesty is pleased and contented that the said three Prenotaries, shall haue, vse, and enioy their sayed offyces according to the effect of the said letters patents to them thereof made, doinge their duties and attendance, by themselues or their sufficyent deputyes at euery of the sayed sessions to bee kept within the shires, whereunto they bee so appointed. Item there shalbe a marshall and a cryer in euery of the circuites and limitts allotted to the sayed Justices which shalbe named by the said Justyces, within the limittes of their aucthoritie and commission, in like manner and fourme as Justices of assise doo in England, & the said officers shal attend vpon the saied Justices in their circuites, in their owne proper persones, and not by their deputies. And that the Marshall shall haue vpon euery iudgment, and euerie fine, fower pence, & the crier a peny.

Letter p.

Marshal Cryer

Fees

And vpon the acquitalles of felonyes and of them that shalbe deliuered by proclamation or delyuered out of common mainpise, before any of the sayd Justyces, the Marshal shal haue iiii.d. and the cryer a peny. Item that euerie of the sayed Prenotaries, wythin the limitts of their offices shall take such fees, as hereafter shalbe expressed.

Fees

That is to say, for the writing of plees and ingrossinge of writtes of entre in the Post, writts of right, Quod ei deforceat, or any other writtes, pursued by the assent of the parties, fine shillinges. And if it bee vō a double voucher, then sixe shillinges and eight pence, and for the exemplification ther of two shillinges. And for the engrossing of fines, to haue for euery fine iii. shillinges and fower pence. And if it bee with proclamations, then fower shillinges. Item for euery bil of debt, detinue, trespasse, and all other actyons personalles, sued before the sayed Justices in their circuites, vnder the summe of fourty shillinges, the Prenotaryes shall haue for the first bill fower pence, for the second bill fower pence. And for the third bill iiii. pence. And for the entrie of euery declaration, plee in barre, replycation and

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retoynder in & vpon euery such actions so that he doo inrole ẏ same in parchemẽt, fower pence. And for euery Venire facias, Tales, Habeas corpora, & distring. in the same actions. iiij. d. & for the iudgement, fower pence. And for euery writte of execution, in euery such action, fyue pence. And for euery warraunt of attourney, in euery such action, aswel for the plaintifes as for the defendaunts iiii. d. Item in all actions of detinue, trespas and al other actions personall, wherein the duitie, debt or dammage amounteth to the summe of foorty shillinges or aboue, which shalbe sued by billes beefore the said Justices, the Prenotary shal haue for the first bill iiii. d. for the second bill viii. pence, for the thyrd bil fower pẽce, And for euery the declarations, the aũswere, replicatiõ, and reioinder, if it be enrolled in Parchment, eyght pence. And for the Venire facias, Tales, Habeas corpora, et Distr. for euery of thẽ fyue pence, and for the iudgement eight pence, and for the warraunt of attourney fower pence, & for euery writt of execution vpon the iudgements in such billes, fyue pence. Item in orginall writtes, sued vpon euery actions personall, retournable beefore ẏ said Justices, ẏ Prenotaries shal haue for euery Iterum summonias, fyue pence, for euery distresse in trespalle, fyue pence, and for the declaration eight pence, for the aunswere, replicatiõ and reioinder for euery of them, if they be enrolled & ingrossed as is aforesaid, twelue pẽce. For the Venire facias, Tales, Habeas corpora, and Distr. for euery of thẽ fyue pẽce, and the Prenotaries to haue for thentre of the iudgementes in euery action xii. d. And for euery writt of execution sued vpõ the same vi. d. For theremplification of euery record in any of the said actions ii. shillinges. For euery warrant of attourney iiii. pẽce, In al actions reals, and mixt offices, Quare impedit, appeales of felony, murder, mayhime, the Prenotary to haue for the declaration or plaint, ii. s. and for ẏ plee in barre, replication, reioynder, surreioinder, for euery of thẽ if they be enrolled as is aforesaid xii. d. and for the writing of euery venire facias, Tales, Habeas corpora, & distr. vpon the same for euery of them vi. d. and for the entre of the iudgement in euery of the said actions and appeales, two shillinges. And for the writing of the writtes of execution, made vpon euery of the said actions & appeales, & assises xii. d. And for writtes of graũd Cape, & petit Cape, & writts of viewe, writs vpon voucher, & al other writtes in euery such actions xii. pence. And for euery warrant of atturney, for the defendaunts, or for the demaundaunts or plaintifes, in euery such action reall assise, appeale, and Quare impedit. iiii. d. And for ẏ essoines of euery such action iiii. d. & for ẏ baile of euery persõ of felony, twelue pence, & for ẏ baile for trespasse fyue pẽce. And for ẏ apparaunce & bailing of common mainprise two pence.

Item for writing of writtes for the peace & good abearing, graunted by any of the said Justices in their Sessiõs fyue pence, and for the entring of euery recognisaunce to be had and taken beefore the said Justices, for euery cause or causes, other then beefore is expressed, twelue pence, and if it be with conditiõ then two shillinges. And vppon euery acquitall and deliueraunce of felons & murderers by verdict or by allowance of pardõ, the Prenotaries to haue two .s. And if it bee vppon indictmentes certified from ẏ Justices of the peace afore the Justices in the great sessiõs, the clarke of ẏ peace to haue also xii. d. Clerk. of p. And vpon ẏ deliuery of any suspect of felony or murder by proclamation, the said Prenotare to haue xii. d. Itẽ that the kinges matestie shall haue al fines Kinges issues, amerciamẽts, & al forfaitures of Fines. recognisaunces, lost or forfait beefore any of the saied Justices in the session aforesaied. And that the saied Prenotaries

Extreat

ſarles, within the limittes of their offices, ſhal yerely extrete the ſame into the Eſchequer, appointed for that lymitt, to the intent that proceſſe from there may be awarded to the ſher. riffes to leuie the ſame to the kings vſe as ap pertaineth, which ſherriffes ſhal yerely make their accompts before the kings auditoures thereunto to bee aſſigned & appointed.

Shirifes Accompt

Item ouer & beſides the ſaied preſident & Counſaile & Juſtices, there ſhalbe iuſtices of peace, & alſo one Custos rotulorum in euery of the ſaid twelue ſheres. Item that ỳ ſaid Juſtices of peace Juſtice of Quorũ, & Custos rotulorũ, in the ſaid ſheires ſhalbee named & appointed by the Chauncellour of England by commiſſion vnder the kinges great ſeale of England, by thaduiſe of the Preſident, Counſaile, Juſtices aforeſaid, or three of them, of the which the ſaid Preſidẽt to be one, from time to time as the caſe ſhall require.

Juſt. of p. Custos rotulorum

L. chaũcelor

Item that there ſhall not extende the number of viii. Juſtices of the peace in any of the ſaid ſheres, ouer and beſides the Preſidentes, coũſaile and Juſtices aforeſaid, and the kinges atturney and Solicitour, which Preſidẽt, Counſaile Juſtices and the kings atturney & Solicitour, ſhalbe put in euery commiſſiõ of peace in euery of the ſayed twelue ſheres. Item that ſuch perſons as ſhal be named to be iuſtices of peace, within euery of ỳ ſaid ſheres, ſhalbe of good name and fame, & after they bee aſſigned by commiſſion, may vſe and exercyſe the office of the Juſtice of peace, albeit they may not diſpend xx. li. nor be learned in the lawes of the land, without any loſſe damage or penalties, for inſufficiency of their landes. And that euery of the ſaid Juſtices of peace, before they ſhal execute their commiſſion ſhall take their othes before the chauncellour of England, or els before ỳ ſaid Preſidẽt, or one of the ſaid Juſtices in Wales, by vertue of the kinges writt of dedimus poteſtatem, or before any

Kings atturney Solicitour

other perſon to be limitted by the lord Chaũcellour of England for that purpoſe. The contents of which oth ſhalbe after ỳ fourme as Juſtices of peace in England vſe to make. Item that ỳ ſaid Juſtices of peace or two of them at ỳ leaſt, whereof one to be of the quorum, ſhal and may kepe their ſeſſions within the limits of their commiſſiõs fower times in the yeare, and at other times vpon vrgent cauſes, as Juſtices of peace in England vſe to do, and ſhal haue like power and auctoritie in all thinges, and fees of the kinges maieſtie for the time of their ſytting, as well for them ſelues, as for their clarkes, & ſhalbe bound to vſe and do their offices in lyke manner as is vſed in Englãde. Item that no Juſtices of peace, clerke of the peace, nor other Clarke of any Juſtices of peace in Wales, ſhall take for the writinge of any warraunt of ỳ peace or good abearing, aboue vi. d. & for entring of pleages or bonowes to pay the kings fine vpõ any indictmẽt ir. d. And if it be with protestation, thẽ to take xii. d. and for a Superſedias, not aboue viii. d. & for a recognisance xii. d. And that all the ſaid Juſtices of peace ſhall certifie al recognisances taken before any of them for ỳ peace, or good abearing, into their ſeſſions next to bee holdẽ after the taking thereof. Any recognisance taken before any of thẽ, for ſuſpecious of any manner of felony, ſhalbe certified before the Juſtice in ỳ great ſeſſions, next to be holden after ỳ taking thereof, without concealement detaining or imbeſeling of the ſame, vpon ſuch penalties & daungers, as bee therefore ordained & eſtabliſhed.

Seſſions

Fees

Juſt. of p. Certify

Item that al fines & amerciaments, before the ſaid Juſtices of peace, loſt & hereafter to be loſt, ſhalbe tared and aſſerred by iii. Juſtices of the peace at the leaſt, whereof one to be of the Quorũ. And that all ſuch fines & amerciamẽts ſhalbe ſett truely and duely, according to the quantitie of ỳ offẽces, wout partialitie or affection.

Fines

Tare

Item

Item that ỳ said fines & amerciamẽts & also al issues lost before the said Justices of peace, and all forfaitures of recognisaũces & other forfaitures before ỳ said Justices, shalbe yerely estreated by the Clerkes of ỳ peace unto ỳ Eschequer appointed for that limitt, to the intent that processe from thence may be awarded, for ỳ leuying of the same forfaitures and summes of money to the kynges vse to the sheriffe of euery coũty, as shall appertaine, who shall make thereof their accomptes, before such auditours as thereunto shalbe assigned so that the kinges maiestie, may thereof bee trewely and duely answered & satisfied, which auditours shall make due allowance to ỳ same sheriffes, for the fees of the Justices and clarkes of the peace, vppon their said accomptes, as is vsed in the Realme of England.

Estreat

Shirike

Accompts

Item that there shall be sheriffes, in euery of the said sheres yerely appoynted by the kynges maiestie. And that none of the said sheriffes shal haue their office of sheriffewike any longer time then is vsed by the lawes & statutes of England. And for the yerely nomination of the said sheriffes, the said Lord Presidẽt, Coũsaile & Justices of Wales or three of them at ỳ least, whereof the said Presidẽt to be one, shal yerely nominate in substantiall persons, in euery of ỳ said vi. sheres, to be sheriffes of ỳ same, & shal certifie their names to ỳ Lordes of the kynges most honorable counsaile, attending vppon his graces person, Trusting and in trust, to the intent the kinges maiestie beeing therein of aduertised may appoint one of the in euery of ỳ said sheres, to be sheriff for the yeare, at his most gracious will and pleasure, like as his highnes doth for his Realme of England. And thereupon the said sheriffes shall haue their patents, and commissions vnder the great seale of England, as sheriffes of England haue, and shal make and take othes and knowledges of recognisances before the Presidẽt & Justices or one of them, by vertue of the kynges writtes of Dedimus potestatem, to be directed for the same, for the due executiõ of their offices, & for their iust & true accompts before the kynges auditour or auditoures assygned for Wales. Item that euery of the said sheriffes shall haue power and auctoritie within the limits of their sheriffwike, to do and vse their offices as shiriffes in Englãd, & shal accõplish & execute without any fauour dread or corruption, al maner of writtes, processe, iudgements, & executions, & all maner cõmõ iustice, appertaining to their offices of shiriffes, & al lawfull cõmaundements & preceptes of ỳ said presidẽt Coũsaile & iustices of Wales, & also of ỳ iustices of ỳ peace, Eschetours, and Coroners & euery of them in al things appertaining to their offices and auctoritie. Item that ỳ said shiriffes shal doe & bee bound to doeal & euery other things and kynges for the ministration of Justice, and for the conseruation of the kings peace, and the apprehention and repesse of traitors, murtherers, theues, felons, & other offendours, as shiriffes of England do vse and be bound to do within the Realme of England. Item that the said shiriffes shall yerely accompt before such the kinges auditour or auditours as shalbee assigned and appoynted by the kinges maiestie for his said dominion of Wales. And that euery of the said shiriffes, shall haue yearely for his fee, fiue pound. Item all Baiffes, sheriffes, sheiwards, bailiffes, & other ministers & officers of Justice, of euery coũty, lordship, towne, & place, within ỳ said dominiõs of wales, & al & singuler the kinges subiects of the same, shal be alwaies obedient, attendãt & assisting to the said Presidẽt, counsaile & iustice of Wales, and euery of them, and shal obay the kinges commaundements & processe, from them or any of them directed, and all the lawful and

Presidẽt

Certefie

Patents

Othes

Shirikes

Shirikes Accompts

Fee

Officers

reasonable precepte of the sayd president counsaill and Justices & euery of them. And also shall be obedient to all the sayed Justices of peace, shirifes and eschetors, within their limittes of their sayd authoritie, aswell for common administratiō & due execution of Justice, as in all other thinges appertaining to their duties and offices. Item that eschetours shalbee named in euery of the sayd shires by the Lorde Treasorer of Englād, by the aduise of ẏ said President, Counsaile and Justices, or three of thē at the leaste, whereof the said President to be one, which eschetours shall make and take their othes, and knowledge their recognisaunces before the sayed President or one of the sayed Justices by vertue of the kinges writ of Dedimus potestatē, to be directed for the same, for the due execution of their offices, and for their true accoumpt to bee made before the kinges auditour or auditours to be assigned for the same, which othe and recognisance shalbee agreable to ẏ oth and recognisaunce, vsed for the eschetoures in England, and the Eschetoures shall yerely haue their patentes and commissions vnder the great seale of Englād, & shal haue power and authoritie to exercise their offices, in like manner and fourme as Eschetours in Englād, and shalbe bound to al lawes and estatutes of England. Item that al such persons as shalbe appointed to ẏ said offices, shal and may exercise their offices, if they may dispend yerely fiue pound of free holde, any statutes of England to the contrary thereof notwithstanding.

Eschetour

L. Treasorer

L. President

Othe

Patents

b.li.land

And that euery of ẏ said Eschetours shall make their accoumpt yerely before such auditour or auditours as shall bee assigned by the kinges Maiestie to heare & determin his highnes accompt for hys reuennes and profits of the said dominiōs of Wales. Item, there shall bee two Corōners to bee elected in euery of the saied vii. sheres as is vsed in Englande, by vertue of the kinges writ De coronatore eligendo. to bee awarded out of the kinges chauncery of England. And that the saied coroners shall haue like power and authoritie to do & exercise their offices & haue like fees, as is limitted by the lawes & statutes of England.

Accompt

Coroners

Prouided alwaies ẏ the writ de coronatore eligendo to chose coroners wiin the said county of Flint, shalbee directed out of the Eschequer of Chester, Item that the said Justices of peace, or two of them at the leaste, whereof one of them to be of the Quorum, shal appoint & name in euery hundred within the lymits of their commission, two substancial gentlemen or yamen, to be the chiefe Constables of the hundred, wherein they inhabite, which two cōstables of euery hundred, shal haue especiall regard to the conseaution of ẏ kings peace, & shal & may do & vse their offices in al & singuler thinges as is vsed by ẏ high constables of ẏ hundreds in England. And shalbee bound to all things as highe Constables of ẏ hundreds in England be bound to doo. Itē that euery of ẏ said sheriffes shall haue a gaiole of prisoners within some conuenīēt place for the castels of the shere townes where he is sherife, or in such other cōuenīēt place, as by ẏ said President Coūsaile & Justices or iii. of thē, whereof ẏ said President to be one, shalbe appointed: Any patent or grāt here tofore made to any person or persons of ẏ Constableship, or keeping of any of ẏ said castels, in any wise notwithstanding. And that the sheriffe shall make the baylifes of the hundredes, and they to attend vppon the Justices in euery of their courtes and Sessions. Prouyded alwayes that ẏ Constables of the kings castels within euery of ẏ saied shire townes of Wales, shal not be charged wyth ẏ gayle, and of all the prisoners, that shalbee committed to their ward, like as the haue heretofore beene, vnto such tyme conuenient

Justices of ẏ peace

Constables

Gayole

Baylifes

venient places for the purpose, be assigned to the said sheriffe. Item, the sayd sheryffes shall keepe their County monethly, and their hundred courtes for plees under fourty shillinges, as is used in England, & shall take for the entring of plaintes, procesſe, plees, and iudgmentes in the sayed shere courtes and hundredes, such small fees, as is used to bee taken in Sheres and hundredes in England, and not aboue, Item that al maner of trialles beefore them in their said courts, or before any stewardes in court Barons, shalbe by wager of lawe, or verdict of fyre men at the pleasure of the party plaintife or defendaunt that pleaded the plee And that every of ỳ saied sheriffes shal keepe and hold their Tournes yearely after Easter and Michelmas, as there haue ben used in England. Item the kinges highnesse shall haue all manner of fines issues, amerciamentes and forfaitures lost or forfaited in any of the said counties, hundredes, courts, and tournes, to his own use, & the sherike to accompt for ỳ same accordingly. Item that the extretes of the saied tournes, counties, and hundredes shal be viewed, and the fines, issues, & amerciaments, afferred by the said iustices of assises of ỳ circuit, before ỳ leuyinge of ỳ same amerciaments or other forfaytures.

And that no sheriffe, or any of his officers presume to gather or leuie any such amerciament or other forfaiture before ỳ said extrete be so afferred, vpõ paine to forfeit to the kinges use fourty shillinges. And that the sherike vppon euery iudgement had before him in his county, or hundred court, in any plaint vnder fourty shillinges, shall and may award a capias and satisfactiendum, to arrest the partie condempned, or els a Fieri facias, at the lyberty of the partie pursuant. Item that al billes sued before ỳ said Iustices, in personall actions, whereof the debt, entie, or damage is vnder xl.s, ỳ sherike shal haue for the retourne of euery bil two pence, And euery venire facias, tales, habeas corpora, & distresse two pence. And for writs of Execution vppon the iudgement in any such bill xii.d. Item in billes sued before the saied Iustices, in actions personalles, aboue the sume of xl.s. the sherike shal haue for ỳ retourn of euery such bill fower pence, and for the retourne of euery Venire facias, habeas corpora, Distr. et Tales viii.d. and for euery writ of execution, ii.s. And in all personall actions, sued by originall writtes, retournable before the said Iustices, the sherike shall haue for euery Iterum sum. distr. & alias distr. fower pence, & for euery venire facias, habeas corpora, distr. & Tales vi. pence. And for euery writt of execution to be executed vpõ ỳ iudgement, in such actions. ii. s. for the serving of euery writt of Elegit, vi. s. eight pence.

And in all real actions or mixt, pursued before ỳ said Iustices by originall writ, for retourne of euery originall ii. shillings. And for the retourne of euery other writt, and iudiciall procesſe depending vpon the same beefore iudgement, ii.s. And for euery writ of execution after iudgement vpõ euery originall, in actions real or mixt. ii.s. And for serving of euery writ of habere facias seisinam, vi.s. viii.d. Item for attachements vpon Capias, or other procesſe sued before the saied Iustices, by originall or iudicial writ, if he retourne repi corpus. ii.s. And for a reddit se, vpon an exigent of felony, in appeale of murder or maime, or vpõ any indictment of felony or murder, ii.s. And vpon a reddit se, vpon an exigent of debt trespas, detinue, & al other actions personals xii.d. And for ỳ making of Replcg. xvii.d. And Withernam vpon ỳ same twelue pence. For the retourne of euery writt of appeale of murder, felony or maime twelue pence. And vpon all other procesſe growen vppon the same, as Venire facias, Tales, ha-

Countie court

Tournes

Kinge

Fines
Issues
Forfaitures
Sherike

Estreats

Fork.
Sherike

beas corpora.et Diffr.rii.d. And in euery action taken before the shirifes by Justices.for the summe thereof.iiii. d. and for euery other proceſſe thereupon fower pence. And for euery priſoner deliuered by acquital or by proclamation, for any maner of felony.xii.d.

Item that euery sherife within the limittes of his authoritie, may & shall put such persõs vnder common mainprise, as they haue reasonable cause of suſpect, according to the said act made for wales.s.an 26. H. 8. cap.6. bynding such as they shall so putt to common mayneprise, wyth two sufficyent suerties with them by recognysaunce, to appeare before the said Justices, within the limittes of their authorities, at the next great seſſions to be holden,next after the taking of such bands,and shal certifie the names of them that bee bound,before the sayed Justices at the said seſſiõs accordingly, with out concelement thereof, at their pleasure.

Mainprise Suerties Recog.

Item that euery person,that the sherife taketh to common mainprise, to appeare before the said Justices, as is aforesaid, shal pay for his mainprise ii. d.and not aboue. And the saied sherife to put no man to common maineprise but such as bee suſpect, and shalbee returned by them before the said Justyces at their seſſions as is aforesaied. And also the saied Sheriſes shall haue for the returne of a writ of false iudgment,out of a base court,before ỳ saied Justices,two shillinges. And that the said sheriffe shall take no maner of fee for the returne of any of ỳ said writts of execution afore expreſſed, vnleſſe he returne the same executed.

Item that in al and euery such writs originall or iudiciall, or other proces, plees or writings, which be not expreſſed in this ordinaunce, the fees thereof as wel for the seales as writing, shalbe rated by the said Preſident, Counsaile, and Justices, or three of them, whereof the said Preſident to be one,by

L. preſident

their discretions from time to time as the case shall require. And ỳ they shall haue full power and authoritie from time to time to aſſeſſe & appoint, what fee the saied sherife, eschetours & coroners, and their ministers, Prenotaries and their clarks, and other myniſters of Justice in the said shires, shal haue, take, and receiue of ỳ kings subiectes, for any maner writtes,plaint, plees,proces, returnes, or any other matter or thing,concerning or belonging to the execution of their offices & roomes,and to augmẽt or diminiſh any fee or fees, aboue declared,as shalbe thought by their discretions, to bee conuenient and meete for the commõ wealth of the kinges subiectes of thoſe partes of Wales,any thing contained in this act to the contrary thereof notwithſtanding.

Fees

Item that from henceforth no maner of perſon or persons,for murder or felony shall be put to hys fyne,but ſuffer according to the lawes of the Realme of England. Except it pleaſe ỳ kings maieſtie to pardõ him or them. And if the said iuſtices see cause of pytie or other cõſideration, they may reprime the priſoner, till they haue aduertiſed the kings maieſtie of the matter.

Reprim

Item that the act made in the parliament,holdẽ in the xxvi. yere of ỳ moſt roiall raigne of the kings maieſtie, ca. 6.concerning among other thinges,inquiſitions & trials of counterfaitinge, washinge,clypping & miniſhing of the kinges coigne,murders,felonies,& acceſſaries to ỳ same perpetrated or dõe within Wales,to be had,made and determined in the next shere or county, within Englãd adioyning, where the kinges writ runneth, and euery article therein contained, shal stand in his full strength & force, according to the tenour & effect of the same. Any thing in this said ordinaunce, or any other act, cauſe or matter, heretofore hadd or made to the contrary thereof notwithſtanding.

26.H.8.

And

And albeit the same act, s. An. 26. H. 8. ca. 6. as it was neuer put in execution, for any of the said offences heretofor done or committed, within any of the said three sheres of Northwales. That is to say, the counties of Angleſey, Carnaruan, and Merioneth. Be it now &c. that the said act, and euery article therein contained, shal from hēce forth take effect, and bee executed in al pointes, for and concerning any of the said offences, perpetrated or done, or that hereafter shalbee perpetrated or done within the said county of Merioneth, to be enquired of, heard, & determined within the county of Salope, in like manner and fourme, as commonly is & hath bene vsed for any of ẏ same or like offences, committed or done within any other county or place of Southwales. Any matter or cause heretofore risen or growen to ẏ contrary thereof notwithstanding.

Item that the towne or hamlett of Abertannad, and al the ground & soyle within ẏ same, which afore thys tyme hath bene taken, reputed, and vsed as parcel of the said county of Merioneth, shal from the feast of Easter next coming by vertue of this act, be vnited, annexed and made parcell of the sayed county of Salop, and so from thencefoorth to be reputed, taken, and vsed, for euer, & not to bee of any other shere or county of Wales. And that the same towne or hamlet, and all the ground & soyle within the same towne or hamlett, be from & after the said feast, accepted and taken, as part and parcell of the hundred of Oſwester, and that the inhabitauntes thereof, from the sayed feast, shalbe attendaunt and doe euery thing and thinges, with the inhabitāts of the sayed hundred of Oſwester, as the same inhabitants do or bene bound to doo, any lawes or cuſtomes to the contrary thereof notwythstandyng.

Item in case any forein plee or voucher, bee hereafter pleaded or made before any of the said Iuſtices of Wales

Counties

Forein plee Voucher

betwene partie and partie, triable in any other shere within Wales, then where the same plee is pleaded, or voucher made, that then the sayed Iuſtices afore whom the same plee or voucher is or shalbee pleaded or made, shall and may send the kynges writt with a transcript of the recorde, mencioning the same forein matter of plee or voucher, vnder the Seale to hym committed, vnto ẏ Iuſtice of the county, where the same matter is or shalbee triable, commaundyng the sayed Iuſtice by vertue of the said writte, to proceede to the triall thereof, according to the kings lawes and ſtatuts, whych trial so before him had, he shal remaūd with the whole recorde vnto the Iuſtice, before whom the said plee or voucher was pleaded or made, who thereupon shall proceede to iudgement, as ẏ case shal require. Itē in case the same forein plee, voucher, or other matter so pleaded, be triable within the Realme of England: That then in euery such case, ẏ Iuſtice afore whom ẏ same plee or voucher is or shalbe pleaded, had, or made, shal & may proceede to the triall therof, as shal appertaine vnto ẏ same shire of Wales, where the same plee, voucher, or matter was pleaded, ẏ said forein plee, voucher, or any other thing or matter to the contrarie thereof not withstanding. Itē ẏ no maner of person or persons, from hencefoorth vpon lawfull auctoritie, shal make any rumours, tumults, vnlawful aſſemblies or outcryes, at any of ẏ said courtes or ſeſſions, nor any outcries or vnlawfull aſſemblies in great numbers, at any other time or times, except it bee for the apprehentyon or purſuynge of murderers or felons, vppon payne of imprisonment and grevous fine to bee tared and sett vppon thē by them sayd Preſident and Counsayle, or by the Iuſtices or other officer, before whom ſuch miſbehaueur shall happen to bee committed.

Triall

Rumours. Tumults.

Imprison.

Item that all manours, landes, tene-

nements, meſſuages, & other hereditaments, & al rights & titles to the ſame in any of the ſhires of Wales, deſcended to any maner perſon or perſones, ſith the feaſt of ỳ Natiuitie of S. John Baptiſt, in ỳ xxxiii. yere of our ſaid ſoueraigne lordes raigne, or that hereafter ſhall deſcend, be taken, enioyed, vſed, holde as Engliſh tenure to al intents, accordinge to the cõmon lawes of this Realme of Englande, & not to be partable amonge heires males, after the cuſtome of Gauelkind, as here tofore in diuers partes of Wales hath bene vſed & accuſtomed. And that the ſame law, from and after the ſaid feaſt of S. John Baptiſt, in the ſaid xxxiii. yeare, be vſed, taken, & exercyſed in the ſaid Countie of Monmouth, and in all ſuch lordſhips, and other places, as by vertue of the ſaid act, made in the ſaid xxvii. yere cap. 26. or by any other act or actes, made or to bee made, were & ſhalbe annexed, vnited or knitt, to any of the ſhires of Salop, Hereforde, Glouc. or other ſhire, any lawes, vſages, or cuſtomes heretofore had or vſed to the contrary thereof notwithſtanding. Item that no morgages of lãds tenements, or hereditamentes, made or had after the ſaid feaſt of ſaint John Baptiſt, which was in ỳ ſaid 33. yere of the raigne of our ſoueraigne lord, or that hereafter ſhalbe had or made, wỳn any of the ſaid ſhires or places, ſhal be hereafter allowed or admitted, or otherwiſe then after the courſe of ỳ cõmon lawes & ſtatutes of the realme of England, any vſage or cuſtome heretofore had to the contrary thereof notwithſtanding.

Tenure

Morgage

Sell

Item it ſhalbe lawful to al perſons, to alien, ſell, or otherwiſe putt away their landes, tenementes, and hereditaments within the ſayed countrey or dominiõs of wales, the coũty of Monmouth, and other places annexed to any of the ſheres in England, from the & their heires, to any perſon or perſons in fee ſimple or fee taile, for terme of life, or for terme of yers after ỳ maner, and accordinge as is vſed by the lawes of ỳ Realme of England. Any Welſh lawe or cuſtome, heretofore vſed in the ſaid countrey or dominion of Wales to the contrary hereof notwithſtanding.

This article to take effect from and after the ſaid feaſt of the Natiuitie of S. John Baptiſt, which was in ỳ ſaid xxxiii. yere of our ſaid ſoueraigne lords raigne. Itẽ if any perſõ or perſons, hauing lands or tenementes wỳn ỳ ſaid dominion of Wales, bene or hereafter ſhalbe bound wỳn the realme of England by obligation vppon the ſtatute of the Staple, or by recognſance, & pay not the debt as ſhall appertaine, that then vpon certificat thereof made into the kinges Chauncery of England, by the clerke of the Staple, or by any Juſtice of record, before whom ſuch recognſance ſhalbee knowledged, proceſſe ſhalbe made to the ſheriffes of Wales out of the Chauncery of England, after ỳ fourme as is vſed to be made vpon ſtatuts & recognſiances, by ỳ courſe of the lawes of Englande, for due leuying & paying of ỳ ſaid debt. Prouided alwaies & be it &c. that for ſuch recognſiances as be or hereafter ſhalbee taken and knowledged before the kings Juſtyces of hys hyghnes Benche or Common place of Englande, prates ſhalbee hadd and purſued immediatly, out from the ſaid Juſtices, as is vſed vpon recognſiaunces taken before the ſaid Juſtices, by common courſe of the lawes of Englande. Item that all ſuch writtes, billes, plaintes, plees, prates, challenges, and trials ſhalbee vſed throughout al the ſheres aforeſaid, before the ſaid Juſtices in their ſeſſions, as is vſed in North Wales, or as ſhal be deuiſed by the ſaid Preſident, counſayle, & Juſtices, or three of thẽ, where of ỳ ſaid preſident to be one, for ỳ good miniſtration of iuſtice to be had in euery of the ſaid ſheres.

Statute ſtaple

Proces

Recog.

Counti

Trials

Item where the lordſhip of Hope, with

Hope

with diuers other lordshipps, parishes townes and hamletts, were by an act of parliament, made in the xxviii. yere of the raigne of our sayed Soueraigne lord (s. ca. 13. before 31.) appointed & translated from the said county of Denbigh to the county of Flint, and by the same act, were made part, parcell and members of the same county of Flint afore which appoyntment or translation, diuers indictmentes and presentmentes, as well felony, as other offtes were had and taken for the kinges highnesse, before the Justyce of the saied County of Denbigh in the great session there, and some before the Justices of the peace, within the same coũty for offences supposed to bee doone within diuers of the said Lordshipps, so translated, and also dyuers iudgments geuen at suit of partyes before ẏ said Justices, and some before ẏ shirife of the said Countie of Denbighe, for matters risen and growen within the precinct of the sayed Lordshippes, or other places, before the translation of the same.

It is &c. that al the said indictments and presentmentes, shalbe heard, tried and determyned wythin the said county of Denbyghe, by personnes as well of the sayed Lordshipp or place, where as the said offences were doone or cõmitted, as of other place or places wᵗin the saied County of Denbighe, in manner and fourme as though ẏ sayd translation hadde neuer beene hadd ne made. Countie

And also that the sayed iudgementes as before geuen or hadde betweene party and parties, before any Justyce of Record, or other officer wythin ẏ said county of Denbigh, for any matter or cause appearinge by the record of the same to bee growen and risen within any of the sayed Lordshippes, parishes, townes or hamlets, so translated, shal and may bee executed by ẏ shirife of the said county of Denbigh, within any of the same Lordshippes, or other place so translated, the sayed translatiõ, or any other cause or matter to the contrary thereof notwythstandinge.

Item, like lawe & order to bee kept and ministred vpon al other like translations of anie other Lordships, manours, Townes, parishes, and other places within Wales, hadde, made, or doone in this present parliament, or any other afore or after the same translations, or anie other cause or matter to the contrary thereof notwythstandinge. Trãslatiõs

Item where there shalbe diuers and many suites taken before the said Justices in plees personall, which (as it is thought) cannot be tried before them in the time of the said great Sessions, for breuity of time: Therefore and for the speedy triall of those matters, the issues taken in the sayed suytes, shall and may bee tried at a pety Sessions, before the deputy Justices there, as it is and hath ben vsed in the sayed three shires of Northwales. Except such of the sayd suites, as by the discretions of the said Justices shalbee thought necessary to bee tried before themselues, within their limittes. And that there shall no suit bee taken before any of the said Justices by bill, vnder ẏ sũme of xx. s. Pety sessiõs Suit

Item if any murder or felony hereafter be committed, or doone wythin wales, that then the party or partyes to whom anie such offence shal happe to be committed, shall in no wise take any end or agreement with the offenders in that behalfe, nor with anie other in his name or behalfe, vnlesse ẏ sayd partie first make the sayed presidente and Counsayle, or one of the said Justices, priuie vnto the same, vpon payne of imprisonment and greuous fine to bee sett and adiudged, at the discretion of the said president, coũsaile & Justices, or two of thẽ, whereof the sayed president to be one. The same payne and penalties to extend as well Murder Felonie Compositiõ Imprisonm Fine

well to and agaynst such as shall la-
Procure bour, moue, or procure any such ende
or agreement made, although the same
labour, motion, or procurement, ne-
uer take effect, to make any end or a-
greement, as agaynst hym or them,
wyth whom such end, or agreement
shalbe made, if the same happē to take
effect.

Item where diuers Lordships mar-
chers as well in Wales, as in ẏ bor-
ders of the same, nowe beeinge by act
of parlyament annexed to diuers shi-
res of Englande, bee lately cōmen to
the kings handes, by suppression of hou-
ses, by purchase or attayndours, and
nowe bee vnder the Surueiour of the
court of augmentations, or of ẏ kings
generall surueiours, the liberties fraū-
chises & customes of all whych Lord-
shipps, be lately reuiued by act of par-
liamēt, made the xxvii. yere of his most
gracious raygne (cap. 10. whych is in
Fraunchises 12.) Neuertheles his ma-
iestie, willeth and commaundeth, ẏ no
Customes other liberties, franchises or customes
shall fromhencefoorth be vsed, claimed,
or exercised within the said lordshipps
nor any other Lordshippes, wythin
Wales, or the County of Monmouth
whosoeuer bee Lord or owner of the
same, but onely such liberties, franchi-
ses and customes, as bee geuen & com-
maunded to the lords of the same lord
shippes, by force and vertue of the said
act of parliament made for Wales in
ẏ sayd xxvii. yere of his graces raigne
capitulo. 26. and not altered, ne taken
away by hys ordinaunce, the sayd act
made in the sayed xxvii. yere cap. 20. or
any other act graunt, law, or custome
to the contrary thereof notwythstan-
dinge.

Item that if any persone or persons,
their auncestours, or they whose estate
the same persone or personnes haue, or
hath ben in peaceable possession of any
Possession v. yeres landes or tenemantes in Wales by ẏ
space of fiue yeares wythout lett in-
terruption or lawful claime. That thē
the same person or personnes shal still
continue their possession, vntyll such
time as it bee lawfully recouered a-
gaynst them by the order of ẏ kinges
lawes, or by decree of the Presidēt &
Counsaile there.

Item in actions personals, taken & Actions
pursued before ẏ said iustices in wales
by original writte or bil, if nine of the
Jury be sworne to try ẏ issue betwene
the party plaintife & the defendaunt, & Jury
the residue of the said Jury make de- Shyriffes
fault, or be tryed out, then the shiriffes Returns
shal and may immediatly retourne o-
ther names in the sayed Jury, de cir-
cumstantibus, vnto such time there be
twelue menne sworne to trye ẏ issue
betwene them, as beefore ẏ Justices
of Northwales hath beene afore vsed
& accustomed in such cases.

Item that if any goodes or cattels Stollen
bee stollen by any person or persones, goods
and sold in any faire or market, within Fayre
the said dompnion of Wales, that no Market
such sale shall chaunge the propertie Propertie
thereof from the owner of the same,
but that hee may lawfully seaze, take,
and haue the same againe, vpō proofe
thereof made, the sayed sale notwith-
standinge.

Item that no person or persōs bar- Buy
gaine or buy any manner of beast, or Cattell
other quicke cattel, in any place wyth-
in Wales, out of the market or faire,
vnlesse he can bringe forth sufficyent
& credible witnesse of the name of the
person, what place & tyme hee bought
the same, vppon payne and daunger
of such punishment, and fine, as shalbe
lett vppon hym, by the sayed Presidēt Punishe
and Cōsaile, or anie of the said Justi-
ces in hys circuit, for the sayd offence,
and as hee wil therefore aunswere at
his farther peril.

Item if any goodes or cattelles bee Stollen
stollen within the limittes of any the goodes
sayd shires of wales, that then vppon
suit thereof hadde and made, the tract
shalbee followed from towneshipp to
towneship, or Lordship to Lordshipp, pursue

accor-

accordinge to the lawes and customes in that behalfe heretofore vsed in wales vppon such penaltie & daūger as heretofore hath ben accustomed.

Item that euery person that hath any landes or tenements in fee simple or fee taile, or for terme of hys lyfe, or for terme of any other mās life, being free hold, shal and may passe in al maner iuries and tryals, as well in case of felony or murder, as in al actions real personal & mixt whatsoeuer they bee, attaint onely except. Iurors

And also may bee empanelled, and inquire of all concelementes, forcyble entries, & other causes of enquiry for the Kynges maiestie, albeit hee may not dispend foerty shyllinges by yere. Saueynge to euery manne hys lawful Challenge for any other cause, accordinge to the Lawes of the Realme of England. Challenge

Item no Iurrour shall passe in attaint, vnlesse hee may dyspend foerty shillinges by the yeare of estate of free hold. Iurour

Item the tenaunts and reslants in Wales, shall pay their tallage at the change of their Lords, in such places, & after such forme as hath bene heretofore accustomed in wales. Tallage

Item that all the kinges subiectes, and reslaunts in Wales, shall find at all parliaments hereafter to be holden in Englande, knightes for the shires and citizens and burgesses for Cityes & townes, to bee named and chosen by auctoritie of the kynges writt vnder the great Seale of Englande according to the Act in that case prouided, and shalbee charged and chargeable to all Subsidies and other charges to bee graunted by the commons of anie of the sayed parliamentes, and pay all other their rentes, fermes, customes and dueties to the kynges highnesse, as they haue bene accustomed heretofore, fines for redemptions of sessions onely excepted, which the kinges maiestie of his most gracious goodnesse & liberalitie, is contented and pleased to remitte, at the humble suit of hys sayd louinge subiectes of his said dominion of Wales. Parlement Knights Burgesses Subsidies

Item that the Towne of Hauerford west shall after thend of thys p̄sēt parlyament for euer, finde one burges for the said towne, at euery parliamēt after that time to bee holden. And the charges of the same Burges to be alwaies borne by the Maire, Burgesses & inhabitaunts of the said Towne and none other. Burges

Item that the kings maiestie shall haue all felons goods, and goodes of persons outlawed, weife, straies, & all other forfaitures and eschetes whatsoeuer they bee, aunswered therof by the handes of the shirifes, sauing alwaies the rightes and interestes of euery of his subiectes haunge lawfull tytle to haue the same. Kinge Felons goods Sherifs

Item that al errours & iudgements before any of the saied Iustices at any time of the great sessiōs in plees reals or mixt, shalbee redressed by writt of errour, to be sued out of ỹ kings chaūcery of England, returnable before ỹ kinges Iustice of hys bench in England, as other writtes of Errour be in England. Errour Iudgmēts Redress

And that all errours in plees personall, shalbee reformed by billes to bee sued beefore the sayed Presidēt and Counsaile of wales, frō time to tyme as the partie greeued will sue for the same. And if in case the iudgment bee affirmed good in any of ỹ sayed writs of errour or billes, then there to make execution, and al other proces therupon, as is vsed in the kinges bench in England.

And that the pursuauntes in euerie such writte of errour or bill, doo paie like fees therefore, as is vsed in England. Itē ỹ no execution of any iudgement geeuen or to bee geeuen in anie Base Court, bee staied or deferred by reason of any writte of false iudgement, but that execution shall and may Fees Iudgemēts

may bee had and made at al times before the reuersall of the said iudgmēt, the pursuit of the said writte notwythstandinge.

And in case the saied iudgment happen after to bee reuersed, then the partie pursuant to bee restored to all ỹ he hath lost by the said iudgement, accordinge to ỹ lawes of this realme.

Restore

Proces

Item that al proces for vrgent and weightie causes shalbe made and dyrected into Wales, by the spetial commaundement of the Chauncellour of England, for the time beeinge, or any of the kings counsaile in England, as heretofore hath ben vsed, Any thynge in this act to the contrary thereof notwithstandinge.

L. chaūcelor

Item that the Towne of Bewdly which is within the parish of Ribbelford, in the countie of Wigorum, & all the ground & soile of the same towne, shall frōhencefoorth be vnited annexed & made parcel of ỹ cōnty of Wigorne, and to be wythin the hundred of Dodingtre.

Countie

And that all the inhabitaunts of the said towne and parish, shal fromhence forth be attendaunt & doo euery thing and things with the inhabitaunts of ỹ said hundred, as the same inhabitants be nowe bound to do, by the lawes of this realme of Englande. Saving alwaies to the burgeis and inhabitants of the saied towne of Bewdley, al such liberties and franchyses as they lawfully hadde and vsed within the same Towne before the makynge of thys act, in like manner and fourme, as though thys act had neuer ben had ne made.

Item that the Lordshippe of Lanltiffan, Vlterloys, & Langham, and the members of the same, and al mannours, landes, tenementes, and other hereditaments, in the same Lordship, and the members of the same, be from henceforth vnited, annexed, ioyned, named, accepted and taken, as part & parcell of the County of Carmarthin,

Countie

and reputed, ioined, vnited, named, accepted & taken, as part and parcell of the hundred of Derles in the said cōnty of Carmarthin.

And that the tenaunts and inhabytaunts of the said Lordshippe, & members bee attendaunt, and doo euerie thinge and things with the tenaunts & inhabitauntes of the sayed hundred of Derles, as the said inhabitaunts nowe bee bound to do accordyng to ỹ lawes there vsed.

Item that the countie or shire court of the county of Radnor, shal frōhence forth be holden one time at newe Radnor, and one other tyme at Prestein Alternis vicibus, and neuer fromhēce-foorth to be kept or holden at Rather Golwye: Any fourmer act or other thing to the contrary thereof notwithstandinge.

Countie court

Item it is &c. that the kynges most royall maiestie, shall and may at all times herafter frō time to time chāge adde, alter, order, minish, & reformne all manner of thinges, afore rehearsed, as to hys most excellent wisdome and discretion shalbee thought conuenient. And also to make lawes and ordinaunces for the common welth and good quiet of hys saied dompnion of Wales, and his subiectes of the same from time to time, at hys maiesties pleasure: Any thing contained in this act, or in the sayed act made for the shire ground of Wales, or any other act or actes, thinge or thinges, to the contrary thereof heretofore made in any wise not withstandynge: And all such alterations of the premisses, or any part thereof.

Kings

And that all such Lawes and ordinaunces, to bee hereafter made deuysed and published by authoritie of this act by the kynges maiestie in wrytinge vnder his highnesse great seale, shalbee of as good strength vertue and effect, as if they had ben had & made by authoritie of parliament.

Item be it &c. that where the kings maiestie

maiestie that nowe is, by hys letters
L. pattents patentes, bearinge date the first day
of May in the xxviii. yeare of hys moste
prosperous raigne, demised and gran-
ted to William Webbe, the subsidy &
Subsidie wage of all woollen clothes, made, or
to bee made, in the County of Mon-
mouth, and in twelue shires in wales
that is to say, in the county of Brech
noche, Radnor, Mountgomery, Car
marthin, Glamorgan, Pembroke,
Cardigan, Angleley, Flint, Denbigh
Carnaruan and Merioneth, and in all
and singuler Townes and other pla-
ces, whatsoeuer they bee, within the
precinct and limittes of the said coun-
ties, and elsewhere within the domy-
nion of Wales: to haue and to hold
to the said William Webbe, and his
assignes for certaine yeares yet endu-
ringe, that the said William Webbe
hys deputyes and assignes, shall haue
from hencefoorth full power and au-
thority by force of thys act, to take for
Beak woollen clothe the sealing of euery woollen cloth here-
after to be made in the said xii. shires,
& elsewhere within the said dominion
of Wales, as hereafter is declared, &
none otherwise, yis to say, for euery
fees whole pece of frise i.d. euery halfe pece
of frise ob. euery peece cotten & lininge
beinge xviiii. yards and vnder ob. And
for euery peece of the same beeinge a-
boue 24. yardes one peny. Of euerie
brode cloth one peny. Of euery peece
of karsey beinge xviii. yardes, & aboue
one peny: Of euery peece of karsey bee
inge vnder xviii. yeardes. ob.

Prouided alwaies that this act, ne
nothing therein contained, extend not
to charge any manner of personne or
persons being, or that hereafter shalbe
inhabitaunt, in any of the sayed xii.
shires, or else where within the domi-
nion of Wales, for any clothes, frys-
ses, karseis, or lininges, made or here-
after to bee made and occupied, with-
in their houses, & not put to sale to anie
person or persons, but to their seruants
for their wearinge.

And further bee it &c. that the sayed
Aulneger in wales by him selfe, or by his Aulneger
sufficient deputie or deputies shall
in al things to his office appertaining,
doo and be bound to do, and answere
in euery case, like and accordynge as
all and euery other Aulneger in ỳ Re-
alme of England doo or ought to do,
accordinge to the lawes and statutes
of the realme of England. And for the
contrary dooinge or exercisinge of the
sated office, shall in euery case and de-
gree suffer, as by the sayed lawes and
statutes is ordained, established, or en-
acted for Aulnegers vnder the Lorde
Treasourer of England for the tyme
beeinge. And furthermore the kynges
maiestie is contented and pleased, not
withstandinge the statut made in the
xxviii. yere of his moste gratious raigne
ca. 26. that where there should be but
Shires twelue Shires in Wales, ỳ ỳ towne
of Hauerford west, shalbee a Countie
in it selfe, as it hath been beefore thys
tyme vsed, at the wyll and pleasure
of the kynges sayed maiestie, and
that it shalbee seperated from ỳ coun-
ty of Pembroke, at the kinges sayd
pleasure.

And that the kyngs high Justice of
the saied county of Pembroke, shalbee
high Justice of the sayed Countie and
Towne of Hauerford west, and shall
haue like power & authoritie, to & for
Highe Justice the ministration of Justice, within ỳ
sayd county & Towne of Hauerford
west, as is limitted and appointed to
the saied Justyce to & for the adminis-
tratyon of iustice in the sayed Coun-
tie of Pembroke.

And that the Maire, shirife, Baillie, Maior Shirife Baylife
and burgesses of the sayed County &
Towne of Hauerforde west, from
tyme to time shalbe as wel attendāt
and obey al preceptes and commaun-
dementes of the president and Coun-
saile of our sayed soueraigne lord the
kyng in hys marches of Wales, as al
so shalbee attendaunt to al preceptes,
and proces awarded or directed by the
said

sayed hygh Justyce, vnto the Shirife of the sayed Countie and Towne of Hauerfozd west: and to make returne thereof.

Returne

Shirife

And the sayed Shirife of the sayd County and Towne, shall serue all p̄cepts and p̄cess directed from ẏ sayd hygh Justice, in like manner and fourme as the shirife of the sayd county of Pembroke is bound to doo, and accozdinge to the effect and purpozt of the kinges ozdinances in that behaife, had made and p̄couyded. And that it shalbe lawful vnto the said Maire shyrife, bailifes and burgesses of the sayd county and towne of Hauerfozd west afozesaid, to vse and exercise al lawfull liberties and grauntes by the kinges maiestie oz his noble p̄genitours, to them graunted and confirmed at the kynges maiesties will and pleasure accozding to the lawes of the Realme of England & not otherwise. And that ẏ iuditial seale of the said shires of Pembroke, Carmarthin, and Cardigan, be inge in the custody & keepinge of the kings high Justice there foz the tyme being, shalbe vsed in the sayd Countie & towne of Hauerfozd west, as ẏ oziginall and inditiall Seale of the same towne & county.

Maioz Sherife Baylife

Seale

Justice

And that the said Justyce of ẏ sayd shires of Pembroke, Carmerden, and Cardigan, shall haue like power and auctho3itie by vertue of the kings letters to hym made, as well to doo all & euery thinge and thinges, concerning common Justice to bee ministred w̄in the sayed Towne and Countie of Hauerfozd west, as he hath in his said letters patents within any of the sayd shires of Pembroke, Carmerden, and Cardigan.

P̄couided alway, that this article, touchinge and concerninge the county & towne of Hauerfozd West, and all thinges therein contained, shall stand and endure, but onely at the kinges maiesties will and pleasure, and none other wise.

P̄couided alwaies that thys act, oz any thing therein contained, shall not bee p̄iudicial noz hurtful to anie person oz persones, oz bodies politike, foz oz concerninge any lands, tenements rents, seruices, bondmen, tolles, oz other hereditaments, but that they and euery of them, their heires and successours, and assignes, & the heirs successours and assignes of euery of them shall haue, hold, and enioy their lands tenements, rents, seruices, boundmen, and other their hereditamentes, in such lyke maner fourme and condition, as they had the same before ẏ making of this act, & as if this act had neuer bene had ne made.

Wodies pol.

P̄couided also that this act noz any thinge therein contained, shalbe hurtfull oz p̄iuditial to any person oz persons, foz oz concerning any offyce oz offices, which they oz any of the haue, by vertue of any the kings letters patents, being nowe in force before the making of this act, noz to ẏ fees of money, vsed & accustomed to be paied foz the exercise of any such offices, but ẏ euery personne and persons, haupnge such offices and fees, and their substitutes and deputies, shall & may haue and exercise their sayed offices as is limitted by thys act, & as they mought haue doone beefoze the makynge of this act.

And shall also haue and perceiue all such fees, foz the exercise of the sayd offices, in as large and ample manner, fourme and condition, as they myght afoze the makynge of this act, and as if thys act had neuer beene had noz made.

P̄couided alwaies, that all landes, tenements, & hereditamentes, within the sayed dominions of Wales, shall discend to the heirs, accozding to the course of the commō lawes of this realme of England, accozding to ẏ tenour and effect of this act, and not to bee vsed as Gauelkind: Anie thynge cōtained in these p̄cousions, oz any of them

Lands Heires Discend

them, to the contrary therof notwithstandinge.

Prouided alwaies, that this act ne any clause, article or thinge therein cõteined, bee in anie wise prejudiciall or hurtful to George Blũt esquire, sonne and heire of sir Jhon Blunt knight, deceased, for or concerning the offices of stewardshipps of the kinges Lordshipps or manours of Bendley, & Cleburie, or any other office or offices, heretofore grãted vnto ỳ said George Blunt, by the kinges letters patentes sealed vnder the great seale of England, for terme of life of ỳ same George, or for or concerninge any fees wages, rewardes, annuities, profites, cõmodities, aduantages, or emolumẽts appertaininge or belonginge vnto the sayed offices or any of them, but that the said George, his deputie and deputies shall and may at al time & times, duringe the lyfe of the same George, haue, holde, exercise, and enioy the said offices and euery of them, and also percease, leuie, and take the fees, wages rewardes, and all other profites, and cõmodities to the same offices & euery of them, or to any of them belonging, or in any wise appertainig, in as large and ample manner, forme, and condytion, to al intentes, constructions and purposes, as though thys act had neuer ben had or made: any thing before in this act contained to the contrary notwithstandinge.

Liberties Prouided alwayes, that al liberties fraunchises, and priuiledges of ỳ Duchy of Lancaster or in any wise appertaining to the same, shalbe of the same force, plight, quality, goodnes, and cõdition and may be vsed in as large and ample maner as they were before the making of this act, and as if this act had neuer ben had ne made: any thing in this act to the contrary notwithstãding. An. 34. H. 8.

Spiritual. 33 That as wel your said spirituall ecclesiasticall subiectes, Lordes Marchers now hauing lordshipps marchers or lordshipps roial in Wales aforesaid, and their successours, & the successours of euery of them, as also the heirs and successours of the lords temporal marchers, that then were or nowe be, and the heires and successours of euerie of them, beinge or which hereafter shalbe lords marchers within their lordshipps marchers, and lordshippes roials, in the dominion or principality of wales, shal haue and enioy to them, and to their heires and successours, respectiuely and seuerally for euer, the moytie and halfe of euerie forfayture of all and euerie common mainprise, recognisance for the peace or apparance forfayted by any the tenauntes inhabitinge wythin any of their Lordeshippes marchers or Lordshipps Royal, and they to be payd the same moytie or halfe by the handes of ỳ Shirife of the Countie for the tyme beinge, after such fourme and sort, as the sayed lay or temporall lords marchers haue beene, or ought to haue beene paid the same by force of the sayd statut (s. An. 27. Henrici 8. capitulo 26. before 28.) And further shall haue all such rules and profittes of their tenauntes, as the Lordes marchers, spirituall or temporall, respectiuely, or seuerally hadde or vsed to haue at their first entry into their landes in times past, beefore the makinge of the sayd act or statut. And also shal haue, hold, and keepe wythin the precinct of their said lordshipps, al such Courtes barrons, courts leete, and lawdaies, and al and euery thing and thinges to the same courtes belõginge, and also shall haue wythin the precinct of their sayed seuerall Lordshippes or lawdayes, all such waife, straike, inkangtheefe, outlangtheefe, treasure troues, deodandes, goodes, and cattels of felons, & of persones cõdẽpned or outlawed of felony or murder, put in exigent for felony or murder, & also all such wrecke de mere, wharfage, and customes of straungers, as the Lordes marchers spirituall and Temporall

L. marchers

Moitie

Courts

waife & stray

Tempozal respectiuely, and seuerally, had and vsed in times past beefoze the makinge of the said estatut. An. 1. & 2. P. & M. ca. 15.

Bee it declared, explaned, enacted & established by the Quéenes most excellent maiestie, by thassent of ẏ lozds spiritual and tempozall, & the commõs in this pzesent parliament assembled, and by the aucthozity of the same, that the Queenes highnesse, her heires, and successours may & shall at her oz their will and pleasure, haue ful powez pzerogatiue, and aucthozitie from time to time, to constitute, aucthozize, name, oz appoint, two oz moze learned as afozesaid, in the lawes of thys realme, to bee Justices of and foz the said coũties of Chester, Flint, Denbighe, and Moũtgomery: and two oz moze learned as afozesaied, to bee Justices of Nozthwales, vz. of and foz the sayed Shires of Angleley, Caernaruan, and Merioneth: and likewise two oz moze learned as afozesaied, to be Justices of and foz the saied circuit and Shires of Radnoz, Glamozgan, & Brecknocke: and also two oz moze learned as afoze said, to bee Justices of and foz ẏ sayed circuit & shires of Cardigan, Caermerthen, & Pembzoke, and the towne and countie of Hauerfozd West: any law, vsage, opiniõ, oz stat. to ẏ cõtrary notwithstanding.

Justices

And that her maiestie, her heires, & successours, may and shall at her and their good wil and pleasure from time to time, associate, and graunt cõmyssion and commissions of assotiation oz assotiations, vnder the great seale of England, to any person oz personnes learned as afozesaied, to be assotiate to oz with euery oz any such seueral Justice oz Justyces foz the tyme being, of the said seueral circuites and Coũtyes afozesayd, oz in any of the sayd Counties: and that all and euery such two Justices oz moze, within euery of the sayd seuerall circuites and Comites, & also ẏ euery such Justice oz Justices togeather with such person oz persons associate, if any such assotiatiõ oz assotiations shall happen to bee as afozesaid, during such assotiation: and after such assotiation ended, oz without such assotiation, such Justyce oz Justices shall haue the like full powez, pzeheminence, aucthozitie, & iurysdyction fromhencefozth, to all intentes, constructions, purposes, and effectes, as any one Justice within any of ẏ sayd circuites oz shires afozesaid, now hath oz at any tyme hertofoze had oz ought to haue: and also shal haue like powez, aucthozitie, pzeheminence, and iurysdiction, to keepe and hold the seuerall Sessions afozesayed, twise in euerie yere in euery of the said Shires, within their seueral circuites afozesaid, and to heare, determine, ozder, award, adiudge, receiue, take knowledge of, and execute al and singuler causes matters plees of Assises, treasons, murders, felonies, indictments, appeales of murder, felony, and maimes, actions reals personals, and mixt sutes, plaintes, informations, quarels, attauntes, conspiracies, quare impedit, and al actions grounded vpon any statute oz statutes writs, pzocesses, returnes, essoignes, verdictes, iudgemẽts, fines, acknowledges, confessions, warrantes, and executions, actions, and actes what so euer, and to doe, persourme, obserue, accomplishe, and make al and euery other act and actes, matter and matters thing and things, whatsoeuer, in lyke, and in as ample, beneficiall, lawfull, & effectual maner and sourme, to al constructions, qualities, intentes and purposes, as any of the now seuerall Justices, oz any one of the now Justice oz Justices, within the same seueral circuit oz circuites, and Counties afozesaid, may, ought, hath oz might lawfully doe by fozce of any lawe, vsage, oz statute heretofoze had, made, oz vsed, beforе the making of this act: and that from hencefozth al and singuler writs pzocesse, returnes, essoigns, verdictes, iudgments,

Sessions

Oier & ter.

Comissiõs

writs

iudgemẽts, fines, recoueries, recognisaūces, acknowledges, confessiõs act & actes, thing & thinges, matter & matters, as aforesayd, had, made, taken, doone, returned, heard, determined, awarded, adiudged, or executed by or before any such two Iustices or more: or any such Iustice or Iustices, and associat or associates, as aforesaid, to bee appointed, nominated, auctorized, or cõstituted as aforesaid, shalbe allowed take, construed, expounded, and adiudged as good, effectual, and auayleable, to al intentes, costructions & purposes, as if ỳ saide had bẽ had, made, take, done returned, heard, determined, awarded, iudged or executed by or before any such one Iustice, or one of the Iustices nowe, or late being iustice or Iustices of the same circuite, or seueral circuites aforesaid: any lawe, vsage, statute, act, ordinance or prescriptiõ to ỳ cõtrary, in any wise notwithstãding. An. 18. El. cap. 8.

¶ *VValsingham.*

Anno. 35. H. 8. cap. 13. an act was made whereby it was auctorized that the demesne Lands in Walsingham belongynge to the late priorie there, might bee let by copie, and bee copyholdes. Copyholdes

¶ *VVapping marshe.*

An. 35. H. ca. 8. 9. an act was made concerninge the partition of wapping marshe.

¶ *VVardes.*

IF the heire of any such bee within age, his lord shal not haue the warde of him, nor of his land, before that hee haue taken of him homage. And after that such an heire hath beene in warde (when he is come to full age) ỳ is to say, to thage of xxi. yeres, he shal haue his inheritaunce without reliefe and without fine, so that if such an heir being within age bee made knight, yet neuertheless hys land shal remaine in the keeping of his lord vnto the terme afforesaid Mag. ca. 3. Homage Relefe Knight

2 ¶ Heires shalbe maried without disparagement. Magna carta ca. 6. Anno 9. H. 3. Disparagment

3 ¶ If any do hold of vs by fee ferme or by socage or burgage, & he holdeth lãds of an other by knights seruice, we shal not haue ỳ custody of his heir nor of his lande, which is holden of the fee of an other man, by reason of that fee ferme, socage, or burgage, except knightes seruice be due vnto vs, out of the same fee ferme, nor we shal not haue the custodie of the heire or of any land by occasion of any petty sergeantie that any man holdeth of vs by seruice, to pay a knyfe, and arrowe, or other lyke, in case the land be holden of an other lord by knightes seruice. Mag. car. ca. 27. An. 9. H. 3. Fee ferme Knights seruice Petty sergeantie

4. ¶ Of heires that be led away, with holden, or maried by their frendes or by other with force against our peace. This it is prouided that whatsoeuer lay man be conuict therof that he hath so withholden any child, lead away, or maried, he shal pelde to the looser ỳ value of the mariage. And for the offence his body shalbe taken and imprisoned vntill he haue recompenced the loser, if the child be maried, and further vntill he hath satisfied ỳ king for the trespas. And this must be done, the heire beeinge within the age of sowertene yers. And touching an heire being xiiii. yeres old, or aboue vnto his full age, if he marrie without the licence of his Lord to defraude him of the mariage, & his lord offer him reasonable & cõuenient mariage (wout disparagement) then his lord shal hold his land beyõd ỳ terme of his age, ỳ is to say xxi. yeres, so long that hee may receiue the double value of the mariage, after the estimation of lawfull men, or after as it hath bene offered him beefore wout fraude and collusion, & after as it may be proued in the kinges court. Perton. ca. 6. Anno 20. H. 3. Wold xiiij. yeres old Mariages

Villaines

5 ¶As touching lordes, which marie those ỹ they haue in ward to villaines or other, as burgesses, where they bee disperaged, if such an heire be within ỹ age of xiiii. yeres, and of such age that he can not consent to mariage: then if his friendes complaine thereof, the lord shal lose ỹ wardship, vnto the age of the heire. And all the profitte that thereof shalbee taken, shall bee conuerted to the vse of the heire beeinge within age, after the discretion & prouision of his friends, for the shame dõe to hym, but if he be xiiii. yeres & aboue so that he may consent, & do consent to such mariage, no paine shall followe.

Fozf.

xiiij. yeres old

Refuse

¶If an heire (of what age soeuer hee be) will not mary at the request of his lord, he shal not be compelled thereto, but when he commeth to full age, hee shal geue to his lord, and pay him as much, as any would haue geuen him for ỹ mariage, before the receipt of his land, & that whether he wil mary him selfe or not, for ỹ mariage of hym that is within age of mere right pertaineth to the lord of the fee. Merton cap. 6. & 7. An. 20. H. 3.

Feoffement

6 ¶As touching thẽ that vse to enfeffe their eldest sonnes and heires, being vñ in age, of their heritage, for to defraud the lordes of ỹ fee of their wardships: It is prouided and agreed, that by occasion of any such feoffement no chiefe lord shall leese his warde. Moreouer towching them that feine false feoffements of their landes, which they wil lease for terme of yeres, for to defraud the chiefe lordes of their wards, wherein it is contained, that they are satisfied of the whole seruice due vnto them, vntil a certain terme so ỹ such feffees are bound at ỹ said terme to pay a certaine summe to the value of the same lands, or farre aboue, so that after such terme ỹ land shal retourne to them or to their heires, because no man wil be content to hold it vpon the price: It is prouided & agreed, that by such fraud no chiefe lord shall lese his warde, neuertheles it shal not be lawful to them to dissesse such feffees without iudgement, but they shall haue a writte for to haue such a warde restored vnto thẽ, & by the witnesses, contained in the dede of feoffement, with other free and lawfull men of the countrey, and by the value of the land, and by the quantitie of ỹ summe paiable after the terme, it shalbe tryed whether such feoffements were made vpon very confidẽce, or by collusion to defraud the chiefe lordes of the fee of their wardes. And if the chiefe lordes in such cases recouer their wardes by iudgement, the feoffees shal neuertheless haue their action to recouer such terme or fee (which they had therin) vpõ ỹ heires cõe to their lawfull age. And if any chiefe lordes do malitiously implease such feffees, seeing this case, namely where the feoffements were made lawfully, & vpon very trust, then the feffees shall haue their damages awarded, & their costes which they haue sustained by occasion of ỹ forsaid plea, & the plaintifes shalbe grieuously punished by amerciament. Parl. ca. 6. An. 52. H. 3.

Fraude

Writ

Damages

7 ¶In a cõmon plea of ward, if the defendour come not at ỹ great distres, then ỹ said writ shalbe renewed twise or thrise at such termes as it may bee done within the halfe yere following, so that euery time the writ shalbe read in the open countie (if the defendour be not found before) and there openly be proclaimed, that he may come at ỹ day limitted: so that if hee absent hym selfe then, so that hee come not to answer within ỹ said half yere, nor ỹ sheriffe can not get his body, to haue it before our Iusticers, to answer according to the laine & custome of the Realme: then as a rebell and such one as will not be iustified, he shal leese the seisin of ỹ warde: saung to him his actiõ at another time: if he haue any right to ỹ sãe. But in such cases, wher ỹ wardships belong to the kepers of wardes, being within age, and where ỹ kepers de-

Graund distres

Rebell

Fozf.

remaind a wardshippe, which belongeth to the heire, or as apertaining to their inheritaunce: such heires within age shall not lese their inheritaunces by the negligence or rebellion of their keepers, as in the case afore rehersed, but let the common law renne in like maner as it hath ben accustomed to doo. Marlb.ca.7.An.52.H.3.

Boragе

8 ¶ It is prouided, that if land holden in borage be in the custodie of the friends, of the heire, because the heire is within age, the keepers shall make no wast, nor sale, nor any distructiō of the same inheritance, but safely shall kepe it to the vse of the said heire, so ỳ when he commeth to his lawfull age, they shal aunswere to him for ỳ issues of the said inheritance by a lawfull accompt, sauing to ỳ same keepers their reasonable costes. Neither shall ỳ said keepers giue or sell the mariage of such an heire, but to the aduauntage of the forsaid heire. But the next kyrendes which had the ward (for all that tyme that writtes of impleding did not lye) shall haue such wardship vnto the aduantage of the heire, as is saied before without wast, sale, or distruction making. Marleb.ca.17.An.52.H.3.

Wast

Sale

Wast

9 ¶ In right of landes, of heyres being within age, which be in ward of their Lordes: It is prouided, that the wardens shall kepe and susteyne the land without making distruction of any thyng. And that of such manner of wardes, shalbe done in al pointes as is conteined in the great charter of liberties made in the time of king Henry, father to the king that now is, and that it be so vsed from henceforth. And in ỳ same maner shal archbishoprickes, bishoprickes, abbaies, churches, & al spirituall dignities be kept in time of vacation. Will.ca.21.

Archbishoprickes

Bishoprickes

Vacation

Marie

¶ Of heires maried within age, without ỳ consent of their keepers, afore ỳ they be past the age of xiiii. yeares, it shalbe done according as it is conteyned in ỳ statute of Merton. And of the which shalbe maried without the consent of their kepers, after they bee past the age of xiiii. yeres, ỳ keper shal haue the double value of their mariage after the tenour of the same act. Moreouer such as haue withdrawen their mariage, shall paie the ful value thereof vnto their keper for the trespas, and neuertheless the kinge shall haue like amendes according to the same act, of him ỳ hath so withdrawen. And of heirs females after they haue accomplished ỳ age of xiiii. yeres, & the lord (to whom the mariage belongeth) will not marry them, but for couetous of the land will kepe them vnmaried: It is prouided, that the lord shal not haue nor kepe by reason of mariage, the landes of such heires females more then two yers after the terme of the said xiiii. yeres. And if the lord within ỳ said two yers do not mary them, then shal they haue an action to recouer their inheritaunce quite without geruinge any thyng for their wardship or their mariage. And if they of malice, or by il counsaile will not bee maried by their chiefe lordes, (where they shal not bee disparaged) then their lordes may hold their landes & inheritance, vntil they haue accōplished ỳ age of an heire male, ỳ is to wit xxi. yers, & further vntil they haue takē the value of ỳ mariage. W.1.ca.22.

ij. Value

Pay

Women 14. Yeres

Heir

11 ¶ In case where inheritance, discēdeth to one being vnder age of ỳ fathers side, ỳ held of one lord, & ỳ mothers side ỳ held of an other lord, there hath ben hetherto great doubt for ỳ mariage of such an heire, to which of the ii. lordes it should belōg: It is agred, ỳ ỳ same lord shal frō henceforth haue ỳ mariage, of whō ỳ childes auncestour was first infeffed, not hauing respect to ỳ sere, nor to ỳ quantitie of ỳ land, but onely to the more auncient feffement by knightes seruice. W.2.ca.6.

Auncient feoffement

12 ¶ Concerning children males or females (whose mariage belongeth to an other) taken and caried away, if ỳ rauisshour haue no right in ỳ mariage,

Rauish

though afterward he reſtore the childe vnmaried, or els pay for the mariage, he ſhal neuertheles be puniſhed for his offence by two yeres impriſonment, & if he do not reſtore, or do marry ỳ childe after the yeres of conſent, & be not able to ſatiſfie for the mariage, he ſhall abiure the realme, or haue perpetuall impriſonment, & thereuppon the plaintife ſhal haue ſuch a writ.

Imprison

Abiure

Si A. fecerit te ſecurũ de clamore ſuo &c. tũc pone per vadium &c. B. quod ſit coram iuſticiariis noſtris &c. oſtenſurus, quare talem heredem infra ætatem exiſtentem, cuius maritagium ad ipſum pertinet, tali loco inuentum, rapuit & abduxit, contra volũtatem ipſius A. & contra pacem noſtram &c.

And if the heire be in the ſame county then this clauſe muſt be thereto added. Et diligenter inquiras, vbi ille hæres ſit in balliua tua: Et ipſum (vbicunque inuentus fuerit) capias, et ſaluo & ſecure cuſtodias, ita quod eum habeas coram prefatis iuſticiariis noſtris ad prefatum terminum, ad reddẽdũ cui predictorũ A. & B. reddi debeat.

And ſiut ſhalbe made againſt the partie, on whom complaint is made, vntill he come in by diſtreſſe, if hee haue whereof he may bee diſtrained, or elſe for his cõtumacy, in caſe he be not iuſtifiable, he ſhalbe outlawed. And if per caſe the heire bee maried or caried into an other county, then a writ ſhalbe directed to the ſheriffe of the ſame there in this fourme.

Diſtreine
Outlawed

Queſtus eſt nobis A. qd' B. nuper talẽ hæredẽ infra ætatẽ & in cuſtodia ſua exiſtentẽ, tali loco in comitatu tali rapuit, & ab comitatu illo ad talẽ locũ in comitatu tuo abduxit, cõtra voluntatẽ ipſius A. et cõtra pacẽ &c. Et ideo tibi præcipimus, qd' predictũ heredẽ (vbicunq; eum in balliua tua inuenire poteris) capias, et ſaluo & ſecure eũ cuſtodias, ita qd' eũ habeas corã iuſticiariis noſtris &c, tali die, quã idem A. habet verſus predictũ B. ad reedendũ cui de iure reddi debeat. And if ỳ heire happen to die, (before he be reſtored, or afore he can be found) the plea ſhal paſſe betweene them neuertheleſs, vntil it be tried who ought to haue had it, if hee had bene liuing. Neither ſhall the raviſhour be excuſed or eaſed of ỳ puniſhmẽt aforeſaid, by the death of ỳ heire, whõ he did withhold by wrong during his life. And if the plaintife die before ỳ plea tried, if ỳ right belong to him by reaſon of his proper fee, the plea ſhall be reſũmoned at the ſuit of the heire, of ỳ plaintife, & ỳ plea ſhal paſſe in due order, but if ỳ right belõged to him by an other title, as by a title of gift, ſale, or other like, then the plea ſhalbe reſũmoned at the ſuit of the executours of the plaintife, & the plea ſhal paſſe as before is ſaid. In ỳ ſame maner if the defendaũt die, before ỳ plea be tried, or ỳ plea be reſtored, the plea ſhal paſſe by reſũmõs betweene ỳ plaintife, his heires or executors, & ỳ executours of the defendaunt or his heires: if the executors be not ſufficient to ſatiſfie for ỳ value of ỳ mariag after, as it is cõtained in other ſtatutes, but not as to ỳ paine of impriſonment: for none ought to be puniſhed for the offence of another. In the ſame maner when a plea hangeth betwene parties for ỳ warde of land, or of an heire, or of both, by ỳ cõmon writ that beginneth. Precipe tali. &c. qd' reddat &c. reſũmõs ſhalbe made betwene ỳ heires & executors of ỳ plaintife. And likewiſe ỳ heires or executors of ỳ defendaunt, if death preuent any of ỳ parties afore ỳ plea determined. And whẽ they haue paſſed vnto ỳ great diſtres, a day ſhalbe geuẽ wherin iiii. courts may be holden at the leaſt: in euery of which, open proclamation ſhalbe made that the defendour ſhal come in to the hedy at ỳ day contained in the writ, to anſwer ỳ plaintife: at which day if he cõe not, & ỳ proclamatiõ be ſo returned once, twiſe, or thriſe, ỳ iudgement ſhal paſſe for ỳ plaintife, ſauing ỳ right of ỳ defendãt, if afterward he wil claim it, in ỳ ſame maner it ſhalbe dõ in a writ of

Dis

Reſũmons

Heires Executors

Days

of trespas, whē any complaineth him selfe to be ejected from such wardshipp pes. W.2.ca.34.

Kinge 13 ¶Our soueraigne lord the king shal haue the warde of all the landes of such as hold of him in chiefe by knightes seruyce, whereof the tenauntes were seised in their demesne as of fee, at the day of their death (of whom soeuer they hold else by like seruice, so that they held of auncient time any land of the Crowne) vntill the heyre come to his lawfull age, except the fees of the Archbishop of Caunterbury, the Bishop of Durham, betwene Tyne and Tese, fines of Earles and Barons in the marches, where the kings writts doe not lie, and whereof the said Archbishops, Bishops, Earles, and Barons ought to haue such wards, though they held of ỳ king in some other place. Prerog.Regis.ca.1, 17.E.2.

Bishops

King Mariage 14 ¶Also the king shall haue the mariage of an heire being within age, and in his warde, whether the landes of such heires haue appertained to the Crowne of auncient continuance, or that it came by reason of Escheate, being in the kings handes, or that he had the mariage by reason of the wards of the Lords of such heyres, without any respect to ỳ prioritie of feoffemēt, al bee it they held of other. Prerogatiua regis capitulo, secundo Anno 17. Edwardi.2.

Woman 15 ¶If any woman (before the death of her auncestour that held of the king in chiefe) be maried before she be marigeable, thē ỳ king shal haue ỳ warde of the body of the same woman, vntill she be of age able to consent, & then she may chose, whether shee wil haue him to whō she was first maried, or him ỳ ỳ king wil offer her. Prerogatiua regis ca.6. An.17.E.2.

Chuse

Relefe 16 ¶It is to wete, ỳ where any relefe is geuen, there wardeship is incident, & contrary wise. And such as hold by serieātie to go wᵗ ỳ king in his hoste their warde & relefe are incident. And such as holde by petit serieantie, as to beare shield or speare in ỳ kings hoste, to beare or to cary, neither lyeth neyther warde mariage, nor relefe. Also a free sokemā shal not geue wardenor relefe but he shal double his rēt after ỳ death of his auncestour, according as hee hath vsed to pay, & shal not be vnmeasurably greued. Now somewhat is to bee said of the nature of hauinge wardes. There be two manner of writtes to haue wardes, one is where landes bee holden in knightes seruice, the other is where landes be holden in socage. The ward of land that is holden in knights seruice, belongeth to the chiefe lord, & mariage, which ought to be without disparagement, as the great chartour limitteth, vntill hee commeth to ỳ age of xxi. yeres. The warde of an heire ỳ holdeth in socage, if the inheritaūce discende of his mothers side, then it beelongeth to the next frend of ỳ fathers side, & contrary wise. And a writt to recouer ward, may be brought in three maners, one is whē a mā demaūdeth warde of the land and of the heire, & ỳ is in case when a man holdeth land of an other by knightes seruice, and ỳ tenaunt dieth, then may the chiefe lorde (if he be deforced) demaund ỳ warde of his land & heire, & shal haue both ward and mariage. An other maner is whē a man is enfeoffed of a rodd of land by one mā, & by an other, of an other rod, the second lord may not bring a writte of ward to recouer either ỳ land or the heire, for the ward belongeth to ỳ lord, of whō he was first infeffed. The iii. manner is, where a man hath land in his hāds by reason of a ward, and hath not ỳ heire, then he may bring a writte to demaund ỳ heire & not ỳ lande. An. 28.E.1.stat.of wards.

Sokeman

Writtes

Sergeanty

17 ¶After the death of euery persone which holdeth of the kinge in chiefe, ỳ the eschetours shall do to be seysed into ỳ kings hands ỳ lands, as pertaineth, wout doing waste in houses, woodes, parkes, pondes, and other extortions,

Chiefe Eschetors

waste

which may fal to the dammage of the heire. And hastely after ꝑ diem clausit extremum, delyuered to hym, to retourne the same by a good and true extent in the chauncery: after which returne if it be found that the heire is wᵗ in age, and the next frendes of ꝑ heire to whom the inheritaunce can not discend, shal come and offer them to take the said lands, yelding the value to the king till the age of the heire, as farre forth as other wil yeld without fraud by accord betwirt the Chauncellour & ꝑ Treasourer, they shal haue commission to kepe the said lands by good and sufficient suertie til the age of the saied heires, and to aunswer the king of the value. And it is not the kinges intent that by this statut hee bee forclosed to haue an actiō of wast against such gardeins and fermours, as hee and hys aūcestours haue had before this time. And that the heires, when they came to their age shall haue their accion by writ of wast against such gardeins and fermours. An. 14. E. 3. ca. 13.

Next frēds

14. yers old

18 ¶ Women being of the age of xiiii. yeres at the time of the death of their aunceſtoures, without any question or difficulty shal haue delyuered vnto thē their landes and tenementes to them discended, for the law of ꝑ lād wil, that they shal haue ꝑ same. An. 39. H. 5. c. 2.

Feoffmēts willes

19 ¶ An. 14. E. 4. ca. 1. it was enacted that they that then shouldgo ouer with ꝑ king in his warres, might make feoffements and alienations of their lāds & might make their willes, & the feffees & executors to haue ꝑ warde & mariage of the heire &c.

Writte

Reliefe

waſt

20 ¶ An. 4. H. 7. ca. 17. the statute of Marlebridge concernyng collusion of wardes is confirmed, & it is enacted ꝑ ꝑ lord of cestui que vse, no wil declared &c. shall haue a writ of right of warde for ꝑ body & ꝑ land: & ꝑ heire of cestuy que vse, beeing at full age at ꝑ death of his aunceſtour, shal pay reliefe, & the heire of cestuy que vse, shal haue like action of wast, as if ꝑ aunceſter had died seysed, as if the Lord bee barred in hys writ of ward, ꝑ defendaunt shall recouer damages.

Damages

21 ¶ An. 4. H. 7. ca. 4. it was enacted that they that were or should be in the kings wages in Britain, might make feoffements & willes, & the feffees or executours to haue ꝑ warde & mariage of the heire &c.

Feoffement Willes

22 ¶ An. 7. H. 7. ca. 2. it was enacted that they that thē should go ouer with ꝑ king in his warres, might make feffementes & alienations of their landes & might make there willes, & ꝑ feffees to receiue the profits of the lands for a certaine time, saiuing to ꝑ king ꝑ mariage of their heires, & that their heires should sue no liuery but haue a licence &c. & couenaūts of mariage to be good, & serieants at armes to lose their fees ꝑ went not wᵗ the king.

Feoffemēts Alienatiōs Willes

Mariage

Serieants

23 ¶ An. 3. H. 8. ca. 4. & An. 14. H. 8. cap. 14. it was enacted ꝑ they ꝑ should go with the king in his warres, might alien their lāds, without paying fines for ꝑ alienation, & that their heires wᵗin age should be in warde to ꝑ feoffees or executors &c.

Alien

24 ¶ The king &c. ordeineth, maketh establisheth & erecteth a certayn court, commonly to be called for euer ꝑ court of the kinges wards, which court by ꝑ auctho*r*itie afo*r*esaid, continually & for euer shalbe a court of record, and shall haue one seale to be engrauen & made, after such fourme, fashion, & maner, as shalbee appointed by the kinges highnes, & shal remaine & be ordred as here after shalbe declared.

Court

Seale

And also be it &c. that there shalbe one certaine person to be named & assigned by the kinges highnesse, his heires and successours, which shalbee master of ꝑ same court, & shalbee chiefe & principall officer of the same court, & shalbe called master of the wards, & shal haue ꝑ keping of ꝑ said seale, to be assigned for ꝑ said court. And also be it &c. ꝑ there shal be one person to be learned in ꝑ lawes of this land, to be named & assigned by

Master

the

the kinges highnesse, which shalbe called the kings attourney of ỳ said court, & shalbe the seconde officer of the same court. Also be it &c. ỳ there shalbee one person to bee named & assigned by the kinges highnesse, which shalbe called ỳ kinges receiuour generall of the landes of his wardes, & shalbe the thyrd officer of the same court. Also be it &c. that there shalbe two persons to be named by the kinges highnesse, which shalbee called the auditours of the lands of his graces wards, & shalbe called ỳ iiii. officer of the same court.

Also be it &c. that there shalbe ii. clerks to be named & assigned by the kynges highnesse to be clerks of the said court, which shall make all indentures, bargaines and leases, to be made & graunted of the kinges wardes lãdes, record all apparaunces, & make all ordynary proces & entries, out & frõ ỳ sãe court. Also be it &c. ỳ there shal bee one other person to bee named & assigned by the kinges highnes, which shalbee ỳ messenger of the said court, & one other person to be named & assigned by ỳ kings highnes which shalbe called the husher of the same court, which messenger & husher, & eyther of them shal have such like profits & aduauntages, as the messenger & husher of the kinges Duchye chamber at Westm. haue and perceiue Also the said master of ỳ kings wards which shalbe appointed by the kinges highnes, shal take a corporal oth before ỳ Lord Chauncellour of England for the time being after ỳ tenour ensuing.

Attourney

Receiuour

Auditours

Clerks

Messenger

Husher

Othe

Ye shal sweare, that ye well & truely shal serue the king in the office of the master of the kinges wards, & shal minister equall iustice to poore & riche, to the best of your cunning, witte, & power, & that ye shal diligently procure al things which may honestly and iustly be to the kinges aduauntage & profit, & to the augmentatyon of the ryghtes and prerogatiues of his crowne, and truely vse the kings seale appointed to your office, and also to endeuour your selues to the vttermost of your power, to see the kinge truely and iustly answered yearely of al such rentes, reuenues, issues, and profites, which shal or may arise, growe, or be due to the king in your office, and from tyme to tyme deliuer with speed such as shall haue to doe afore you. And ỳ ye shall not take nor receiue of any persone any gift or reward in any cause or matter depending before you, or wherein the kinges highnesse shalbee party, whereby any preiudice, losse, hinderaunce, or disherison, shal growe or be to the kings highnesse, so helpe you God & al Saintes.

Also ỳ said attourney shal take a corporal oth before ỳ said master of ỳ wards accordinge to the tenour ensuing. Ye shal swere ỳ ye well & truely shal serue the king as his attourney, in al courts, for & concerning any matter or cause ỳ shal concerne or touch the possessions & hereditaments limitted to ỳ suruey & gouernaunce of this court, and procure the kinges profite thereof, & ỳ ye shall truely counsaile the king & the master of this court in all thinges concerning the same, to the best of your cunninge, witte & power, & that with al speede & diligence from time to time, at ỳ calling of the said master, ye shal endeuour your selfe for ỳ hearing & determinatiõ indifferẽtly of such matters & causes as shall depẽd before ỳ said master, And that ye shall not take any gift or reward in any matter or cause depending in the same court, or els where, wherein the king shalbe party, whereby the kinges maiestie shalbee hurted, hindred, or disherited, & further ye shal do to your power, wit, & cũning, al & every thing, ỳ shal appertain to your office, so helpe you God & al saints. And ỳ said receiuor general shall take a corporall oth before ỳ said master, of the said court, accordinge to ỳ tenour ẽsuing Ye shal sweare that ye shal wel & truely serue ỳ kinge our soueraigne lord & his people in the office, of ỳ gentral receiuour of his court.

Attourney

Othe

Receiuour

Othe

And ye shall reasonably and honestly procure the kinges profit, and do right to all manner of people, poore & riche, in those thinges which touch your office. And the kinges receipt of his money, you shall truely keepe, dispende, pay and deliuer, and true declaration and accompt thereof shall make from tyme to tyme, without any concealement, according to this act made for ỳ stablishment of this court. And further shal do euery thing ỳ of right appertaineth to your office, so helpe you God & al Saintes.

Auditours

Also the saied auditours shall take a corporall othe before the saied master, after ỳ tenour ensuing. Ye shal sweare that ye truely shal serue ỳ king in your office, & true allowance make to euery person, which shalbe accõptaunt before you, and you shall not take nor receiue of poore nor rich any gift or reward in any matter or cause depending or to be discussed in the same court, but such as shalbee ordinary appertainings to your office, whereby the king shalbee hurted, hindred, or disherited, & ye shall do al & euery thing, which shalbe appertaining to your office, so helpe you God & all Saintes.

Othe

Also al perticuler auditours, that shal belong and bee appointed to the sayed Court, shal take a lyke corporall othe before the said master of the wardes. Ye shall swere as is before in the next article.

Also be it &c. that al wardes, which the kinges highnes now is, or hereafter shalbe intituled to haue, with theyr manours, lands, tenementes, rents, remainders, reuertions, seruices, & all other hereditaments whatsoeuer they bee, aswell in possession, as in reuersion, & al reuenues, issues, profits of the same, and euery part thereof, for the time the same shalbee or ought to bee in ỳ kinges possession, shalbe in the order, surney and gouernance of the said court, & the ministers of ỳ same, in maner & fourme as by this act is declared & limitted.

Also be it &c. that the said master of the Wards, Attourney, Receiuour generall, & Auditours, or three of them, whereof the said master shalbe one, for the time beeing, shal haue authoritie

to

Receiuours

Also al particuler receiuours appointed by the said master, attourney, receiuour generall, and auditours or three or towe of them, whereof the master to be one, to receiue any reuenues and profits within the surney of the same court, shall take a corporall othe before ỳ said master of ỳ wardes after the tenour ensuing.

Othe

Ye shall sweare that ye truely shall serue the king in your office, & nothing conceale, but true accompt make of all such reuenues, rẽts, summes of mony & other profites wherewith ye shalbee

Clerks

Also the said clerks of ỳ counsaile of ỳ said Court, & euery of them shal take a Corporall oth before ỳ said master after ỳ tenour ensuing.

Othe

Ye shal swere that ye shal wel & truely serue the king in your offices of clerkes of ỳ coũsail of his court, & truely do & execute all & euery thinge & thinges which ye ought to do by reason of your office, according to ỳ fourme & effect of this act so helpe you God & all saintes.

Surueing Feodaries

Also that al surueiours and feodaries that shalbe appointed by ỳ said master Attourney, Receiuour general, & auditours of the said Court, or iii. or ii. of them, whereof ỳ master to be one, shal take a corporall oth before ỳ said master. Ye shal swere &c. vt in proximo articulo precedente.

Othe

lawfully charged by reason of your office: ye shal make no petition nor aske allowance but such as shalbe good, iust true, & reasonable, & also truely content & pay to ỳ king al such summes of money as shall come to your handes: & ye shal do al & euery thing and thynges, which ye ought to do by reason of your office, according to the fourme & effect of thys act, so helpe you God and all Sainctes.

Sale to make sale and graunt of the kinges wardes, and of euery of them from time to time, and of such part and portion of the landes in possession and reuersion, or anie of them, during ẏ mynority and nonage of the same ward that shalbee so solo and graunted, and as longe as the same lands or reuersion shall remaine or bee in the kynges handes, as they shall thinke most conuenient. The same sale and graunt to passe by the kinges bil assigned, whych bil assigned shalbee warrant sufficient to the Chauncellour of England for ẏ time beinge, to make forth the kinges letters patents vnder ẏ great seale of England, according to the tenour of the same bill, payinge for the same all and singuler like fees for seales & writinges as heretofore hath ben vsed and accustomed to be paid for the same in the Chauncerie, and to the signet and priuy seale, and to euery of them. Also be it &c. ẏ the said master of the wards for the tyme beeinge, with the aduise of the said attourney and receiuour generall or one of them, shall haue authoritie without the kinges bil assigned to make wooodsales to the kinges vse, of all vnderwoodes, vppon any of the kynges wardes landes, beeynge lawfully in the kinges possessyon, and to take and appoint timber for the necessary reparatyons of all the Cattelles, manours, lands, tenements & parkes of the sayed wardes, and shal haue also like power & authoritie in ẏ kinges name, to make leases durynge ẏ mynoritie of the sayed wardes: and further as is aboue written, by their discretions of all and singuler lordships, mannours, landes, and tenementes, remaynynge in the kinges handes and possessyon, beelongynge to the sayed wardes and euery parcel thereof, yeldinge to the kinges highnes, his heirs and successours, such rentes as by the sayd master of the wardes, attourney, receiuour generall, and auditours or three of them, whereof the said master to bee one, shalbee thought conuenient by their discretions and suruey. And be it &c. that the said master of ẏ wardes for the time beeinge, shall haue authoritie by this act, to make & appoint all and singuler particuler receyuours feodaries, and Surueyours in euerie shire, and also fees for the executynge of the same vnder the seale of the same office, in such wise as ẏ same officers may be alwaies remouable at the discretion of the sayd Court. Also bee yt &c. that the sayed master of the wards for the tyme beeynge, shall haue authoritie by this act, to make allowãce likewise of the costes of al commissioners, particuler receyuours, surueiors, auditours, counsailours and feodaries and euery of them by his bill assigned, whych bill shalbee warraunt sufficyẽt to the auditours belonginge to ẏ same office, to make due allowaunce of the same. Also be it &c. that the sayd master of the Wardes in all places, & the said attourney, receiuour general, and auditours, or two of them in the sayd Court, the sayed master beeynge absent, shall haue power and authoritie to take obligations to the kynges vse of euerie particuler receiuor, which shalbee assygned to the sayed Court, and of hys suerties for sure paiment of his receipts. And also to take obligations to the kynges vse, as wel of euery fermour, Bailifes, reeue, or other accomptaauntes, for the true payment of their receiptes, and of euery personne or personnes which shalbee indebted to the kings highnesse for any arrerages of his or their receipts, fermes or charges, as of any other personne or persons, for any other cause or matter concerning the premisses, determinable wythin the same Court. And that al such obligations and writinges obligatory, of what summe soeuer they be, shalbe of the same strength, vertue force qualitie, and effect, to al intentes and purposes, as writings obligatory heretofore made by any lay person by

authoritie

Warrant

Fees

Master

Woodsales Vnder woodes

Repayre

Leases

Master

Allowance

Warrant

Obligatiõs

Statute Staple

authoritie of the statute of the staple, then or ought to be. And that vpon certificate hereafter to bee made into the kinges Chauncerie of any such wrytings obligatorie to be taken for such payments, like proceſſe & executyons ſhalbee thereuppon had and made, againſt any perſon ſpirituall or temporal as hath ben accuſtomed to be made againſt any lay perſonne, vppon certificat of wrytinges obligatorie of the ſayed ſtatute of the Staple. Also that

Maſter

the ſaied maſter of the wardes for the time beinge, ſhal haue full power and authoritie to awarde vnder the ſeale to bee appointed to the ſayed court in

Proces

the kinges name, ſuch proces and precepts w reaſonable paines to be therein limitted, as bee now commōly vſed in the court of the kings duchy chamber of Lancaſter, beeinge at Weſtm. againſt euery perſonne or perſonnes whatſoeuer they be, for & concernynge the intereſt, right and title of ẏ kings maieſtie, his heires and ſucceſſours, of in, or for any wards lāds, tenements, rents, accompt, receipt, ſcruyces or other cauſe in any wyſe touching or cōcerninge any thinge appointed to the order of the ſayed Court, or any part thereof, for and on the behalfe of our ſayd ſoueraigne lord the kynge, or of, or for any debt riſinge or growinge by occaſion of the ſame. Also be it &c. that

Atturney Receyuour Auditour

the ſaied atturney receiuour generall, and auditours, ſhall diligently from time to time attend vppon the maſter in the ſaid Court: for the hearinge and ordering of matters and cauſes in the ſame court, for the time of full termes of the yeare vſually kept for the lawe at Weſtminſter, and procure with all dyligence, that all rentes, fermes, profittes, caſualties, emprouementes, and other emolumentes of the wards

Idiots

mariages, idiottes, & of all mannours landes, tenementes, and hereditamentes, beinge in the ſeruice and gouernaunce of the ſayed Court, ſhalbe truely and iuſtly paied and anſwered to the ſayed receiuour generall of the ſayd court, to the vſe of the kings highneſſe, without concealynge anie part thereof. And alſo ſhall cauſe and procure proces to be made againſt ſuch as

Proces

ſhalbe indebted to the kings highneſſe, and their ſuerties, of and for any part thereof from time to time, as the time and caſe ſhall require without any delay. And be it &c. that the ſaid Clerkes

Officers

particuler receiuours, auditours, ſurueiours, meſſengers, and huſher, and euery of them, ſhal vppon reaſonable warning geeue at al tymes and places from time to time attendaunce vppon

Attend

ẏ ſaid maſter for the time beeinge, for the due execution and expedition of the premiſſes without delay, vppon ſuch paines as ſhalbe aſſeſſed by the kings maieſtie, vpō information therof geeuen by the ſaid maſter to his highnes. Also be it &c. that if any of the ſaid officers appointed for the ſame court doo

Officers Conceals

cōceale and withdrawe willingly any rentes, reuenues, caſualties, or other profits, fallinge growing or comming to the king by the minoritie of any of his graces wardes, or by reaſon of any other thynge appointed by this act of the ſaied court, that then the officers ſo offending, ſhall loſe to the kynge our Soueraigne Lord the double value of

2. value

the thinge ſo concealed or withdrawē. Also bee it &c. that the auditours generall of the wardes lands, and euery of

Auditours

them for ẏ time being, ſhall haue authoritie to examine the accompts of all

Examen Accompts

particuler accomptants taken by anie particuler auditour or auditours, vpon any part of the wardes landes,

Idiots

lands, and of other things appoynted by this act to the order of ẏ ſaid court, and to allowe & diſallowe al that ſhall be reaſonable within the ſaid accōpts, as largely as to the ſaid maſter of the wardes, atturney, receiuour general, and auditours, or three of them where of the ſayed maſter to bee one, ſhalbe thought expedient and neceſſary. And

Accōptāts

that euery of the ſaid particuler accōptaunts

taūtes for the yeare to bee ended at the feaſt of ſaint Michaell the archaūgell yerely for euer, ſhal make and finiſh his accompt, and certifie the ſame into the ſaid court before the firſt daie of February next after the ſame feaſt enſuinge, and within three monethes next after the ſaid accompt, to make full payment to the receiuour generall of the ſayed Court of all ſuch ſummes of money as ſhal appeare to bee due to the kinge by the ſayd accompt. And be it &c. that the ſaid receiuour general for the time being, ſhal haue aucthority by Acquitance this act to geiue his acquitaunce of and for ſuch money and obligations as hee ſhall receiue of them to the kings vſe, for the wardes landes, ideotes landes, and other things appointed to ẏ ſayed court.

And that hys ſayed acquitaunce ſhal bee from hence forth ſufficient acquytaunce and dyſcharge aſwel for ẏ dyſcharge of the parties againſt ẏ kinges highneſſe, hys heires and ſucceſſours for payment of ſo much money, as alſo to the auditour for the time being, for making due allowaunce of ẏ ſame Alſo be it &c. that the ſaied receyuour Receiuour generall, before the twenty daie of March next after the feaſt of Saynt Michaell the archaungell, ſhall perelie declare truely hys whole accompt to Accompt the ſayed maſter of the wards attourney, and to one or both of the ſaid auditours general, of the wardes landes, which maſter, atturney, & one or both of the ſayd auditours, ſhall by this act haue aucthoritie to take & determine ẏ ſame accompt before the laſt day of July next enſuinge, vpon which determination of accompt, the ſayed receyuour general within one moneth next enſuinge the determination of ẏ ſame accompt, ſhall truely content and pay to the kings vſe al ſuch ſūmes of money as ſhal appere to be due to ẏ kings highneſſe, and vnpaied vpon the ſame accompt. And ſuch determination the Ingroſſe ſaid auditours ſhall ingroſſe the ſame into parchment, and the ſame ſo ingroſſed ſhall retourne into the office of the Wardes before the laſt day of February next after the determynatyon of the ſame accōpt, there to remayne as the kinges recoꝛds. And bee it &c. ẏ the particuler auditours & other offi- Officers cers counſellours, & miniſters of the ſame court for the time beeinge, ſhall yearely perceiue & take by the handes of the ſaid receiuour generall, particuler receiuours & all other officers and Diet Rewards miniſters accōptant, al & ſinguler ſuch diets, rewards, profits, & cōmodities, aſwell for their attendance vppon the ſaid maſter for the time beeinge, & for making of bookes, declarations, & values, as for other matters counſelles & cauſes, of, for, and concerninge ẏ ſayd court, and alſo for expences, coſtes & charges of ẏ ſaied auditours & particuler receiuours and euery of thē yerely ridinge their ſeuerall circuits & limitation, in as large & ample manner and forme, as to ẏ ſaid maſter of ẏ wards attourney, receiuour general, and auditours or iii. of thē (whereof ẏ ſaid maſter to be one) ſhalbe thought conuenient to be appointed by their diſcretiōs.

Alſo be it &c. that the ſaid generall re- Receiuour ceiuour, from time to time vppon hys accompt, ſhalbee allowed as well of Allowe ſuch fees as ſhalbee limitted vnto him for the exerciſe of hys office, as of & for all ſuch ſummes of money as hee ſhall pay to any patentée or patentées of any office, fee or annuitie, that ſhalbee graūted or geeuen vnder the ſeale of ẏ ſaied court, & alſo of all ſuch money as he ſhal pay to any other perſon or perſons by vertue of the kings warrant, or bil aſſigned, & alſo of al ſuch ſūmes of money, as hee ſhalbee commaunded to pay by any bill aſſigned or ſubſcribed by the hand of the ſayed maſter for the tyme beinge, vpon ſuch conſideration as ſhalbee thought conuenient by hys diſcretion as wel for ẏ finding and exhibitiō of the kings wards in hys graces Cuſtodie, as of, or for

anie

any other cause, thing, or matter concerninge the sayed Court of Wardes whatsoeuer it shalbe. And that ẏ sayd
Auditours auditours, taking accompts of the said receyuours generall, and of any of the sayed particuler receiuours, shall haue power and auctoritie to allowe to ẏ sayd receiuour generall the premisses and euery part of them.

And also to allowe to euery particuler receiuour, and other accõptauntes aswell their fees, wages, and all other such summes of money as they or any of them shal pay, of, for, in, and about any buildinges or reparations of the wardes lands, to bee made vppon any warraunt to be directed from the said court, as all other honest petitions and allowaunces, in as large and ample manner as the sayd master of the Ward, attourney, and auditours, or two of them, whereof the said master to bee one, shal thinke most expedient.

Prores And that al maner of proces that shall be made out of the kinges Eschequer, to or agaynst any personne or persons for any fermes, rentes, issues, or profittes concerninge ẏ premisses, or any part thereof, or any other thing limitted in thys act to bee in the suruey, order and gouernance of ẏ sayed court, or the ministers therof, shalbe clerely
Voyde voyd and of none effect to al intentes and purposes. Also be it &c. that ẏ money, and obligatyons taken for money by the sayed master for the sale of the kings wardes, and other things appoynted by thys act to the order of the sayed Court, and also the money and obligations taken for money, by the sayed receyuour general for the
Wydowes Lycence kinges rentes, and for wydowes fynes for their lycence to marry, and other casualtyes of the wardes landes, idcotes landes, issues, profittes, and debtes, yerely growinge to the kings highnesse, by reason of the premisses, shalbee yearely payed and deliuered
Treasorer to the handes of the Treasourer of the kinges chamber, for the tyme beinge or else where, to whom it shall please the kinges highnesse, his heires or successours, to geeue auctoritie by commissiõ vnder his great seale to receiue ẏ same. And that a bil subscribed wyth the hand of the said Treasourer or other commissioner, shall be a sufficiẽt acquitaunce and discharge to the mas- Acquitance
ter and receiuour vppon all and euerie payment by them to bee made, and also to the auditours there for ẏ allowaunce of the same. And that the same master and receyuour generall, shall Master
once in the yere declare vnto ẏ kynges maiestie the profittes and estate of the sayed office. And bee it &c. that ẏ sayd master and officers of the sayed court shall take such and lyke fees for the Fees
Seales and wrytinges to bee made and graunted out of the sayed Court at the suyt of the parties as they nowe vse to take, that is to say: For the fees of al proces at the suyt of the partyes vnder the prime seale of the saied court two shillinges sixe d. And for the fees of all commissioners directed out of ẏ suit of the partyes two shillings vi. d. And for recordinge of all apparaunces sower pence and no more. Also bee it
Master &c. that the said master by ẏ aduise of ẏ said attourney, receyuour general and auditoares, or three of them, whereof the said master to be one of them, shal haue auctoritie by this act to suruey Surney Widowes
all the kinges widowes and to treate common and conclude aswel wyth al and euerie of the kings widowes that nowe be or that hereafter shalbee, and that haue maried themselues without the kynges lycence, or that hereafter shall happen to marie themselues wõut the kynges licence for their reasonable fines to bee made to the kinges Fines
vse, and to tare and assesse the same by Taxe
their discretion accordinge to the statut of prerogatiua regis (ca. 4. wheych is in Womens.) the same fines to be payed to the receyuour generall of the wardes landes, as the same may appeare yerely in hys accompt. Also be

it

Master

it &c. that the said master by the aduise of the sayd attorney, receiuour general, & auditours, or three of them shall haue auctoritie by this act, to survey gouerne & order all and singuler ideottes and natural fooles, now beeinge in the kinges handes, or that hereafter shal come and bee in the kings hands. And also to survey and order all the manours, landes, tenementes, and other hereditaments, whatsoeuer, now beinge in the kinges handes, or in the handes of any other person or persons to their vses, or to the vse of any of the that hereafter shal come and be in the kings handes, his heires & successours in ỳ right of any of them by reason of his graces prerogatiue royal. And also by the aduise of the sayd attourney, receiuour generall, & auditours, or three or two of them, to let and set the manours, landes, and tenementes, to the kinges vse, for the tyme of the kynges interest, for such rent and fines, as by their discretyon shalbee thought conuenient. The findinge and keeping of the said persons, their wiues and children, and the reparations of their houses and landes alway to be considered in the doing thereof, the same rentes and fines reserued to the kings grace, to bee paied alwayes to the hands of the receiuour generall of the Wardes landes for the time being, as the same may appeare in hys accompt, and bee recorded in the Court of the Wardes.

Survey Ideots

Lule

Master Lyuerie

Also bee it &c. that the master of the kinges liueries shall passe noe liuerie with any persone or personnes, that bee, or that haue ben, or hereafter shall bee the kinges wardes, vnto such time they shal receiue knowleoge from the court of the kinges wardes, what cale the accomptauntes, tenaunts, and seruours of the Wardes landes stand in with the kinges highnes, and what suerty and order is taken therefore, and for the rates to the kings vse. And that euerie ward hauinge hys lyuerie, shall within vi. monethes next after the lyuerie hadde, bringe the same lyuerie to the auditours of the Wardes for the time beinge, or to one of them, to haue the same there inrolled for the discharge of the Landes againſt the kynges highnesse, accordynge to the tenour of the sayed lyuerie, and shall pay for the inrollement thereof, such reasonable summe of money, as shall bee appointed by the sayed master of the Wardes, so that it exceede not the summe of tenne shillinges. Also bee it &c. that all and euery persone and personnes to whom the kings highnesse, shall graunt the Custody and Wardshipp of any of hys graces Wardes, shall vpon hys byl assigned therof, sue foorth hys patent wythin fower monethes next after the assignement of the same bill, or elſe the same bil and ỳ effect thereof to be vtterly voyd and of no force.

6. monthes

4. monthes

Void

Also be it &c. that the generall receyuour and chiefe auditours of the sayed court for the tyme beinge, shall yerely perceyue and take, as well by ỳ hands of the generall receyuour, as by the handes of all and singuler particuler receyuors, and all other officers and ministers accomptaunt within ỳ survey of the said Court for the tyme beinge, all and singuler such summes of money for such like diets, rewards, profittes, and commodities as well for their attendaunce vppon the sayed court, and for the makinge and wryting of bookes, declarations, and bilues, as for other matter and causes of for or concerninge the sayed court, and also for their expences, costes & charges of the same generall receiuour, and auditour and auditours, and euery of them for the time being, yerely riding their seuerall circuites and limittes, in as large and ample manner & fourme as shalbe appointed by the sayed master of the wardes and attourney of the sayed court by their discretions. And that ỳ sayd auditours for the time beinge, shall haue power and auctoritie

Diet Rewardes

Auditours

yerely

yerely from tyme to time to allowe ẏ same. And also be it &c. that as many accompte s of the kinges wards lãds, ideottes landes, fines for mariages of widowes, and lycẽces for the same, as ben clerely accompted and not retourned into the kynges Eschequer, and also as many other accomptes of the wardes landes, ideots landes, fines or maryage of widowes, and lycences for the same, as been not yet fully accompted and engrossed, shalbee engrossed and returned within iii. yeares next comming, into the office of the wards, there to remaine as ẏ kinges recordes. And that the kings highnesse surueiours general of his graces lãdes and auditours of his graces Wardes landes, and euery of them shalbe therof discharged against the kinges maiestie, of and for the retourne of the same accomptes into his graces eschequer: any act, statut or ordinance here tofore made to the contrary in anie wise notwithstanding. And it is &c. that the sayed master of the Wardes for the tyme beeinge, shall haue auctoritie by this act with the aduise of the attourney and receiuour generall of the same court, or one of them, to call at all tymes before them into the office of the wardes by ẏ proces of the same court, al and euery persone and personnes, which is or hath beene the kinges ward, intruding or entringe into, or vppon his or their landes, or vppon anie part thereof after his or their full age of one and twenty yeres, and before that hee or they haue sued & obtayned liuery or Muster le mayne for the same, out of the kinges hands, vnder his great seale alwell to make aũswere for hys or their intrusion vppõ the kinges possession, as to make payment to the kinges receiuour generall of the same office, as all such rentes, issues and profittes by him or the taken at any time after his or their sayd full age of xxi. yeres, and before liuerie sued for ẏ same out of the kinges hands in fourme aforesaid.

And be it &c. that if any person or personnes, called by the kinges proces of the same court to appeare at Westm. in the same court within the terme at a certaine day to him prefixed in the proces, to appeare and haue day geuen in court to make aunswere to the matters againste him obiected in the same court on the kinges behalfe, depart the court before aunswere made, and attourney put into ẏ court with assent of the court for the prosecuting ẏ matter with effect, shall forfait to the kinges grace his heires & successours, such fine as shalbe set vpon him for his contempt & offence in that behalfe, as the said master, attourney & receiuour general or two of them shal thinke cõuenient by their discretions, to be leuied of his lands and tenementes, goods & catteis to ẏ kinges vse. Prouided alwaie and bee it enacted by the auctoritie aforesaid that Jhon Perin, which by the kinges letters patentes, hath ben heretofore, and nowe is auditour to his graces wardes lands, shall continue & be one of the two auditours in this act before mencioned, during the terme of hys naturall life: any thynge contained in this act to the cõtrary in any wise notwithstanding. An. 32. H. 8. ca. 46.

25 ¶ That the office of the master or masters of ẏ liuerie, with the circumstances therof, shalbe united, annexed, and knitt, vnto the sayed Court of the kings wardes. And the auctority and office to compounde for any lyueryes with the proceedings therin, shalbe frõ henceforth in the rule, power, and gouernance of the sayd court, in manner and fourme here after declared, any lawe custome, patent, graunt or vsage heretofore had or vsed to the contrary notwithstanding. And that the master of the kings wardes for the time being, which is the chiefe and principal head officer of the same court, shall frõhence forth for euer be master of the kynges wardes,

3. Yerys

Departure

Fort.

Master of liuerie

Lycence Muster le mayne

Intrusion

Master

Wardes and of the lyuerys, & that al other officers & ministers appointed or hereafter to be appointed in ẏ same court of ẏ kings Wards by auctority of the statut made of the execution of ẏ same court (s. An. 32. H. 8. ca. 46. before 24.) shalbe called officers & ministers of the kings courts of his wardes and liueries. And be it &c. that ẏ kings said highnes, his heires and successours from time to time, shal make, name & appoint one officer & minister of and in the sayd court which shalbee called the surueiour of the kings liueries, and shalbe the second personne of the same court. And that the attourney of the kings wardes for ẏ time being, which by the said former act of ẏ sayed court of the kings wards was appointed to be the second persõ of ẏ said court, shal frombence forth for euer stand & be the third personne of the sayd court of the kinges wardes and liueries. And al other officers, the ministers of the sayd court to be placed as is limitted in the same former act.

Officers

Surueiour

Attorney

Person

And further be it &c. ẏ the kings highnes, his heires and successors, may frõ time to time, make, name and appoint an apt person to be clerke of the same saied liueries, which shal make all indentures, cedules, obligations, & writinges of bargaines, hereafter to bee made and graunted for any liueries, & that one part of the said indentures, & cedules, or other writinges indented, necessarie for the same, shall remayne with the party or parties, & shalbe sealed with the seale of the said master of the wardes and liueries, & of the saied surueiour of the said liueries. And that the same indenture, obligations, & the accompts to be made vpon the same, & euery of them, from henceforth shalbe taken, ordered and vsed, and also be of the same force, strength, and effect to all intents and purposes, as the obligations, indentures, and accõpts be and ought to be by the saied former act. (s. An. 32. H. 8. ca. 46. before 24.) And

King

Clerke

Indẽtures

that euery personne, which in fourme aforesaied, shalbee appointed to be surueiour of the sayed liueries, shal take a corporall othe afore the sayed master of the kinges Wardes and lyuerys for the time beeinge, after the tenour ensuinge.

Surueiour

Ye shall sweare that ye shal wel and truely serue our soueraigne Lorde the king in thoffice of surueiour of his graces liueries, & shal minister equal iustice to rich & poore to the best of your power, wit, & knowledge: & ẏ you shal diligently procure all thinges whych may honestly & iustly be to the kings auantage and profit, & to the augmentation of the right & prerogatiue of his graces crowne, & frõ time to time deliuer wõ spede such as shall haue to doo afore you, & ẏ you shal not take ne receiue of any person or personnes, anie gift or reward in any case or matter depending, or to depend in ẏ said court of the kings wards, wherin the kings highnes shalbe party, by reason where of any preiudice, losse, hinderaunce, or disherison shall or may growe to the kings highnes his heirs or successours so helpe you God & al saintes. And bee it &c. that the said clerke of the said liueries, shal take a corporal othe afore the sayed master of the wardes & liueries for the time beeinge: after the tenour hereafter ensuing. Ye shall swere that you shal wel and truely serue the king our soueraigne lord in your office of clerke of the liueries, & truely do & execute without delay, fraud, or couin, all & euery thinge and thynges, which you ought to doo by reason of your sayed office, according to the fourme & effect of thys present act, so helpe you God and al Sainctes.

Clerke

Othe

And ẏ al liueries, which hereafter shal be sued out of the kings graces hands, his heires & successours, & out of ẏ hãds of any of them, or any castels, honours manours, lands, tenements, rents, reuersions, remainders, or other hereditaments whatsoeuer they bee, shalbee

Lyueries

in

in the order surney and gouernance of the saied court of the kinges wardes & lineries, & of the minister of the same. And be it &c. that no person or persons hauing landes or tenements aboue the perely value of fiue poundes, shal haue or sue anie linerie before inquisition or office found before escheto^r or other cõmissioner or commissioners, by vertue of the kings writ or commission to be directed out of the kings Chauncery or other courts hauig aucthority to make such writtes or commissions, for suing of lineries, which writs or commissiõs shall not passe out of the chauncery or anie other courts, but a warrant or bil to be assigned and subscribed with the handes and names of the saied master surueto^r atturney & receiuour or three two, or one of them, to be directed & deliuered to the chauncello^r of England or to any other chauncello^r or officer, hauing power to warde such writs. And if the lands & tenemẽts, whereof any inquisitiõ is to be had by vertue of any such writ or commission, exceede ẏ yearely value of fiue pound, that then such as sueth for writs of commissiõs, shall pay for the seale & writing therof such fees as hath beno accustomed.

And if the said landes and tenements whereof any such inquisitions and offices is to bee found by vertue of anie such writ or commission, exceede not ẏ sayed yearely value of fiue pound, then such as shal sue for such writs or commissions, shall pay for the seale of euery of them fiue pence, & for ẏ writinge fiue pence, & not aboue.

And it is also &c. that al inquisitions & offices to bee found by vertue of anie such writtes of commyssions, shalbee returned by therchetours or commissioners, to whom such wrytes or cõmissions shalbee directed, into the said Chauncery, or into such other courtes frõ whence such writs or commissiõs were awarded, in such manner and fourme, and vppon such paines as is limitted by the lawes & statuts of the realme in such cases. And ẏ the clerks of the pety bag shall receiue such offices and make a transcript therof from time to tyme to the sayed master of ẏ Wardes and lyueryes, in like maner and fourme, as they are bounden and haue been accustomed to doo into the kinges Eschequer, & vpon such paines as bee limitted and appointed by the lawes and statutes of this Realme in such cases.

And it is &c. that the sayed master of the Wardes and lineries, and the surueiour atturney & generall receyuour of the said court or two of them where of the sayd master or surueiour to bee one, shal haue ful power and aucthoꝛytie by vertue of this present act, after such offices and inquisitions found as is aforesaied, to couenaunt, and indent with euery person and persons for his and their liuery of the castelles, mannours lordships lands tenements and hereditaments comprised or not comprised in such offices, and to make and set the rate and price for the same, and to appoint and stalle the daies of paymẽt therof by obligation or obligatiõs to be takẽ for the same to the kyng our Soueraigne Lord, which obligation & obligations so made, & euery of them shalbee good and effectuall in ẏ lawe, and shalbee of lyke aucthoꝛitie and strength, as obligations to bee taken by aucthority of the same court of the kings Wardes be of, by vertue of the said former act.

And that all and singuler billes for any speciall or general liuery to be sued assigned by the hands of the said master, surueiour attourney, receiuour or three of them, whereof the said master or surueiour to bee one, shalbee a good and sufficient warraunt as well to the Chauncellour of England, as to the Chauncellour of the duchy of Lancaster, and to al other Chauncellours and officers hauing power to passe lineries vnder any of the kings seales, for the makinge out, sealing & deliuery of any

lineries

b.li. land

Master

Fees

Writs Returne Escheto^r

Billes

warrant Chancello^r

liueries, accordinge to the tenour, purport, and effect of such billes, with other clauses of cause necessarie for the same, any law or custome to the contrary hereof notwithstanding.

Prouided alway and bee it &c. that the Lord priuie seale, the lord great chamberlaine, the kinges chiefe and principall secretaryes, ỳ master of the rolls, and the kinges clerkes of the signet & priuy seale, ỳ clerkes of ỳ pety bagge, and all and euery other officer and officers & clerkes in the chauncery, or els where in any other courts where such liueries shall passe, shall haue and bee pated al such their fees, as hath beene accustomed, all which fees shalbee receiued and pated by the handes of the clerkes of ỳ pety bagge, if the liuery be sued in ỳ Chaũcery, or by other clerks, by whose hands liueries shalbe writtẽ in other courtes, any thing in this act to the contrarie thereof notwstãding. And it is &c. ỳ euery person & persons fromhẽceforth, may sue at their pleasure, a general liuery for any manours landes tenementes, rents, reuertions remainders or other hereditamentes, whereof the clere yercly value shal not exceede rr.li. after office thereof of writt or commission found, retourned and certified as is aforesaid. Prouided alwaies that no such liuery shall passe or be sued without a bill or warrant to be first obtained for the same, from the said master of the wardes & liueries, & the said surueiour, atturney & generall receiuor, or three of them, & signed and subscribed with the names & handes of the said master surueiour, atturney & general receiuour of three of them as is aforesaid.

And it is &c. that if the manours, lãds tenementes or hereditaments, where of a general liuery may be sued by auctoritie of this act, exceede ỳ clere yerely value of v.li. that thẽ such as shal sue and haue such general liuery of any manours, landes, tenementes, or hereditamẽts, exceding ỳ clere yercly value of v.li. shal pay for the seale thereof rr.s. iiii.d. & al other such fees as heretofore in such cases hath bene accustomed in and vpon the suinge of any generall liueries.

And if the landes, tenements, & hereditaments, whereof any such generall liueries shalbe sued, excede not ỳ clere value of v.li. that then euery persone & persones suing for any generall liuery for any landes, tenements, rents, reuersions, remainders or other hereditamentes, not exceding the clere yerely value of v. li. shall pay such fees as hereafter followeth & nõe other. That is to say, for the seale of euery such liuery xii.d. And to the clarkes of the petie bag for the writing and enrolling there of twenty pence. And for respit of homage in the hanapar viii.d. And to the lord great chamberlaine rr.d. And to ỳ clerke of the liueries for warrant & enrolling of the liuery rr.d. And be it &c. that no person or persons shal pay in ỳ kinges eschequer or any other courtes for ỳ respite of homage, or for any manours, landes, tenementes or hereditaments, whereof the clere yerely value exceedeth not fiue poũd, aboue eyght pence.

And for thentring thereof and warraunt of attourney aboue sower pẽce, And that the value of such manours, landes, tenementes and hereditamẽts not exceding the yearely value of rr.li. shalbe taken as it is limitted in the offices founden thereof, except by the examination & certificat of ỳ said master of the wardes & liueries, & the said surueiour, atturney and general receiuour or three of them as is aforesaid, it shall otherwise appeare & be declared in any of the kinges courtes.

And it is &c. that if the saied surueiour of the liueries, or the clerke of the same do willingly withdraw or concele any recorde or profit, ỳ should come or grow to the kinges maiestie his heires or successoures, by reason of ỳ same, ỳ then he or they so offending, shal loose

Officers

Lyueries

rr.li. Land

Liuerie warrant

v.li. Land

Fees

Respite of homage

Surueiour Clerke

Conceale

Forf.

to the kinge oure ſoueraigne Lord hys heires and ſucceſſours the double va-
1. Value lue of the thyng ſo concealed or with-
drawen, the ſame to be leuied & recouered againſt ſuch perſones ſo offending
Information vppon an information thereof to bee made by the party greeued, & ỹ ſame duely proued in the ſame court of the wardes & liueries. And alſo be it &c. ỹ
Maſter the ſaid maſter for the time being ſhall haue power and auctoritie to take re-
Recog. cogniſances of al & euery perſon & perſons, ỹ ſhalbe called into ỹ court of the wardes and liueries, to aũſwer to any matter alleaged againſt them in the ſaid court, to make their dayly aparãce in ỹ ſaid court to aunſwer to ſuch matter as to them then and there frõ time to time ſhalbee alleaged. And that all ſuch recogniſaunces, of what ſumme ſoeuer they be, ſhalbe as good & effectual in the law to al intẽts and purpoſes, as recogniſaunces taken in the kinges high court of chaũcery or els where before any iudge of record within thys realme. And that the ſaied maſter for ỹ time being, with ỹ aduiſe of ỹ court or of ſuch number of the ſame, as then ſhalbe preſent, ſo that they be two beſide the maſter, ſhall haue full power & auctoritie to moderate ſuch recogniſãces, as be or ſhalbe there forfaited,
Fines & to ſet fines for ỹ ſame to ỹ kings vſe vnder the ſummes contained in ỹ ſaid recogniſaunces. The ſame fines to be
Proces leuied by like proceſſe of Scire facias, as by the ſtatut made in the xxvii. yere of our ſoueraigne lord ỹ kings raigne, is geuen to ỹ chaũcellour of ỹ court of Augmẽtatiõ of ỹ reuenues of his graces crowne. And that the ſaid maſter
Maſter for the time being, with ỹ aduiſe aforeſaid, ſhall haue power & auctoritie to commit to ward, any perſon or perſõs
Impriſon for his or their diſobediẽce, contempt, or other offẽce made or to be made, triable within ỹ kinges ſaid courts of the wardes & liueries, & vpõ the ſaid matters ordered or decreed there, to deliuer them from priſon, & to cancell & make void al recogniſaunces & obligatiõs taken, or hereafter to be taken in ỹ ſame court to the kinges vſe, when & as oftẽ as the ſaid maſter wt thaduiſe of ỹ ſayd court, or three of them, ſhall ſee and perceiue the matters & cauſes, for ỹ which any ſuch recogniſance or obligatiõ hath or hereafter ſhal happen to be taken, to be finiſhed and ended, & ỹ kinges grace his heires or ſucceſſours, or the party thereuppon ſatiſfyed wythout any other warraunt for the ſame. And bee it &c. that all & euery ſuch heire & heires, which hereafter ſhalbe in caſe to ſue liuery, where the lands and tenements of the ſaid heire or heirs excede not the yerelie value of v. li. that then euerie v.li. Land ſuch heire ſhall lawfully ſue for the his general liuery by warrant to be made & had from the ſaid court of the kinges wardes and liueries as aforeſaied, al- Liueries though there be none other inquiſition or inquiſitiõs thereof thẽ had, ne certified, & that this act ſhalbe warrant ſuf- Warrant ficient as well to the Chauncellour of Chaũcelor England, chauncellour of the Duchy of Lancaſter, & to al other chaũcellors & officers of the kings courts hauinge power to paſſe liueries vnder anie the kings ſeales for the making out, ſealinge and deliuerie of ante deliueryes accordyng to the tenor, purport & effect of ſuch billes, wt other clauſes of course neceſſary for the ſame, takynge for the fees of euery ſuch liuery, as is bee fore expreſſed for the fees of generall liuery, not exceding the yerely value of Fees v.li. as though the ſame liuery were made & ſued forth vpon an office found by vertue of ỹ kinges writ, any lawe heretofore made or other thing in this preſent Act to the contrary notwithſtanding.

And alſo be it &c. that al & euery perſon & perſons, to whõ ỹ kinges highneſſe, ſhal graunt any liuery in fourme aforeſaid, to be ſued vpon his bil, aſſigned thereof with the kinges moſt gratious hãd, or with ỹ hãds of ỹ officers of his graces court of the wards & liueries

neries, as before is expressed, sue forth his patent within iii. moneths next after ỳ assignemẽt of ỳ said bil, or els ỳ same bill & ỳ effect thereof to be vtterly void & of none effect. Prouided alwaies & be it &c. ỳ the clarkes of ỳ petybagge in ỳ Chauncery shal not be cõpelled to certifie any transcript of any office into ỳ kinges eschequer, but twise in the yere ỳ is to say: They shall certifie ỳ transcriptes of al offices founden & returned into ỳ chauncery betwene Easter & S. Michael ỳ archangel yerely in ỳ terme of S. Michaell. And ỳ transcriptes of al offices founden & returned into the said chaũcery betwene Michaelmas & Easter, they shal certifie into ỳ said eschequer yerely in ỳ terme of Easter & not otherwise, any thing contained in this statute, or in any other statut here tofore made to ỳ contrary thereof notwithstanding.

3. moneths
Lloyd
Clerkes
Certifie
Eschequer

Prouided alwaies ỳ this act nor any thing therein contained shall in any wise extend to be preiudicial or hurtfull to any royalties, liberties, or frãchises priuiledges, preheminences, & iurisdictions, of ỳ county palantine & duchy of Lancaster, or of any of them, but ỳ the same roialties, franchises, priuiledges preheminences, & iurisdictions & euery of thẽ, shal stil continue & remaine to ỳ coũty palãtine, & duchy of Lãcaster, as fully, plenerly, & as wholy as they dyd before ỳ making of this act, any thing in ỳ sãe act contained to ỳ cõtrary not withstanding. An. 33. H. 8. ca. 22.

Lancaster

¶ *VVares.*

BE it enacted &c. ỳ no person or persons whatsoeuer, from or after the feast of ỳ Natiuity of S. Jhon Baptist now next ensuinge, shall bring or cause to be brought into this realme of Englãd from ỳ parties beyõd ỳ seas, any girdelles, harnesse for girdels, rapiers, daggers, knyues, hiltes, pummels lockettes, chapes, daggers, blades, hãdles, scabberds & sheathes, for knyues, saddles, horse harnesse, stiroppes, bytes, gloues, pointes, leather laces & pinnes, being ready made or wrought in any parts of beyond the seas, to be sold bartred or exchanged with in this realme of Englãd or Wales, vpõ paine to forfait al such wares so to be brought contrary to ỳ true meaning of this act, in whose handes soeuer they or any of thẽ shalbe found or ỳ very value thereof, ỳ one halfe of ỳ forfaiture to be to our soueraine Lady ỳ Queenes highnesse, her heires & successours, & ỳ other moity thereof to him or thẽ ỳ will sease ỳ same, or sue therefore in any court of Record of the Queenes maiestie her heires & successours, by action of debt, bill, plaint, information, or otherwise, where no wager of law, essoine or protection shalbee to him or thẽ allowed. This act to continue & endure to ỳ end of ỳ next parliament. An. 5. El. ca. 7. This statut was discontinued 8. El. & in 13. El. ca. 25. reuiued & cõtinued vntil thend of ỳ next parliamẽt, & after in ỳ sãe statut is prouided as followeth.

Bring
Forreine wares
Forf.
Moitie

2 ¶ Prouided neuertheles, & be it enacted by the authoritie aforesaid, ỳ the said act concerning the auoiding of forraine wares made by handy craftes men beyond the seas, or any clause, article, or meaninge therein contained, shall not in any wise extend or be preiuditiall to any entercourse, or treatyse of any entercourse now standinge in force had or made, betwene the progenitours of the Quẽnes maiestie, or her highnesse, or any others: any thing heretofore, or now ordeined, or enacted to the contrary in any wise notwithstanding. An. 13. El. ca. 25.

Forrine wares

¶ *VVarrauntie.*

IF a man alien the land, that he holdeth by the law of Englãd, his sõne shal not be barred by ỳ deed of his father (frõ whõ no heritage to him descended) to demaũde & recouer by writ of Mordaunceſtor of the seisin of hys mother, although it be mencioned in the dede, that his father did bind hym and his heires to warrauntie. And if

Alien
Warr.
Mordaunc.

Warre

any heritage discende to him of his fathers side, then he shalbe barred for the value of the heritag, that is to him descended. And if in such case after ẏ death of his father, any inheritaunce discend to him by the same father, then shal the tenaunt recouer against him of the seisin of his mother by a iudiciall writ, that shall issue out of the rolles to the Justicers, before whom the plea was pleaded, to resũmon his warrantie, as beefore hath bene done in like cases, where the heire of the warrantour cõmeth into ẏ court, saying, that nought discended from him, vpon whose dede he is vouched. And in like maner ẏ issue of the sonne shall recouer by writt of cosinage, aiel, and besaiel. Likewise and in like maner, the heire of the wife shal not be barred after the death of his father and mother, for to demaund by action ẏ inheritaũce of his mother by writ of entre, which his father did aliẽ in the time of his mother, whereof no fine is leuied in the kinges court. Gloceſter. ca. 3. An. 6. E. 1.

Recouer

Heire

¶ *VVarre.*

Cõmission

WHereas commissions haue bene awarded to certayne people of sheres, to prepare men of armes, and to conueie them to the king into Scotland or Gascome, or else where at the charge of ẏ shires: The king hath not before this time geuen no wages to ẏ said preparers and conueiers nor soldiours, whõ they haue brought, whereby the commons of the counties haue bene at great charge and much empouerished: The king wil that it shalbee so done no more. Anno. 1. Edwardi 3. cap. 7.

2 ¶ Men of armes, hoblers, & archers chosen to goe in the kinges seruice out of England, shalbe at the kinges wages, fro the day that they depart out of the counties, where the were chosen, til their comming againe. An. 18. E. 3. cap. 8.

wages

3 ¶ No man shall bee constrayned to

Seruice

find mẽ of armes, hoblers, nor archers other thẽ those which hold by such seruices, if it be not by comon assent and grãt made in ẏ parliament. An. 25. E. 3. cap. 8.

4 ¶ Raunsoms & forfaitures were set vpõ certaine ẏ were in battaile against the king, & ẏ did iniuries in a commotion time, & diuers matters cõcerning thẽ ẏ were vỽ ẏ king. Dictũ de Kenel worth. An. 51. Ed. 3.

5 ¶ The statute (S. An. 1. E. 3. ca. 5. & An. 18. E. 3. ca. 8. & An. 25. E. 3. stat. 5. ca. 8.) shalbe fyrmely holden & kept in al pointes, so that alwaies by force or colour of the said supplication, nor of any statut thereupon to bee made, the lords nor noe other ẏ haue lands & possessions, in ẏ countrey of wales or in ẏ marhes thereof, shal in no wise bee excused of their seruice & deuoires, due of their said lãds & possessions, nor of any other deuoires or things wherto they or any of thẽ, be boũd to our soueraine lord the kinge, how much that the sãe lords & other, haue of other landes and possessions within the Realme of England. Nor ẏ the lords or other of what estate or condicion that they be, which hold by escuage, or other seruice due to the king, any lands or possession with in ẏ said realme, be no wise excused to do the seruices & deuoires, due of their said lands or possessions: Nor that the lords, knights, esquires, nor other persõs, of what estate or conditiõ they be, which hold & haue of ẏ graunt, or confirmatiõ of our soueraign lord ẏ king, lãds, possessions, fees, annuities, pensions, or other yerely profits, be not excused to doo their seruices to our soueraigne Lord the king, in such maner as they are bounden, beecause of their lands, possessions, fees, ãnuities, pensions, or profits aforesaid. An. 4. H. 4. cap. 13.

Wales

Escuage

Lords

6 ¶ An. 9. H. 5. ca. 3. an act was made concerning them that went ouer ẏ sea with the kinge in his warres or did dwel beeyond the Sea in hys seruyce

for

Protectiõs for protectiõs for them, & for suits and actions against them, & after Anno 4. H.6. cap. 2. And Anno. 8. H.6. ca. 13. like acts were made to endure for certaine yeares for them that went ouer in his warres, or did dwel beyõd ẏ seas in his seruice. And after Anno. 14. E. quarti. cap. 2. a like act was made for a certaine time.

7 ¶ An. 14. Henrici sexti cap. 7. an act was made to endure for iii. yeres & after, as long as should please ẏ king cõcerning the taking of enimies goodes vpon the sea.

8 ¶ An. 11. H. 7. cap. 18. an act was made that they that hadd grauntes or gifts, or offices, fees, or annuities of the king, & doo not geue their attendaunce vpon him when he should go to warre in his person (except certaine persons there named) should forfait & lose their offices, fees, and annuities. And anno 19. Henrici. 7. cap. 1. was a like statute made against them that had lands, tenements or hereditaments of ẏ kings gift or graunt, for their attendaunce on him in his warres. But these two statutes were made but for the time of king Henry ẏ 7. as I thinke, therefore I haue not put them here at large.

Forf.

¶ *VVast.*

Gardian

THe keper of ẏ land, of such an heire being within age, shall not take of the landes of the heire, but reasonable issues, reasonable customes, and reasonable seruices, & that without destruction, and wast of his men & his goods. And if we committ the custody of any such land to the sherife, or to any other which is aunswerable vnto vs for thissues of the same land, and he make

Shirife

destructyon or wast of those thynges

Wast

that hee hath in custody, wee shall take of hym amendes and recompence therefore, the land shalbe committed to two lawfull and discrete mẽ of that fee, which shall aunswer vnto vs for the issues of the same lande, or vnto him whom wee shall assigne. And if wee geue or sell to any man the custody of any such land, and he therein do make distruction or wast, he shal loose the same custody. And it shalbee assigned to two lawfull and discrete men of that fee, as it is aforesaid, which also in like maner shalbe aunswerable to vs, as afore is said. Mag. car. ca. 4.

Forf.

2 ¶ The keper so long as he hath the custody of the lãd of such an heire, shall kepe vp the houses, parkes, warrens, ponds, milles, and other thinges perteining to the same land, with the issues of the said land, & hee shal deliuer to the heire when hee commeth to hys iul age, al his lãd stored with ploughes and al other thinges, at the least as hee receiued it. Al these thinges shalbee obserued in the custodies of archbishoprickes, bishoprickes, abbeis, priories, churches and dignities vacant, which appertaine to vs: Except this that such kepings shal not be sold. Mag. cart. ca. 5. An. 9. H. 3.

Gardian

Archbishoprickes

3 ¶ Fermers during their termes shal not make wast, sale, nor erile of houses, woods, & men, nor of any thing belonging to the tenementes that they haue to ferme, without speciall licence had by writting of couenaunt, making mencion that they may doo it, which thing if they do, and thereof be cõuict, they shal yelde ful dammage and shall be punished by a mercyament grieuously. Marlebridge capitulo. 23. Anno. 52. H. 3.

Fermers

Licence

Damage

Amerce

4 ¶ It is prouided also, that a manne from henceforth shall haue a writt of wast in ẏ chauncery against him that holdeth by lawe of Englãd, or otherwise, for terme of life, or of peres, or a woman that holdeth by dower. And who that is attainted of wast, shal lese the thing wasted, and moreouer shall recompence thrise so much as the wast shalbee tared at. And for Wast made in the time of wardship, it shall be done as is cõtained in the said great charter, that is to say, that he, which did wast, during the custody, shal lese the wardshippe. It is agreed that hee

Writt

Chaũcery

woman

Forf.

3. Times

Forf.

Damages

shall recompence the heire his damages for ỳ wast, if so be ỳ the wardshipe lost do not amoũt to the value of ỳ damages of ỳ heir of ỳ same ward Gloc. ca. 5. An. 6. E. 1.

Gardians

5 ¶ Where as for wast done in the inheritaunce of any person, by gardeins tenauntes in dower, tenaunts by the curtesie, or otherwise for terme of life or yeres, a writt of prohibition of wast hath ben vsed to be graunted, by which writ many were decepued, thinking ỳ such as hadd done the wast should not nede to aunswer but onely for wast dõe after the prohibition to him directed: Our soueraigne lord the king, to put this case out of doubt, from thys time forth hath ordained, that of all maner of wast done to the damage of any person, there shal frõhenceforth not onely a writ of prohibition, but also of summons, so that he of whom cõplaint is, shall aunswer for wast done at any time.

Writs

Summons

Attach

Distreine

Shirife

And if he come not after ỳ summons, he shalbe attached, and after ỳ attachment hee shalbe distraigned, and if hee come not after the distresse, ỳ sheriffe shal be commaunded, ỳ in proper person he shal take with him twelue &c. & shall go to the place wasted, and shall inquire of the wast done, and shall returne an inquest, and after the inquest retourned, they shal passe vnto iudgement, like as it is contained in the statute of Glocester. cap. 6. Wl. 2. capitulo. 14.

Enquest

6 ¶ Where as two or moe do holde wood, turfeland, or fishing in comon, wherein none knoweth his seuerall, & some of thẽ do wast against ỳ mindes of the other, an action may lye by a writ of wast. And when it is passed vn to the iudgement, the defendaunt shal chose eyther to take his part in a place certaine by assignement of the sherife, and by the view and oth of his neyghbours sworne and tried for the same intent, or else he shal graũt to take nothinge from henceforth in the same wood, turfeland, & such other, but as his fellowes wil. And if he doe chose to take his part in a place certain ỳ place wasted shalbe assigned for his part after, as it was before the wast done. And there is such a writ in this case, ỳ is to say. Cum A. & B. teneant boscũ pro indiuiso, B. fecit vastum &c. W. 2. cap. 22.

T. in cõmõ

Action

Assignemẽt

A view

Othe

Place

7 ¶ William Butler, which is within age and in warde of our soueraigne lord the kinge, hath shewed vnto hys highnes, that where Gawin Butler his Brother (whose heire hee is) had impleded one walter de Hapeton by ỳ kings writ, for wast & distructiõ made by him in certaine his landes and tenements, which the same Walter held for terme of his life, of ỳ inheritãce of the forsaied Gawin in wimme and Trike. And the aforesaied Gawin before he had obtained iudgement, died. After whose death ỳ foresaid william by like writt impleaded the foresaied Walter, for the wast and distruction made by him of long time. The same walter before Gilbert Thornton & his companiõs assigned to heare the kings pleas, came in & said that hee ought not to aunswer to the same william for the wast and distruction made in the time of an other, before the right of the sayd inheritãce discended vnto him, & there vpon demaunded iudgement. And for as much as certaine Justicers did not agree in geeuing of the said iudgemẽt, because it semeth to some that it should not be agreable to ỳ law, that any person should obtaine auauntage and recompence by the foresaied writ, which is a writt of trespas done to a person certaine, but onely the same persone to whom and in whose tyme the trespas was done. Other iustices with ỳ more part of the kinges councell, were in the contrary opinyon, alleaginge by dyuers reasons that the said william ought to bee heard and aunswered vnto, and all other whatsoeuer they bee, in lyke cases, or in like trespasses.

And

And for becauſe like matters haue remained not amended, and treſpaſſes vnpuniſhed which was inconuenient: Our ſoueraigne Lord the king in hys full Parliament holden the day after the feaſt of the purification, in the xx. yere of his raigne, by a generall counſaile hath ordained, and from henceforth hath commaunded to be ſtraitly obſerued, that euery heire in whoſe ward ſoeuer he bee, and as well within age, as of full age, ſhall haue hys recouery by a writte of Waſt in the fore ſayed caſe, and alſo in other where the ſame writte ought to hold place, and it ſhal holde place as well for waſt and deſtruction made in landes and tenements of his owne inheritaunce, and as well in the times of his auncеſtours, as at any other time that the fee and inheritaunce diſcended vnto hym, and ſhalbe aunſwered vnto therefore. And that hee ſhall recouer the landes waſted and damages, as it is ordayned in the ſtatute of Weſtminſter of damages to bee recouered in a writt of waſt, if the tenaunt bee conuyct for the waſt.

heire
waſt
Recouer Damages

And it is commaunded by the kyng him ſelf vnto ỹ ſame Gilbert Thorneton and his compaunions that they doe proceede in the forſaied matter and in other like from henceforth, and iudgement ſhalbee geeuen according as the matter is found. And like wiſe it was commaunded vnto the Juſtices, that they ſhall cauſe al the forſaid thynges to be ſtraightly obſerued beefore them from henceforth. Statute of Waſt. An. 20. E. 1.

waſt

8 ¶ For redreſſe of waſtes & deſtructions done by Eſchetours, or ſubeſchetoures in the landes of wardes, as of houſes, woodes, parkes, warrens and of all other thynges that fall into the kynges handes.

Eſchetors

The kynge wyll that hee which hath ſuſtayned dammage, ſhall haue a writt of Waſt out of the Chaunceric againſt the Eſchetour for hys act, and the ſubeſchetour for his act (if he haue whereof) and if hee haue not, hys maſter ſhall bee aunſwerable by hys payne, concernyng dammages as is ordaigned by the ſtatute for them that do Waſt in wardeſhippes, Articuli ſuper cartas capitulo 18. Anno. 28. Edwardi 1.

9 ¶ Item becauſe that diuers people in times paſt, haue let their landes & tenements to diuers perſons, ỹ is to ſay, ſome for terme of life, or of an other mans life, and ſome for terme of yeres, ỹ ſaid tenants haue oftentimes let and graunted their eſtate, whych they had in the ſame landes, and tenements to many perſons, to the entent that they in the reuerſiõ, that is to ſay, their leſſours, their heires, or their aſſignes, ought not to haue any knowledge of their names, & afterward the ſaied firſt tenaunts continually occupie the ſaid landes & tenementes, and thereof take the profites to their proper vſe, and in the ſaid lands and tenementes do waſt & deſtruction, to the diſheritance of them in the reuerſion: It is ordeined and eſtabliſhed, ỹ they in the reuerſion in ſuch caſe may haue & maintaine a writ of waſt againſt ỹ ſaid tenants for terme of life, of an other life, or for yeares, and ſo recouer againſt them the place waſted, & their treble damages for the waſt ſo by thẽ doẽ, as they ought to haue doẽ for the waſt done by thẽ before the ſaid graũt and leaſe of their eſtate. Prouided alwayes, that this ordinaunce hold not place, but where the firſt tenantes before the leaſe & graunt of their ſaid eſtates in ỹ maner & fourme aboueſaid, were puniſhable of waſt, & alſo where after the ſaid graunt and leaſe, the ſaid firſt tenants of the ſaid landes & tenements take the profits at the time of the waſt done to their owne proper vſe. And this ordinance to extend as wel to waſt by ſuch tenants done before this ordinance, as after. Anno 11. H. 6. capit. 5.

waſt

3. damage

Sea coste

THe watch to bee made vppon the sea coast throughe the realme, shall bee made by the number of the people in the places & in maner and fourme as they were wont to be made, & that in the same case the statute of Winchester be holden and kept, & that in ỳ commissions of the peace hereafter to be made, this article be putt in, that the

Just. of p. Enquire

Justices of peace haue power thereof to make inquisition in their Sessions from time to time, and to punish them which be found in default after the tenour of the said statut. Anno. 5. Hen. 4. cap. 3.

¶ *VVaxchandlers.*

NO persone sel nor putt to sale any such candels, ymages, figures, and other workes of wax, at more higher price but onely after ỳ rate of the price of iiii. d. more in the waight of a poũd, ouer that the common price of a pound of plaine ware is, betwene marchaunt and marchaũt, at the time of such sale or putting to sale, vpon paine to forfait such candles, ymages, figures, and other workes of ware so put to sale, & of the value of them that shalbee sold against the fourme of this statute, & to make a fine to the king if they be there of duely attainted, or that it is founde by examinatiõ or due serch by weights or in other maner, that they haue sold or put to sale any such cãdels, ymages fygures, or other workes of ware, against ỳ fourme of this statute. And that ỳ Justices of peace in euery coũty where they be iustices, shal haue power to enquire heare and determyne all thinges done against this statute. And that aswel euery Justice of peace in the county where hee is Justice, as maiors and bailiffes within Cities & burges, stewards of lords vnto ỳ fraũchises of their lords, shall haue power & authority to examine & serch as wel by waights of such candels, Images, fygures & other workes of ware, as in other maner by their discretyon all them that any thing shal hereafter doo against this statut, and to punish them that by such examination and search shalbee found guiltie, in the forme aboue said. Prouided that this statute do not extend to herses to bee made for Nobles that doo dye. Anno. 11. H. 6. capitulo 12.

Ware

Fork.

Fine

Just. of p.

Enquire Oier & ter.

Just. of p.

Maior Bayliffe Stewards

Punishe

¶ *VVeightes & measures.*

ONe measure of wyne shall bee throughe our realme, and one measure of Corne, that is to say, according to the quarter of London, and one breadth of dyed cloth, russettes, & haberiectes, that is to say, two yardes vnto the listes. And as it is of weights so shall it be of measures. Magna car. cap. 25.

Wine

Corne

Cloth

2 ¶ When a quarter of wheate is sold for rij. d. thẽ wastel bread of a ferthing shal weigh vj. li. & xvi. s. Breade cocket of a ferthyng of the same corne & bultel shal weigh more then wastell by ij. s. Cocket bread made of corne, ỳ is of lesse price, shal weygh more then wastell by v. s. a simnel of a farthyng, shal weigh ij. s. lesse thẽ wastel. Bread made of the whole wheat shall weigh a cocket & an halfe, so that a cocket shal weigh more then a wastell by v. s. Bread of trete shal weigh ij. wastels. Bread of common wheat shall weigh ij. great cockets, when a Quarter of wheat is sold for xviij. d. a wastell lose of a farthing shal weigh iiij. li. x. s. viij. d. when a quarter of wheat is sold for ij. s. then a wastell lose of a farthing, shall weygh iij. li. viij. s.

Wheat

When it is solde for ij. s. vi. d. iiij. s. iiij. d. ob. q.

| | |
|---|---|
| when for iii. s. | xlviii. s. |
| when for iii. s. vi. d. | xlii. s. |
| when for iiii. s. | xxxvi. s. |
| when for iiii. s. vi. d. | xxx. s. |
| when for v. s. | xxviii. s. ii. d. ob. |
| when for v. s. vi. d. | xxiiii. s. viii. d. q. |
| when for vi. s. | xxii. s. viii. d. |
| when for vi. s. vi. d. | xix. s. xi. d. |

when

| | |
|---|---|
| when for vii.s. | xix.s.i.d. |
| when for vii.s.vi.d. | xviii.s.i.d.ob. |
| when for viii.s. | xvii.s. |
| when for viii.s.vi.d. | xvi.s. |
| when for ix.s. | xv.s.q. |
| when for ix.s.vi.d. | xiiii.s.iiii.d.ob.q. |
| when for x.s. | xiii.s.vii.d.ob. |
| when for x.s.vi.d. | xii.s.xi.d.q. |
| when for xi.s. | xii.s.iiii.d.q. |
| when for xi.s.vi.d. | xi.s.x.d. |
| when for xii.s. | xi.s.viii.d. |

And then a baker of euery quarter of wheate (as it hath ben prooued by the kynges bakers) may gaine iiii.d. and ỳ branne, and two loues for aduauntage, for their seruauntes i.d.ob. for two laddes.ob. in salt ob. for the kneedinge ob. for candell q. for wood ii.d. for his bultell ob. The statut of bread and ale An. 51. H. 3. Gayne

3 ¶ When a quarter of wheat is sold for iii.s. or iii.s. and fower pence. And a quarter of barley at the price of xx.d. or ii.s. And a quarter of otes at xvi.d. then brewers in cities ought and may well afford and sell ij. galons for i.d. And out of Cities they may sell iii. or iiii. galons for i.d. statut of Bread & Ale. An. 51. H. 3. Brewers

4 ¶ By the consent of ỳ whole realm of England the kinges measure was made, that is to say, that an Englysh peny, whych is called the sterlynge, round, without clippinge shal weigh 32. graines of wheate dry in the myddest of the eare, and 20. pence make an ounce, and 12. ounces make a pound, & eight pound make a galon of wyne, & eight gallons of wine make a Bushell of London, which is the eighth part of a quarter. The ordinaunce of measurynge made the 51. yeare of Edward the first. Measure Ounce

5 ¶ If a Baker or a Bruer be conuict, because he hath not obserued the assise of bread & ale, the first, second, and third tyme, he shalbe amerced according vnto hys offence, if it bee not oner grieuous, but if the offence be grieuous, and often, and bee not amended then hee shal suffer punishment of the body, that is to wit, a Baker to ỳ pillory, and a Bruer to the tumbrell, or some other correction. First, fire lawfull menne shalbee swore truely to gather al measures of the Towne, that is to witte bushels, halfe & quarter bushels, galons, pottels, & quartes, as wel of taucrues as of other places. Measures and weightes, that is to wit poundes, halfe poundes, & other lytle weightes, wherwith bread of ỳ townes or of the court is waied, that is to say, one lofe of euery sort of bread. Baker Brewer Amerce Pillorie Tumbrell

And vpon euery measure, elle, weight and also vppon euery lofe, the name of the owner shalbee written. And lykewise they shall gather the measures of milles. After which thinge doone, xii. lawfull men shall swere to make true answere to al such thinges as shalbee demaunded of them in the kings behalfe vppon artycles here folowyng, and such thynges as bee secrete, they shall vtter secretly. And the Baylife, shalbee commaunded to bringe in all the Bakers and Bruers wyth their measures, and al thinges vnder written. First they shal inquire the price of wheat, that is to wit, how a quarter of the best wheate was solde the last market day, and howe the second wheate, and howe the third: and howe a quarter of Barley and oates. Afterward howe the Bakers bread in the Court dooth agree, that is to witte, wastell and other Bread after wheat of the best or of the second, or of the third price. Also vppon howe much encrease or decrease in the price of wheate a baker ought to chaunge the assise & weight of hys bread. Also how much ỳ wastel ought to weigh, & al other maner of bread after ỳ price of a quarter of wheat ỳ they present. Also for default in the weight of the breade, a Baker ought to be amerced, or to be iudged vnto the Pillorie according to ỳ law and custome of the Court. Also if any steward or bailife for any bribe, doth Enquest Othe Bailife Enquire Baker Pillorie

doth releſſe punyſhment of the pyllory and tumbrel, beinge already iudged, or to be iudged of right.

Also if they haue in the towne a pillory of cõuenient ſtrength, as appertaineth to the lybertie of their market, which they may vſe (if neede be) without bodely perill either of man or woman. Afterward they ſhall enquire of

Wine the aſſiſe and price of wine after ẏ departure of the Juſtices in eire or of thẽ that were laſt in office of the market of the towne, that is to ſay of ẏ vinteners names, and howe they ſel a gallõ of wine. And if any corrupted wine bee in the towne, or ſuch as is not holſome for mans body. Also of ẏ aſſiſe of

Ale ale in the court of the Towne howe it is, & whether it be obſerued, and if not howe many bruers haue ſold contrary to the aſſiſe, and they ſhal preſent their names diſtinctly and openly, and that they be amerced for euery default, or to bee iudged to the tumbrell, if they

Tumbrell ſell contrary to the aſſiſe. Also if there bee any that ſell by one meaſure, and

False meaſures buy by an other. Also if any doo vſe falſe elles, weightes or meaſures. Also if any butcher do ſel cõtageous fleſh

Butcher or that died of the murren. Also they ſhal enquire of cookes that ſeeth fleſh

Cookes or fiſh wt̃ bread or water, or any other wiſe that is not hollome for mannes body, or after that they haue kept it ſo longe that it leſeth his natural holſomneſſe, & then ſeeth it againe and ſel it.

Forſtallers Also of forſtallers, that buy any thing afore the due and accuſtomed howre againſt the good ſtate and weale of the towne & market, or that paſſe out of ẏ towne to meete ſuch thinges as come to the market, being out of the towne to thintent that they may ſel the ſame in the towne more deere vnto regratours ẏ vtter it more dere then they would that brought it, in caſe they had come to the town or market. When a quarter of Barley is ſold for ii.s. then

Ale fower quartes of ale ſhalbe ſold for a peny, when for ii.s. fyue d. then vii. quartes of ale ſhalbe ſold for ii.d. whẽ for iii.s. then iii. quartes for a peny. when for iii.s.vi.d. then v. quartes for ii.d. when it is ſold at iiii. s. then two quarts at i.d. And ſo fromhence forth ẏ prices ſhal increaſe & decreaſe after the rate of vi.d. An. 51. H. 3.

Acres 6 ¶ When an acre of land containeth r. perches in length, then it ſhalbe in breedth rvi. perches, when it containeth ri. perches in length, then it ſhalbe in breedth riiii. dim. qr. one foote, when it is riii. then riii. v. foote, one inche, when riiii. then ri. vii. foote i. inche, when rv. then r. & dim. ii. foote & dim. when rvi. then r. when rvii. then ir. iii. foote. iii. inches & dim. whẽ rviii. then viii. dim. vi. foote and dim. v. inches, when rix. then viii. vi. fote iiii. inches & dim. when rx. thẽ viii. perches, when rxi. then viii. perches, & dim. ii. fote i. inch. whẽ rxii. then vii. i. qr. viii. inches & dim. when rxiii. thẽ vi. & dim. iii. inches, vi. fote & dim. when rxiiii. thẽ vi. & dim. ii. fote & dim. iii. inches, when rxv. thẽ vi. & i. qr. ii. fote & dim. inche, when rxvi. thẽ v. & dim. vi. fote ii. inches, when rxvii. then v. & dim. iii. fote, whẽ. rxviii. thẽ v. vii. fote & dim. when rxix. then v. vi. foote & dim. whẽ rxx. then v. vi. fote, when rxxi. thẽ v. ii. fote & dim. whẽ rxxii. thẽ v. whẽ rxxiii. then iiii. dim. i. qr. i. fote & dim. i. inch, when rxxiiii. then iiii. & dim. iii. fote iiii. inches & dim i. qr. when rxxv. thẽ iiii. & dim. i. fote ii. inches & dim. when rxxvi thẽ iiii. i. q. iii. fote & v. inches and dim. when rxxvii. then iiii. i. qr. iii. fote and dim. whẽ rxxviii. then iiii. iiii. foote & dim. when for rxxix. then iiii. i. fote & dim. ii. inches. & dim. when xl. thẽ iiii. when xli. then iii. i. qr. ii. fote and dim. when xlii. then iii. i. qr. ii. fote, when xliii. then iii. i. fote & dim. when xliiii. then iii. and dim. fote, and v. inches, when xlv. then iii. and dim. An. 33. E. 1. ſtat. of meaſuring land.

Wread 7 ¶ The aſſiſe of bread that is cõtayned in wyndſor in the kyngs mar ſhalley to them geuen, ſhould be kept after

after the sale of Corne, that is to saie the best second, and third, aswell the wastell as all other bread of whatsoeuer kinde it bee, shall weyghe accordinge as is sayed by the sale of the middle Corne, nor thys assise shall not bee chaunged, except the weight of bread encrease or decrease by sixe pẽce in the sale of a quarter of wheat. The Baker if hys farthing bread be found lackinge weight two shillinges sixe d. or vnder, he shalbe amerced, and if he exceede it he shalbe set on the Pyllorie and shal not bee forgeuen for Golde nor siluer. And euery Baker shal haue hys proper marke vppon euery kynde of bread. Tol at the mill after ẏ Custome of the realme, and strength of ẏ water, shalbee taken the twenteth Corne, or the twenty foweth corne. And the measure, whereby the Tolle shalbe taken, shalbee agreeable to the kings measure, & the Tol shalbe taken by raiſor & not by heape.

weighe

Baker ij.s.vi.d.

Pillorie

Marke

Tolle

And if the fermour find the millers their necessaries, they shall take nothinge beesides their due toll, & if they do otherwise they shalbe greuously punished. The assise of ale of whom it is brewed shalbee ordained, proclaymed, and kept, according to the sale of corne And ẏ brewer shall not encrease meze in a Galon except the quarter of malt encrease by sixe pence. And if he breke the assise, the first, second & third time, hee shalbee amerced, and the foweth time without any raunsome, he shalbe set on the pillorie. The standerd of the Bushell, Gallon and yard shalbee signed with the kynges Seale in Irõ diligently, and shalbe safely kept vnder paine of a C.li. And no measure shalbe made in any towne, except it agree wt the kings measure, and be signed with the common signe of the towne. If a any manne buy or sell by measures not signed and tryed by the Maior and Bailifes, he shalbee greeuously amerced. And all the measures in euerie Towne, great and smal shalbe seene and diligently tryed twise in a yeare, If any man be cõuicted with a double measure, a greater to buy, & a lesser to sell, hee shalbee imprisoned as a falsifier and greeuously punished. The standerd of the bushell and yard shalbe in the Custody of the Maior and Bailifes, and vi. lawful men of the towne sworne, before whom al measures shal be signed, no kind of Corne be sold by rase or heape, besides Dates brand and meale, The stat. of weights and measures made the 51. yere of E. 3. And in the second volume of Statutes it is entituled Stat. de pistoribus & braciatoribus & aliis vitellariis &c. In the newe printed booke commonly called Magna Carta, late printed by Richard Tottel An. do. 1556. fol. 167. as followeth. If any man presume to to sel meale of fustred Dates, by anie false meane, first he shalbe greeuously punished, the second tyme beinge conuicted hee shal loose al his meale, the third time he shalbe set on the pillory, the foweth he shal abiure ẏ towne &c. This seemeth to be a parcel of the last statut here before.

Double measure

Standerd

Heape

Imprison

Fort.

Pillory

Assise of ale

Brewer

vi.d.

Pillorie

Marked

Measure

Maior Baylifes Amerce

8 ¶ The load of lead doth consist of thirtie formelles, and euery formell containeth sixe stone, except ii. pound, and euery stone doth cõsist of xii. poũd, and euery pound consisteth in waight xvi.s. whereof ẏ sume in the formel is 70. pound, But the summe of ẏ stones in the load is 8. times 20. & 15. & it is prooued by 6. times 30. which are 9. times 20. But of euery formel there are abated ii. poũd in the foresaid multiplication, which are 60. which make 5. stone. And so there are in the loade 8. times 20. & 15. as is aboue said, according to soe other it cõsisteth of xii. waights, & this is after Troy waight And the summe of stones in ẏ Loade is 8. times 20. & eight stone, and it is prooued by 12. times 14. There is a waight aswell of lead, as of woolle, tallow, & Cheese, and waieth 14. stone And ii. waights of wool make a sacke,

Loade

Lead

Forme

Stone

Pounde

waighe

Woll

Tallow

Cheese

and

and rii. sacks make a Last. But a last
Herringes of herrings containeth ten thousand,
& euery thousand cõtaineth x. hũdred,
& euery hundred fiue score. A last of lea
Leather ther doth consist of xx. dikar, and euerie
dykar consisteth of tenne skinnes.
Gloues And a dykar of Gloues consisteth of x.
Iron paire of Gloues. Item a dykar of Irõ
for horses doth cõsist of x. Irons. Item
a dosen of Gloues, parchment & vellã
in their kindes containe rii. skinnes, &
rii. peare of Gloues. Item a hundred
Ware of ware, Spice, Pepper, Cynamum,
Spice nutmegges, and allume, containeth
viii. stone, and halfe, and euery stone,
viii. pound. The summe of poundes in
a hundred C. viii. pound. And the hun-
dred is contayned of fiue times twẽty
& euery pound of xvb. s. Item it is to
Pounde be knowen that the pound made in
fourme of pence, as of tryed siluer, cõ-
sisteth in waight xx. s. But the pound
of al other things, waieth xvb. s. Item
in electuaries and confections, the
pound containeth rii. ounces, and an
Ounce ounce hereof is of the waight of xx. d.
Item a hundred of Canuas and linnẽ
Canuas cloth consisteth of C. Elles, and euerie
Elles C. containeth fiue score. But the hun-
dred of Iron, & shillinges cõsisteth but
of fiue score. The dosen of Iron con-
Seem sisteth of fiue pieces. The seem of glasse
cõtayneth xxiiii. stone, & euery stone v.
li. And so the Seem cõtaineth vi. score
Binde Eeles pound. A bind of eeles consisteth of x.
strikes, and euery strike xxb. Eules.
Skinnes But the binne of Skinnes cõsisteth of
xxiiii. skinnes. A timber of conyskins
and Grayes consisteth xl. Skinnes, a
Chek Sindone chek of fustian consisteth viii. Elles,
Garlike a chek of Sindone containeth x. Eeles
a hundred of Garlicke consisteth of xb.
Ropes, and euery rope containeth xb.
heades, a hundred of hard fish is viii.
score. Compositio de ponderibus.

Corne 9 ¶When a quarter of corne is
sold for iii. s. or iii. s. iiii. d. and Barley
for xx. d. or ii. s. and a quarter of Otes
for xvi. d. then wel may the Bꝛewers
sell in Cities two quartes of Ale for
a peny, and without Cities, they shall
sell three for a peny. And when in a
Borough, there are three quartes sold Borough
for a peny, wythout they shall sell iiii.
and well they may. And thys assyse
shalbee holden through all England.
And knowe yee ẏ if a Baker or bꝛuer
bee conuicted that they haue not kept
the forelayed assises, first second and Assise
third time, they shalbe amerced ac-
cording to the quantitie of their office,
and that as often as a Baker shall of-
fend in the waight of bꝛead, of a far-
thinge more then ii. s. that then he bee
amerced, as afore is sayed. But if he Amerce
exceede ii. s. hee shalbe set on the Pil- Pillory
lory, wout any redemption of money.
In like manner it shalbee done, if they
often offend, and wil not amend, then
they shal suffer iudgment of body, that
is to say the Collistrig, if hee offend in Collistrig.
the waight of bꝛead, a farthyng aboue
ij. s. as is afore sayed. Likewise ẏ wo-
man Bꝛewer shalbe sett on the Tre-
buch or cattigar. if shee often offend &
wil not amend, Statutum panis &
seruicie.

10 ¶It is ordained, that three
graines of Barley dry and rownd make
an ynch, xii. inches make a foote, three Inche
foote make a yard, fiue yardes and a Foote
halfe make a perch, and xl. perches in Yarde
length, and lower in bꝛeadth make an Perche
acre, Compositio vnarum & perti- Acre
carum.

11 ¶When a quarter of Barley
is sold for ii. s. then lower quartes of Ale
ale shalbee sold for a peny, when for
ii. s. fiue pence, then seuen quartes for
ii. pence, when for iii. s. and vi. pence,
then fiue quartes for ii. d. when for iiii.
s. then ii. quartes for a peny. And so
further it shal grow or diminish by vi. vi. Pence
pence, The assise of ale.

12 ¶One weight shalbe through weight
out the realme of England. And that
the treasourer do to be made certaine Treasorer
standardes of bushelles, gallons, of Standard
weightes

weightes of auncel, and send the same into euery Countie, where such standerds be not sent before thys time.

And thereuppon shalbee assigned two good and sufficient personnes in euery countie, and more accordyng as ẏ coũtie in greatnes requireth, to survey as wel within frãchise as without, ẏ the measures & ẏ weights be accordinge to the standard. And that they haue power to enquire heare and determine, & to punish al those that shalbe found there of guiltie. And that the shirifs at their commandements receiue and retaine them in prison til they haue made fine to the kinge. And euery personne that wyl complaine of such as do offend in buyinge or selling, shalbe heard as wel for the king as for them selfe.

And that the sayd assignées shal deliuer their estretes euery yeare in the morowe of saint Michael at Theschequer, and take for their expenses ẏ fowerth part of that ẏ they may leuy, and aunswere to the king of the third partes. And of that that may not bee leuied before their profer, the fowerth part shalbee allowed to them at ẏ Eschequer, and the third partes leuied to the kinges vse. And it is not ẏ kinges mind, but that the clerke of the market shall do hys office where hee will accordinge as he was wont to doo in times past. Nor the lordes of fraunchises shall not bee out of their fraunchises by the occasion of this ordinãce, An. 14. E. 3. ca. 12.

13 ¶ This weight called auncel, beetwirt buyers and sellers, shalbee wholly put out. And that euery sale & buyinge bee by the balaunce, so that ẏ balance be euen and the Woolles and other marchandises euenly weyed by right weight, so that the sacke of woll weie no more but xxvi. stones, & euery stone to weie viii. li. And ẏ ẏ beam of the balaunce doo not bowe more to the one part then to the other. And ẏ the weight be accordyng to ẏ standard of the eschequer. And if any buyer doo the contrary, he shalbee grieuously punished as wel at the suit of ẏ party, as at the kinges suit. An. 25. E. 3. ca. 9.

14 ¶ All the measures, that is to say, bushels, halfe bushels, pecke, gallon, pottel and quart throughout England, within fraunchises and without, shalbee accordinge to the kinges standerd. And the quarter shal cõtaine viii. bushels by the standerd and no more. And euery measure of Corne shallbee striked without hepe, sauing the rents and fermes of Lordes, which shalbee measured by such measures as they were wont in times past. And the purueiours of the kinge, of the Quéene, & al other, shal make their purueiaũces by the same measures, striked in the same maner, and at al times that shal bee needefull. And our soueraigne lord the king shall assigne certayne Justyces in euery county to enquire, heare & determine, vppon the pointes aforesayd, and vpon the same to do punishment accordyng to the trespas, as wel at ẏ partyes suit, as at the kyngs. So alwaies that al maner of fraunchises bee saued to the Lordes in all pointes without blemishe to bee made in any maner, An. 25. E. 3. ca. 10.

15 ¶ One weight, one measure, & one yard, bee through all the land, as well out of the staple as within.

And that woolles, and all manner auoier de pois, bee weied by ẏ ballãce, so that the tounge of the balaunce bee euen without bowynge to ẏ one side of to the other, or wythout puttynge hand or fote, or other touch makynge of the same. And that he that doth agaynst the same, to the dammage of the seller, shal forfait to vs the valour of the marchaundise so weyed & measured, and the party that wil cõplayne hym shall haue the quatreble of that that hee shalbee endammaged, and ẏ trespassour shall haue one yeares imprisonment and bee raunsomed at the kynges will, and thereuppon Justices shalbee assigned to enquire of such trespasses

Hurney
Oier & ter.
Punish
Shirifes
Estreates
Escheqner
Clerke of the market
Auncel
woll
Stone
Punishe
Bushell
Gallon
Quarter
Purueiors
Justices
Oier & ter.
Woolls
Forf.
Imprison
Fine
Justices

passes at all times that shalbee neede full, and to do right as well at our suyt as at ẏ suyt of other ẏ therof wil complaine. An.27.E.3.cap.10.statut of the staple.

16 ¶The said statut shalbe holden and kept in all pointes. And moreouer if any sel tõne or pipe of wine not gauged, that the sayed seller shall forfait the same wine or the valour, to ẏ king. An.31.E.3.cap.5.

Wine Gauge Forf.

17 ¶They which shalbee assigned to keepe the peace shall haue power to enquire of measures, & also of weights according to the statut thereof made the xxb. yeare of the raigne of our Soueraigne lord the kynge that nowe is (cap.9. before 13.) Anno.34.E.3. cap.5.

Just. of p. Enquire

18 ¶All the measures, that is to say, Bushel, halfebushel, pecke, gallõ, pottel, and quart through England within fraunchise and without, shalbee according to the kinges standerd. And the quarter shal containe viii. Bushels by the standerd and no more. And euery measure of Corne shalbee striked without heape, sauynge the rents and fermes of lords, which shalbee measured by such measure as they were wõt in times past. And the purueyours of the kyng the Quene, and of all other, shall make their purueiaunces by the same measures striked and in ẏ same manner. And that at all times, when neede shalbee, the kynge shall assygne certaine Justyces in euery Countie of England, to enquire heare and determine vppon the pointes aforesaid, and so make punishment thereupon according to euery trespas, as wel at the suit of the partie as at the kynges suit.

Standerd Quarter

Justices Enquire Oier & ter.

So alwaies that al manner of fraunchises bee saued to the Lordes in all pointes, which thynges the kinge wil that they shalbe cryed in euerie countie within franchise and without, betwixt this and ẏ feast of Easter next commynge, to the intent that they be holden and kept in all pointes. And that the sayd keepers of the peace enquire and punish all those whom they shall find to haue doone agaynst ẏ said statute after the sayed proclamatyon made. And also the said proclamation shalbee made in Cities, Boroughes, and Townes enfraunchised that the sayed artycles bee holden and kept in all pointes, vppon the paynes contayned in the statute made the xxviii. yere of the raigne of our soueraigne Lord the kinge that nowe is, touchinge the citie of London and other cities & Boroughes of the Kealme. And if they keepe not the sayed articles, the kynge in their default shall doo the same sta. (made of the same paynes) to bee put in execution agaynst them. An.34.E.3.cap.6.

London

19 ¶One measure & one weight be through al ẏ realme of England, as in the great charter, & all other good statuts & ordinãces therof made, is more plainely contained. And euery man ẏ shalbe cõuict ẏ he hath or vseth any other measure or weight, shal haue imprisonmẽt of halfe a yere, & make gree to ẏ partie greeued to the double of his losse, except it be in the coũty of Lancaster, because ẏ in ẏ coũty it hath alwaies ben vsed to haue greater measure then in any other party of ẏ Realme. An.13.R.2.ca.9.

Measure Imprison

20 ¶Where as it is ordained by dyuers statuts, ẏ one measure of corne, wine, & ale should be throughout ẏ realme, and ẏ viii. bushels striked make the quarter of corne. Neuertheless because ẏ no paine is thereupõ ordained in ẏ said statutes, diuers people of dyuers cities, boroughs, townes, & markets, wil not take neither buy in ẏ said cities, boroughes, townes, marketts, ne in none other place, but after ir. bushels for the quarter: and if they canne not buy in that manner, they arrest it as forfait, to the great damages & oppression of al ẏ people, & manifestly against the statuts aforesaid: It is ordained & assented, ẏ the saied statutes

Measure

shalbee

shalbe fermely kept & holden, as wel in ỳ city of London as in any other place thꝛoughout ỳ realme, & ỳ aswel by water as by land, notwithstandinge anie vsage oꝛ custome in times past vsed to ỳ contrary. And that none frombence foꝛth do buy in the Citie of Londō, ne in no other place, no maner cozne noꝛ malt, but after viii. bushels ỳ quarter, accoꝛding to ỳ purpoꝛt of ỳ said statuts vpon paine of foꝛfaiture of al ỳ Cozne oꝛ malt so bought, sauing to the kynge ỳ said foꝛfaiture, except fraūchises roial to whō ỳ king of his especyall grace hath graūted ỳ same foꝛf. & ỳ aswell ỳ maioꝛ & shiriffes of London, as ỳ maoꝛs & bailifes of other cities boꝛoughs, townes & markets (if they do not there of ful & due execution) shal incurre like peine as wel at ỳ suit of the kinge as of the party oꝛ any other persō ỳ wyll sue foꝛ ỳ king. An. 15. R. 2. ca. 4.

London
Quarter
Foꝛf.
Maoꝛs
Shiriffes
Bailifes

21 ¶ All the weightes & measures thꝛough the Realme, shalbee accoꝛding to the standeꝛd of the Eschequer, after the foꝛme of the statutes thereof made. And also the king will, ỳ ỳ clerk of the market shall haue al his measures & weightes ready, accoꝛding to ỳ standeꝛd of the Eschequer, and signes and markes of the signe of the Eschequer to that oꝛdeyned, and the same weightes & measures so signed & marked, to carry and bꝛing with him at all times that he shall make the assay of weightes & measures in any part wīn the Realme, and ỳ he noꝛ none other of the kings liege people shal vse none other measure noꝛ weight, vppon the peines contained in the statutes theꝛof made befoꝛe this time. An. 16. R. 2. cap. 3.

Standeꝛd
Clerke of the market

22 ¶ Al the said good oꝛdinances be fermely holden & kept after the effect of the same. And that no puruetoꝛ of our soueraigne loꝛd ỳ king, noꝛ none other, shall vse hereafter to buy noꝛ to take any cozne by other measure, but viii. bushels striked foꝛ ỳ quarter, & ỳ none bee otherwise holden to deliuer foꝛ ỳ quarter but viii. bushels striked, as it is afoꝛesaid, & also ỳ ỳ paimēt bee made in hand foꝛ ỳ cariage. And ỳ if any puruetour of our soueraigne loꝛd ỳ king oꝛ any other person, buy oꝛ take any cozne otherwise, oꝛ by other measure but viii. bushels striked foꝛ ỳ quarter, as in ỳ said oꝛdinaūces is cōtained & therof be attainted, he shal haue one yeres imprisonment, & pay to ỳ kinge an C. s. & to ỳ party ỳ feeleth him selfe greued an other C. s. & that as often as any of thē be thereof attainted, & ỳ ỳ party which will sue, haue an actyon grounded vpon the case: & ỳ ỳ Justices of the peace haue power to enquire & hold plee of al these thinges afoꝛesayd, & vpon that make punishments as afoꝛesaid, aswel at ỳ suit of the kinge, as of ỳ party, & that frombence foꝛth nothinge bee taken, foꝛ the measuringe of such cozne in any wise. Anno 1. H. 5. cap. 10.

Puruetour
Quarter
Measure
Imprison
Fine
Action
Iust. of p.

23 ¶ The king do to be oꝛdained good & iust weight of noble, half noble, & farthing of gold, with the rates necessary to ỳ same, foꝛ euery citie, boꝛough, and market towne of the realme, to be deliuered by the chaunceller of England to thē ỳ will haue them, to ỳ intent ỳ they be not deceiued by false counterfaitours, & thē ỳ vse false weight in disceipt of the people. An. 9. H. 5. ca. 7.

Weight
Golde
Chaūcelor

24 ¶ No man after ỳ end of vii. monethes of ỳ feast of Easter next comminge, shal bꝛinge into the Realme of England, of what countrey so euer it be, noꝛ make wīn ỳ sāe realme tonne of wine, except it containe of the English measure CC. lii. gallons, the pipe C. xxvi. gallons, & so after ỳ rate, the tercyan and ỳ hoggshead of gascoyne wine, vpon paine of foꝛfaiture of the same wine, Noꝛ barrel of herring noꝛ of Eeles, vnlesse they cōtaine xxx. gallons fully packed, noꝛ but of salmō, vnlesse he cōtaine 84. gallōs fully packed noꝛ kinderkinnes, tercians, & firkens of herring, noꝛ of Eeles, noꝛ of salmō but after ỳ rate fully packed, after the

Tonne
Wine
Measure
Foꝛf.
Fishe

feast

feaſt of the natiuitie of Saynt Jhon the baptiſt next comminge, vpō paine of forfaiture of the ſaid hering, Eeles & ſalmon, ſo brought or made contrary to thys ordynaunce, in what cytie, Borough and Towne of the realme, or in any partie of England that ſuch defaultes bee found, to the Lord of the ſame Towne. And that hee that wyll ſue and proue the ſayd defaultes, ſhal haue the fowerth part of the ſame forfayture. And the Juſtyces of peace in al the counties of England, & Maires and bailifes, hauinge power to enquire of the peace, ſhall enquire heare and determyne all that ſame defautes. And that thys ordinaunce extend and haue ſtrength, aſwel within the Countie of Cheſter, as elſe where. 2. H. 6. capitulo. 11.

Forf.

Juſt. of p. Maior Bailife

Oier & ter.

25 ¶ The Juſtices of peace, Shirifes, Eſchetours, and other perſones to be aſſigned by the kinge, ſhall haue power by Commyſſion to enquire of al falſifiers and counterfaiters of falſe weightes, and to take thē & impriſon, & in priſon to hold them without mainprize, till they be acquite or attaynted, and if they be attainted, their body ſhal abyde in pryſon til they haue made fines and raunſomes after the diſcretyon of the ſayd Juſtices. And that the ſame Juſtyces haue power thereof to enquire, heare, and determine, as oftē as to them ſhall ſeeme neceſſary. An. 9. H. 5. ca. 8.

Juſt. of p. Shiriſes Eſchetors

Impriſon

Mainprize

Enquire Oier & ter.

26 ¶ Whereas by the great charter of the liberties of the Realme of England, and by a ſtatute made the xxv. yeare of kinge Edwarde the third, it was ordained, and by a ſtatute made and the viii. yeare of kinge Richard the ſecond confirmed, that one weight & one meaſure ſhould be throughout all the realm of Englād aſwel out of ý ſtaple as within. And in the ſame ſtatute of the ſaid noble king Edward, it is contained, that the weight called auncell for the great damage & ſubtil deceipts done by the ſame meaſure to the common people, ſhalbe vtterly left and ſeperate, and the woolles, and all other maner of marchaundiſe, and all other thinges lyinge in weight, bought or ſold, ſhalbee weyed by the ballaunce, ſo that the tongue of the ballaunce do not incline more to the one party then to the other, with weightes Sealed and accordinge to the ſtandard of the Eſchequer. And hee that doth contrarie to the dammage of the ſeller, ſhal forfait to the kinge the valour of ý goods ſo weyed or meaſured. And that the party complaynaunt haue the quatreble dammages. And by the ſayed ſtatut of the ſayed noble kyng Rychard, it was added, that the offender ſhalbee impriſoned by two peres, & make fine and raunſome at the kinges wil. And that the Juſtices of peace ſhould haue power to enquire of the ſaid defaultes, aſwell at the kinges ſuyt as the parties. Our ſoueraigne Lord the kinge, by aucthoritie of thys parlyamēt, hath ordayned and ſtabliſhed, that the ſtatutes & ordinaunces aforeſaid, ſhalbee firmely kept & holden, and ſtraitly executed. And more ouer, for to eſchue diuers great miſchiefes, which haue happened within the Realme of England by the ſaid auncel, & ſpecially for to diſtroy the falſitie of the Regrators of yarne, called Journe choppers: It is ordayned by our ſaied Soueraigne lord the king, by auctho ritie aforeſaid, ý in euery Citie, Borough, & Towne of the Realme of England, commen ballaunce ſhalbe, wt commen weights ſealed, & according to the ſtanderd of ý Eſchequer, vpon the commen coaſts of the ſaid citie, borough, or towne, in the keping of the Maior or conſtable of the ſame, to which ballaunce & cōmen weight, al the inhabitants of the ſame citie, borough, or towne, that haue not ſuch weights, & other that haue, if they will, may freely weigh, without any thing paying, taking neuer the leſſe of forreyns for euery draught within the weight of xl. pound, a farthinge, & for euery

Forf.

4. damag.

Juſt. of p.

Regrators

Ballaunce

Maior Conſtable

Fees

euery draught betwixt xl.li. & a hūdred an halpeny, and for euery draught betwirt C.li. and a thowland pound, a peny at the most, wherof the weights shalbe maintayned, & the officers lawfully weying, rewarded by the discretion of the chiefe of the citie borough or towne according to his attendaunce to the saied occupation bee it more or lesse. And that no man buy yarne or wooll called woollen yarne, vnles hee will make cloth thereof, nor vse weight nor measure, nor other thing in ỳ place of weight or measure, that is not sealed according to the sayd standerd, nor set nothing to the same by the way of taking or hiding, or in any other manner that may encrease the measure or weight, or let the ballaunce to haue hys owne course vpon ỳ forfaiture & paine aforesaied.

yarne

And that ỳ Iustices of peace, maiors bailiffes, and stewards of fraunchises, haue power by auctoritie aforesaied to examine the trespassours in this case, and for to enquire in especiall of offenders against this ordinaunce, and to do execution against them that bee found defective, by enquestes or by examination to bee made by the saied iudges of officers in this case in the maner as afore is said. And that this ordinaunce be holden and obserued, from the feast of Easter next ensuing for euer. And ỳ euery city vpon paine of tenne pound, euery borough vppon paine of an C.s. and euery towne, where a constable is vppon paine of xl. s. haue a common ballance with weightes according to the said standerd, within two moneths after proclamation made of this ordynaunce, which paine shalbe leuied to ỳ vse of our soueraigne lord the king, as oftē as they shalbe defective agaynst ỳ said proclamatyon. Anno. 8. H. 6. capitulo 5.

Iust. of p. Maior Bailife Steward

Enquests

Officers

Citie Borough

Ballaunce

King

27 ¶ By force of the statute made in the last parliament (S. An. 8. H. 6. ca. 5. before 26.) of weightes, according to ỳ standerd of ỳ Eschequer to be had in euery citie, borough, & towne, within the realme, the burgesses of the borough of Dorcester shall not be disturbed of their ryght, to vse their weying by xii. mile about the same borough, vsing alwaies such weightes as in the said statute bee expressed. And that no right nor title of weying growe to any by force of the same last statute in disturbāce of the right of the said burgesses of the said borough of Dorcester An. 9. H. 6. ca. 6.

Dorcester

28 ¶ The weight of a way of Cheese may containe xxxii. cloues, that is to say euery cloue vi.li. by ỳ sayd weightes touching. An. 9. H. 6. ca. 8.

weye of cheese

29 ¶ As well the said statutes. (S. all statutes made for weightes and measures of corne, and the statute of An. 1. H. 5. ca. 10. before 22.) as the statuts of weights and measures made at the parliament of our soueraigne Lord the king that now is the viii. yeare of hys raigne, be proclaimed aswel in the citie of London, as in al other cities, boroughes and countes of England, & putt in due execution after the fourme and effect of the same. Joyning to ỳ saied statute, made the said viii. yere. In euery citie borough and towne of the Realme there shalbe a commō bushel sealed, and according to the standerd in the eschequer in the same maner & fourme and vpon the same paine, as in the sāe statut is specified. And a common ballance to be in euery such citie borough and towne. And that the maior of the citie of London, and al other maiors of al other cities & boroughes of Englād, where there is a maior, and al bailiffes of cities & boroughes where there is no maior, & al Iustices of peace in euery county of Englād for the time being, shal haue full power to put all the statutes and ordinaunces aforesaid in due execution, & to heare and determine al the defaultes misprisions, offences & trespalles against ỳ fourme & effect of ỳ said statuts & ordinaunces, done or to be done, or cōmitted aswell at the suit

London

Cities Bushell

Ballaunce

Maior Baylifes

Iust. of p.

Diet & ter.

of the kynge as of ẏ party, that in ſuch caſe ſecletly hym ſelfe greeued, & of any other of ẏ kinges liege people, within this beehalfe will ſue for the king our ſoueraigne lord, & that as well by examinacion of the parties or any of them after the diſcretion of the ſayd maiors bayliffe and iuſtices of peace, as by iſſues to be tried by inquiſitions duely to be taken and other pleas & proceſſe of ẏ law of the land. And ẏ aſwel the party greued as an other liege man of our ſoueraigne lord the king, ẏ will ſue for ẏ king ſhal haue the iuit in that caſe at his will. And that he that is ſo attainted of any default miſpriſion, offence or treſpaſſe done againſt the ſaid ſtatute made the ſaied firſt yere, ſhall pay to hym, at whoſe ſuit hee is thereof attaynted, an hundred ſhillinges, and his reaſonable coſtes of the ſaid ſuyt, and to the kinge an other C.s. And ẏ as well the maior of London for the time beeinge after that hee is choſen maior and ſworne within the ſaid Cytie at his firſt comming to the Eſchequer before the Treaſorer of England and ẏ Barrons of the kynges Eſchequer, as euery of the ſaid other maiors & bailiffes in their othes to be made for their ſaied offices, ſhalbee charged and ſworn to do kepe & execute al ẏ ſtatuts aboueſaid. And that al ẏ maiors & bailiffes of cities & borroughes of ẏ realme accomptable in the ſaid eſchequer, doe yerely accompt in the ſaid eſchequer of the profites and forfaitures that may or ought to pertaine to our ſoueraigne lord ẏ king by the fourme of ẏ ſaid eſtatuts. Sauing alwaies to lords, Cyties and borroughes their liberties and fraunchiſe granted to them by our ſaid ſoueraigne lord the king, or any of hys progenitoures, not reuoked, repealed, or adnulled. And ſauing alwaies that the ſaid ſtatute made the fyrſt yeare of kynge Henry the fyfte, and all other ſtatutes of meaſures and weightes afore made, ſtand in their force. An. 11. H.6. cap. 8.

Fork. Coſtes

Maior

Othe

Accompt

30 ¶ For almuch as all the tunnes, pypes, tercians and hoggeſhedes of wine, oyle, and hony, vendable within the realme of England, ought & were wont after the auncient aſſiſe of ẏ ſame realm to containe a certaine meaſure, that is to ſay euery tunne, vii. ſcore and vii. gallons, euery pype vi. ſcore and vi. gallons, euery tercian, iiii. ſcore & iiij. gallons, & euery hoggeſhede iii. ſcore & iii. gallons, and by diuers ſtatutes it hath ben ordeined that the tunnes and pypes of wyne ſhould be gauged, but for the gauging of tunnes and pipes of oyle and hony, or of tercians and hoggeſhedes of wine, no ordinances haue bene made in certaine before this time to the great damage of the king and of his people.

Tunne Pype Hogſhed

The king willing againſt this damage to prouide a remedy in this behalfe, hath graunted and ordayned by auctoritie aforeſaid, that from henceforth al manner of tunnes, pypes, tercians & hoggeſhedes, as well of wyne as of oyle, to be ſold within the ſaid realme ſhalbe wel and lawfully gauged by the kinges gaugeour, or by hys deputy beefore that they bee ſold, vpon paine to forfait to the king al the wine oyle and hony contrary ſold, or the value of the ſame. And in caſe that any perſon of what countrey that hee bee, from henceforth ſell to any of ẏ kings liege people for any price in certaine any tunne, pype, tercian, hoggeſhed of wine, oile, and hony, which wanteth in any wiſe of ẏ aſſiſe and meaſure aforeſaid, ẏ be allowe, and rebate of ẏ ſame price to ẏ buyer of ſuch wine, oyle and hony as much as ſuch default after the rate ſhal amount, vpon paine to forfait to the king ẏ value of al the wine oyle, & hony, contrary ſold, any priuey couenaunt made, or to be made betwixt ẏ ſeller and ẏ buyer contrary to this ordinaunce notwithſtanding.

Gauger

Fork.

Allow

Fork.

And euery perſon that eſpieth any of the forfaitures aforeſaid, and thereof enfourme the Treaſorer of England,

Wytte

lande, or the Barons of the Eschequer, shall haue the halfe of the same forfaitures for his labour. Prouided alwaies ỳ ỳ said gaugeour take and haue for his labour towardes the gauging of euery tunne and ỳpe of oyle and hony as he taketh and hath of euery tunne and ỳpe of wine, and for euery tertian & hoggeshed after the rate. Anno 18.H.6.ca.17.

Merchant

31 ¶ No manner merchant nor other person from the feast of saint Michaell tharchangell next comming, shal bring nor cause to bee brought into this Realme any but of malmesie to be sold, vnles it do containe in measure at the lest C.xxvi. gallons, nor no maner of vessels with any maner wynes, of whole soeuer they bee, or of what countrey they bee, nor no manner of vessels of oyle, vnles the same vessels of wine or oyle, doo containe & holde the measure and assise following, that is to say, euery tunne to containe. xii. score gallons & xii. And euery ỳpe to containe. vi. score and vi. gallons. Euery tertian to containe iiij. score and iiij. gallons, and euery hoggeshed to containe lxii. gallons, and euery barell to containe xxti. gallons, & an halfe, & euery rundlet to containe xviii. gallons, & an halfe, according to ỳ old assise & measure of ỳ same vessels vsed in this realme. And ỳ al ỳ vessels of wine & oyle, brought into this realme after ỳ said feast to be sold shal not be put to sel after ỳ same feast til they be wel & truely gauged by the kings gaugeour, or his sufficient deputy, vpon paine to forfait to ỳ king all ỳ said wines & oyle sold contrary to thys present ordinaunce, or els the value of ỳ same. And in case ỳ any maner person, of what countrey he be from hence forth do sel to any of ỳ kinges liege people for any certaine price assigned, any butt, tunne, ỳpe, tertian, hoggeshed, barell or rundlet, of any maner wine or oyle, lacking any thing of ỳ saied assise or measure, that ỳ seller shall allow or rebate at ỳ sae price to ỳ buyer of such wine or oyle asmuch money as such lacking after ỳ rate shal amount to, vpon paine to forfayt to our soueraigne lord ỳ king ỳ value of all ỳ wine & oyle so sold cõtrary to this prẽsẽt ordinãce, Any priuie couenant or contract made or to be made betwirt the buyer and ỳ seller contrary to this ordinaunce in any maner notwithstanding. An. 1. R. 3. capitulo 13. This act is confirmed by 28.H.8.ca.14.

Butt

Tunne
Ỳpe

Tertian
Hogeshead
Barell

Gauged

Forf.

Forf.

Hell

Sold

weightes
Measures

32 ¶ Considering that the said measures & weights of brasse be deliuered to the citizẽs and burgesses of ỳ chiefe Cities or shire Townes or boroughes of euery shires of this Realme in this prẽsent parliament now beeing, or to the chiefe officers of euery such cities, shire townes, or boroughes where such citizens & burgesses like by indentures therof to be made, betwene the Treasorer of England, or vnder Treasorer for the time being, and the said citizẽs burgesses, & other chiefe officers aforesaid so them receyuing, safely to be cõueied to the citie, towne, or borough, that they bee of at the cost & charge of the said citie, towne, or borough, & to be deliuered to the maior, shirife, bailife or other the chiefe officer of the same, there to rest as your treasure in ỳ custody of the said chiefe officer of the said citie, towne, or borough for the time being, & of his successors for euer, to thintent ỳ alwell all weightes & measures win ỳ said citie, towne or borough, as the measures and weightes within the said shire may be corrected, reformed, amended and made according and after the measure of the said standerd, before the feast of S. Michaell ỳ archangel nert comming.

Citie
Towne

And that the said chiefe officer for ỳ time being, in euery such citie, towne or borough, haue, for that cause a specyall marke or seale, to marke euery such weight and measure so made, to be returned & brought vnto hym without fault or delay. And ỳ he take for his labour for sealing of euery bushel. j. d. of

Marke

Fee

Forf.

Moitie

Juſt. of p.

Oier & ter. Proclamation

Standerd

euery other meaſure ob. of euery C. weight i. peny. of euery halfe C. ob. And of euery weight vnder .q. and not aboue, vppon paine to forfait for euery time that hee refuſeth or doth the contrary xl. ſhillinges, the one halfe thereof to our ſouereigne lord, and the other halfe to him that is greeued and will ſue in that behalfe, by action of debt, to be recouered after the courſe of the common lawe. And the defendaunt in any ſuch action be not receiued to wage his lawe, and that the Juſtices of peace in euery ſhere in England, haue full authorite and power to enquire, heare, & determine the ſaid defaultes, and ouer that, that open proclamatyon be made in euery ſhere of this your ſaid realme that no man buy nor ſell after the fayd feaſt of Saint Michell by any other weight or meaſure thē is according to ẏ ſaid ſtanderd, vpon ſuch paines & forfaitures as is limitted in ẏ ſaid ſtatute An. 7. H. 7. ca. 3.

33 ¶Vnto the knightes & cittizens of euery ſhere and City aſſembled in this preſent Parliament, Barons of ẏ fiue portes, & certaine burgeſſes of borough townes, erre they depart frō this preſent parliamēt, be deliuered one of euery weight & meaſure which now our ſoueraigne lord hath cauſed to be made of Braſſe for the common weale of al his ſubiectes & lieges win this hys realme of englād, according to ẏ king our ſoueraigne Lords ſtanderd of hys eſchequer of weight & meaſure, as they haue bene in the Eſchequer of our ſaid Soueraigne Lord, and that the ſaied knightes, Citizens and burgeſſes, to whom the ſaid weightes and meaſurs ſhalbe deliuered as is aforeſaied, ſurely conuey or cauſe ẏ ſame to be conueyed on this ſide the feaſt of Eaſter next comming by the ſaid cityzens to their Cities, and by the ſaid knyghtes vnto ſuch borough or towne corporate or market towne within the Shere for the which they beene elected, as is ſpecified and contained in a ſcedule vnto thys preſent byll annexed, there to remaine for euer in the keeping of the Maior, Bailiffe, or other head officer for the time being, of the ſame Citye, Borough or towne, as the kings Stāderd of weight and meaſure. And that the inhabitauntes of all Cities, Boroughes, and market townes within euery of the ſaied ſheres, ſhall on thys ſyde the feaſt of the Natiuitie of ſainct John Baptiſt nert commyng, make or cauſe to be made cōmon meaſures & weightes, according to the weightes & meaſures aboueſaid, to remayne win the ſame cities, boroughes, & market townes, & euery of them, & the ſame weights and meaſures to be viewed, examined, printed, ſigned, and marked by the Maior, bailie, or other head officer, in whoſe poſſeſſion ẏ foreſaid ſtanderd ſhall remaine, and that euery of the aforeſaid maior, baylie, or head officer, hauing the ſaid weightes & meaſures ſigned & printed, vnder the ſigne & print for the ſame with a letter H. crowned to be printed, to alligne and print like weights and meaſures vnto euery the kinges liege & ſubiects duely requiringe the ſame, taking for marking of euery buſhell i. d. And from ẏ ſaid Natiuitie of S. John Baptiſt, no marchant ne other perſon ne perſones win any citie or market towne, buy ne ſel with any weight or meaſure, except it be marked, ſigned or printed, in maner & forme aforeſaid, ne any other perſon or perſons out of the ſaid cities boroughes & market townes, except it be like & egal wō the ſaid eſtanderd, & ẏ euery perſon alwel wout cities, boroughes & market towns as win, buy and ſel with a buſhel ſealed, ſigned or marked after the fourme aforeſaid, & none otherwiſe, & that al ẏ maiors, bailiffes and other head officers of euery citie, borough or market towne, ſhal cauſe twiſe in ẏ yere or oftener as they ſhall thinke neceſſary, al waights & meaſure win ẏ ſaied cities boroughs & market townes to be brought afore them to be duely

Maior Bayliſ

Common meaſure

Marke

Fee

Merchant

Buſhell

Search

onely vi&s;ewed, and examined, & such as they shal vpon ỳ said examinatiõ finde defectiue, immediatly to be vi&s;oken and vi&s;ent, and the party & parties which in ỳ behalfe hath offended, and be found defectiue, shal forfait for the fyrst time vi.s. viii.d. The forfaiture thereof to be to ỳ said Maior, Bailyfe, or any other hauing iurisdiction and correction in that behalfe. And at the second time the saied offendour like wise to forfayt xiii.s. iiij.d. and at the third time lykewise to forfait xx.s. & for farther punishement, to be sett vppon the pillory to the example of other. And that two Iustices of peace where of one shal bee of ỳ Quorum, haue authoritie as well by examination as by enquiry, to heare and determine the defaultes of the sayd Maiors, Bailiffes, & al other head officers in that behalfe, & also of all buyers & sellers doing contrary to this present act & ordinances, & to set fine & amerement vpõ the offendors by their discretion. And ỳ said weightes & measures so found defectiue to be forfaited & burnt. Be it also enacted ỳ there be but onely viii. bushels raised & striked to the quarter of corne, & xiii. li. to ỳ stone of wool, & xxvi. stone to the sacke. Be it also &c. that the Iustices of peace abouesaied haue authority to make like proces against al persons founden as is abouesaied defectiue, & such fines & amerciaments as vpon them shalbe sessed, as if they were indicted afore thẽ for breaking of the kinges peace. And ỳ where by other statutes & ordinaunces afore limitted: It is ordained that euery city borough, & towne that hath a cõstable, should haue common weightes & measures sealed, vpõ penaltie in ỳ same limitted, ỳ those penalties in ỳ behalfe extẽd not to any towne which is no city, borough nor market towne. Prouided alwaies ỳ this act shall not extẽd nor be preiudiciall vnto any person selling or buying by water measure, within ỳ shipborde. And that it be &c. ỳ premisses or any other ordinaunce afore made, notwithstanding that the saied water measure within the shipborde shal onely contains fiue peckes after ỳ said standerd raised and striken. Prouided also that ỳ examination of ỳ faults abouesaid & punishement to the offenders of euery offence committed here after within any of the laid fiue ports, shalbee had, done, & administred by the Lord warden of ỳ said fiue portes, or by his lieutenaunt of ỳ same for ỳ time being, and by none other, the premisses notwithstanding. Prouided alway ỳ this act of weightes & measures extẽd not nor be in any wise hurtfull or preiudiciall to the prince with in the Duchy of Cornewal, or any weightes apperteining and belonging to the cunage of Tinne within ỳ couties of Cornewal & Deuonshire, but that al such weights be vsed, ordered, demeaned & corrected, as it hath bene vsed & accustomed before this time, ỳ saied act & ordinaunce notwithstanding.

Fork.

Maior Bailie

Fork.

Pillorie

Iust. of ỳ Quorum

Dier & ter.

Quarter Stone

Iust. of ỳ Proces

Constable

Water measure

v. Ports

L. warden

Cornewall

Tynne

¶ The names of townes limitted for the sauf custodie of weights & measures, according to the kinges standard for the shires following, as particularly appeareth.

Townes.

| | |
|---|---|
| Westmerl. | The towne of Apulby. |
| Northũb. | The towne of Newcast. |
| Cumber. | The citie of Carleoll. |
| Lanc. | The towne of Lãcaster. |
| Eborum | The citie of Yorke. |
| Lincoln. | The citie of Lincolne. |
| Derb. | The towne of Derby. |
| Notingh. | The towne of Noting. |
| Leicest. | The towne of Leicester. |
| Warr. | The towne of Couentrie. |
| Rotel. | The towne of Appighã. |
| Northth. | The towne of Northãp. |
| Bed. | The towne of Bedford. |
| Buck. | The towne of Bucking. |
| Canteb. | The towne of Cambr. |
| Hunt. | The towne of Hũtingd. |
| Norff. | The citie of Norwich. |
| Suff. | The towne of Saint (Edmundes bury, |
| Eller. | The towne of Chemel. |
| Hertf. | The towne of Hertf. |

Pido̅ In Westminster.
Banc. The towne of Haidlō.
Surr The towne of Guilforth
Sussex. The towne of Lewes.
Dyon. The towne of Drifford
Berk. The towne of Reding.
Salop. The towne of Shrewis
Staff. The towne of Stafford
Heref. The towne of Heref.
Glouc. The towne of Glouc.
Wigorn. The citie of Worcestr.
Wiltesh. The citie of New Sa-
(lesbury.
South. The citie of Winchest r
Som. The towne of Ilchester
Dorf. The town of Dorchest.
Devon. The citie of Exce ster.
Cornub. The town of Lestudiel.
London. The same citie.
Bristol. The same towne.
Quinq. ports The castel of Douer.
Civit Cantr The same citie.
Southampt The same towne.
Civit Cestr The same citie.

An. 11. H. 7. cap. 4.

Bushell

Gallon
Pound
Ounce
Sterling

34 ¶ The measure of ẏ bushel cōtai-
neth eyght gallōs of wheat, and euery
gallon cōtaineth viii. poūd of wheat, of
Troy weight, & euery poūd containeth
xii. vnces of troy weight, & euery ounce
cōtaineth xx. sterlings, & euery sterling
is of ẏ weight of xxii. cornes of wheat
that grewe in the middest of the eare
of the wheat, according to ẏ old lawes
of this land.

And ẏt pleaseth the kings highnesse
to make a standerd of a bushell & a gal-
lon after the saied assise to remaine in
his said treasory for euer. And frōhēce
forth the sayd newe bushels & gallons
lately sett forth bee not vsed nor occu-
pied for no measures, but that they bee
sent againe vnto the kinges receipt by
the feast of Whitsontide nert cōming
at the costes & charges of the sayd Cy-
ties, Borroughes, & Townes hauynge
the sayed bushelles and gallons in kee-
ping, vpon paine of twenty pounde to
bee forfaited to the kynge, the same
bushelles and gallons so sent againe in
to the kynges receipt, to be broken and
with the stuffe and mettal of the same
bushelles and gallons other newe bus-
shels and gallons by thaduyse of the
Treasorer and vnder Treasorer of
Englande for the time beeing beefore
the feast of al saints nert comming, to
bee made and seyled according to the
said bushel and gallō which by this pre-
sent act is ordained to be newe made,
and to remaine in the said treasory at
the costes and charges of the same ci-
ties, borroughes and townes. And that
euery citie borough and towne within
this realme, which now haue or should
haue had by reason of the said act made
in the said xi. yere cap. 4. before 33. any
of the saied newe bushell or gallon, doe
convey and carry before the feast of S.
Andrewe nert comming into euery of
the same citie borough & towne a bus-
shel & gallon newely to bee made as is
aforesaid, at ẏ costes & charges of ẏ sāe
city, borough & town there to remaine.

And al other bushels, gallons & mea-
sures which bee to bee made after the
fourme by this act ordained, be mar-
ked and ordered after the fourme and
effect of the said act made in the sayed
xi. yere, and in the meane season to vse
such bushels and gallons as hath bene
vsed, last afore the comming downe of
the said newe bushels and gallons be-
fore the making of the said statut in ẏ
saied xi. yeare. And that al penalties in
the first act expressed be of none effect
vnto the feast of Candelmas, which
shalbe in the yeare of our Lord God
M. CCCC. xvii. and after the same
feast, the same act made in the same xi.
yeare to stand in ful strength with his
penalties vpon ẏ said bushell & gallons
newe to be made, as it should haue dōe
vpon the said newe bushelles and gal-
lons made afore the makinge of thys
present act, if this act had not ben made.
And that it be ordained by the said auc-
thoritie, that after ẏ said newe bushels
and gallons be made according to this
present act, that all other bushels and

gallons

Treasorr

Cities Townes

Gath

Gaug

Forf.

Forf.

gallons of bealld remaining as well in the said trealone, as in all other places of England, before ỳ feast of Christmas next comming, bamped & broken, upon paine of twenty pound to be leuied vpon euery Citie, Borough and towne or any other place hauing ỳ keping of the common measures, that keepes not any other bushell or gallon vnbroken & not dampned or bralle, the is ordained to be made by this present act. An. 11. H. 7. ca. 5.

Weights.

35 ¶ The king our soueraigne lord by the assent of his lordes and commons in this present parliament assembled, and by auctoritie of the same, ordayneth, establisheth & enacteth, ỳ the before named statute made in the first yeare of king Richard the third ca. 13. before 31. and al other statutes heretofore made for the true gauging & measuring of wines, oyles, hony, or any other liquors, which statuts afore this time be not repealed, nor expired, shal stand in their strength & vertue, & be putt in due execution, according to their tenours & effectes in euery behalfe. And ouer that be it ec. that euery gaugeour vpon this realm shal truely & effectually, vpon the limits of his office gauge al ỳ said tonnes, buttes, pipes, tersles, puncheons, tercias, barrels, hogsheds, & rundlets, & shal plainely and truely marke vpon the head of euery such bessell the content of the same, vpon paine to forfait to ỳ party, to whose vse the wine, oyle, or other thing therein being shalbe sold, fower times the value of that, that the vessel so marked shal lacke of his lawfull content aboue written, the same forfaiture to be recouered ouer and besides the costes of the suit, by the kinges original writ, or by bill in any of the kinges courtes of his common lawes, or in any competent court having iurisdiction in the place where that offence shalbe committed, by action or bill of debt, in which actiõ or suit none essoine, protectiõ, nor wager of law shalbee accepted, admitted or allowed to ỳ defendãt or defendãtes. And that euery merchãt or other person selling the said wine, oyle, or other thing contained in the said vessel marked, shall allowe of the price thereof to the buyer of the same for euery quantitie of wyne, oyle, or other thing contayned in the said marked vessell, ỳ full value of the lacke thereof, being by reason of default of full gauge of the vessel marked, or of defaultes of filling of the same vessel, or by reasõ or default of any of thẽ, after ỳ rate of ỳ whole price of ỳ wine, oyle, or other thing so being sold by that vessel marked, & that vpon paine of forfaiture to the same buyer ỳ double value of the same vessell & wine oyle or other thinge therein being so sold, the same forfaiture to bee recouered together with ỳ costes of the suit in maner & fourme as the forfaiture last before writte is limitted to be recouered. An. 8. H. 8. ca. 4.

Illeso

Forf.

Gauging.

Gauger

Forf.

¶ *Weares.*

ALL weares from henceforth shal be vtterly put downe by Thems and midway, and through all England but onely by ỳ sea costes. Mag. ca. ca. 33.

Thames Wildway

2 ¶ All such milles, weares, stankes, stithes & kiddes, which be leuied & set vp in the time of king Edwarde the kynges grandfather and after, where by the said lawes and dotes be difcouered, that they may not passe in such riuers as they were wont, shalbe out and pulled downe wythout being releuied. And therevppon writs shal bee sent to the sheriffes of the places where such shalbe, to surueio and inquire, ỳ to doe thereof execution. And also ỳ Iustices shalbe thereupon assigned at all tymes that shalbee needful. An. 25. E. 3. ca. 4. stat. de pistis.

Shirifes Surney

3 ¶ The said statute (S. An. 25. E. 3. ca. 4.) for this poinct shal be holden and kept after the effect of the same, ỳ nothing therein, that if any such annoyances be done, it shalbe pulled downe by the processe contained in the saied statute,

Inquance

Forf. and hee that shall relieue such annoyãce and thereof be duely attainted, he shall incurre the paine of an C. markes to ỳ king, to be leuied by estretes of ỳ eschequer. And such lawe shall hold of the annoyeance made by enhaũsing of such weares, mylles, stankes, stakes and kydels, as by the neiwe leuying. An. 45 E. 3. ca. 2.

4 ¶ An. 21. R. 2. ca. 19. a like statut of this ỳ next followeth, was made, but ỳ parliament of An. 21. R. 2. was repealled by 1. H. 4. ca. 3.

5 ¶ The said statuts (S. An. 25. E. 3. ca. 4. & An. 45. E. 3. ca. 2. before 2. R. 3.) be in all their articles holden & firmely kept, & duely executed with all ỳ paines & after ỳ effect of ỳ same, ioyned thereto

Cõmissiõs that cõmissions be made in due forme to sufficient persons to bee Justices in euery County of England, where nede shalbe, to survey & kepe ỳ waters & great ryuers there, & to correct and

Moysance amend the defaultes, and to make due execution of ỳ said statuts after the effect of the same, aswell by their surtuey aduyse and discretyon, as by enquest thereof to bee taken within fraunches and without, so, and when nede shall be, and to heare & determine ỳ thinges aforesaid, and moreouer to survey the

Pull downe weares, mylles, stankes, stakes and kidelles in olde time made and leued before the said tyme of kynge Edwarde sonne of kynge Henry. And them that they finde to much enhaunced or strayted, to correct, pulle downe and amend in the manner and fourme aforesaid: Saving alwaies a reasonable substaunce of weares, mylles stankes, stakes, & kidels aforesayed, so in olde tymes made and leued. And if any such noisaunces of weares, mylles, stankes, stakes, and kydels, of passages & straytynges in olde time made and leued, bee iudged and awarded by the said Justices to bee pulled downe and amended, hee that hath ỳ freehold of the same, shal make thereof execution at his owne costes within halfe a yere after notification to him thereof to bee made, vpõ paine of an hũdred markes to be paied to the king by estretes in ỳ eschequer, and he that doth them to be releued, or enhaunced, or strayted against the said iudgement, and thereof be duely conuict, shal incurre ỳ paine of an hundred markes, to bee paied to the king by estretes in the eschequer afore saied. And in case that any feleth him selfe greued by execution or other way in this behalfe against right & reason, shal pursue and haue right & reason. An. 1. H. 4. ca. 12.

6 ¶ Because that by weares, stakes, & kidels, being in ỳ water of Thamise and of other great ryuers through the realme, the cõmon passage of shipps & boates is disturbed, & much people perished, & also the yong frie of fyshe destroyed, and against reason waited and gewen to deuyne to eate, against ỳ pleasure of God, and great damage of the king and his people: The same our soueraigne lord the king, minding to prouide a due remedy for the said mischiues, by the aduise and assent of ỳ lords aforesaid, and at the prayer of the sayd commons, will, and graunteth, that ỳ statutes thereof made, be holden & kept and put in due execution: ioyned to ỳ same, that commissions bee made to certaine Justices and other, in euery countie of the Realme, where shalbee nedeful, to enquire of all that, that is contained in the saied Statute, and to punish the offendours of the same statute by fine, according to their discretion, saued alwaies and reserued to the king our soueraigne Lord, the paines compriled in especial in the said statuts and that the estretes of such fynes, bee deliuered by ỳ said iustices, to the sheriffe of euery county by indenture, & ỳ ỳ said sheriffe pay the issues & profites rysing of ỳ said estretes, to euery of ỳ said Justices, for euery day that he shal trauaile, to exercise the said commission fower shillinges, and that the saied sheriffes haue thereof due allowaunce

from

Forf. Forf. Cõmissiõ Forf. Indenture

frō time to time in ꝑ Eſchequer. Ann. 4. H. 4. ca. 11.

7 ¶ Anno. 1. Henri. 5. cap. 2. It was enacted that all ſtatutes againſt weares &c. ſhalbe kept and put in execution.

8 ¶ The ſaid ſtatute of the great charter, & al other ſtatutes concerning the premiſſes ſhalbee duely obſerued & kept. Adioyned thereto, that if after ꝑ feaſt of ſaint Michael, which ſhalbe in the yeare of our lord god. M. CCCC. xxv. by award rule or iudgement of any of the ſaid commiſſioners aſſigned, accordinge to the ſayd ſtatute made in the ſayd firſt yeare of Henry the iiii. it be found, that any ſuch weares, fiſhgarthes, milles, mildammes, miſtankes, lockes, ebbing weares, ſtakes, kedels, heckes, or floodgates, be made leuied, enhaunſed, ſtreited, or enlarged againſt the ſame ſtatut, the offenders, in this behalfe contrary to the aforeſaid award, rule, and iudgment, being duely warned by the ſherife or vnderſherife by Scire facias directed to the Shirife or Shirifes of ſuch countie or counties, where ſuch weares, fyſhegarthes, milles, mildammmes myſtankes, & other noiſances diſturbaunces or impediments be. And wythin three monethes next after ꝑ ſayd garniſement made, they do not duely and wholly amend breake downe & auoyd the ſaid making leuynge enhaunceinge ſtreiting or enlarginge, beinge defectiue as afore is ſayd in the ſayd ſtatute made in the ſaied firſt yeare, that then he or they beinge defectiue in this behalfe, ſhall forfayt to our Soueraigne Lord the kinge C. markes to be payed by eſtretes in the eſchequer, in manner and fourme as in the ſame ſtat. more fully is contained. Moreouer if the ſaid offender or his heire or heires, aſſygne or aſſignes, or any of them do differre or continue the ſame default, contrary to the award, rule, and iudgment of the Commiſſioners aforeſayed, that he or they ſo doing differring or continuing the ſaid default, beinge not correct nor amended, ſhal forfait C. markes, the one halfe therof to our ſoueraigne lord the king, and thother halfe to anie of his liege people, which in this behalfe will ſue for the ſame by action of debt, to be conceiued by originall writ, wythout fine to bee made or taken for the ſame in the Chauncery. In which action, like proceſſe, rule iudgment and execution ſhalbee allowed, had & made as is vſed in other actions of debt purſued at the common lawe by writte, and that the defendaunt in any ſuch action bee not admitted to do or wage his lawe, nor that no protection or eſſoine in the kinges ſeruice bee allowed for the defendaunt in the ſame writte. Moreouer it is ordained and eſtabliſhed by the ſame auctho͂itie, that if any perſone or perſons, other then ſuch againſt whom ſuch awarde, rule or iudgment were made and had, being heire or aſſigne to them or any of the͂, doo preſume to occupy or contynue any weares, fiſhgarthes, milles, myldammes, miſtankes, lockes, ebbyng weares, ſtakes, kedels, heckes, floodgates, or other diſturbaunces or impediments as before is ſaid, he or they ſo preſuminge to occupy or continue, ſhall forfait at euery default for euery moneth as is aforeſayd. C. markes, ꝑ one halfe to our ſoueraigne lord ꝑ king and the other halfe to him of ꝑ kinges liege people, that will in thys behalfe ſue by action of debt, therevpon to bee conceyued, wythout payinge any fine for the ſame, as is aforeſaid, in which actyon lyke proceſſe, rule, iudgment, & execution ſhalbe vſed & made, as in all other actions of debt, purſued at the common lawe by writ.

And that the defendaunt in any ſuch actyon ſhall not bee admytted, nor in any wyſe receyued to wage or do his lawe. Nor no manner protectyon nor eſſoine in the kynges ſeruice beforе ſuch defendaunt in any wiſe allowed. An. 12. H. 4. ca. 7.

¶ No

Shiping

NO perſonne or perſones, after the firſt date of Aprill next commynge ſhal ſhippe, lade, carie or conuey anie white aſhes, towards the partyes beyond the Seas vppon payne of forfaiture vi.s. viii.pence for euery buſhel of ſuch aſhes ſo to bee ſhipped or laden to bee caried or conueyed, into the parties beyond the Seas. The moytie of which forfaiture ſhalbee to the kyng, and the other moitie to hym or them that will ſue for the ſame, in any of ỹ kinges courtes of record, by actiõ, bill, plaint, or informatyon, in the whych action, byll, playnt, or information, no wager of lawe, eſſoine, or protectyon, ſhalbe admitted or allowed. An. 2. Ed. 6. ca. 26.

Forf.

Moitie

¶ *VVhite gate.*

AN. 33. H. 8. cap. 32. it is enacted ỹ the Church of White gate in the County of Cheſter, ſhalbee a Paryſh Church, and bee no parcell of the Paryſh of Quer.

Paroch Church

¶ *VVildfoule.*

FRom the firſt day of March which ſhalbee in the yeare of our lord god 1534. vnto the laſt day of June then next enſuynge, and ſo yearely from thenceforth, no maner of perſon or perſons ſhal preſume by day or by night willingly to withdraw, purloine, take diſtroy or conuey any manner egges of any kind of wildefowle, from or in any neſt, place or places, where they ſhall chaunce to be layed by anie kind of the ſame wildefowle, vpon paine of impriſonment for one yeare, and to loole and forfait, for euery egge of any Crane or Buſtarde ſo deſtroyed, purloyned, withdrawen, conueyed or taken from any neſt or place, xx.d. and for euery egge of euery byttour, herronne, or ſhouelade viii. pence, and for euery egge of euery mallarde, tele, or other wildefonle one peny. The moity thereof to bee to the kinge our ſoue-

Egges

Imprifon Forf.

Moitie

raigne lord, and the other halfe to him that will ſue for the ſame in fourme aforeſaid wherein &c.

And that al Juſtyces of peace with in the limittes of their commiſſiõ ſhal haue full power and aucthoritie to enquire hearc and determine the ſame in forme beforc rehearſed.

Iuſt. of p.

Enquire Oier & ter.

Prouided alwaies, that thys act extend not, nor bee hurtful at any tyme heretofore to any perſon or perſonnes ỹ wil deſtroy any crowes, Choughes, rauens and Buſſards, or their egges, or to any other foule or their egges not comeſtible, or vſed to be eaten. An. 29. H. 8. ca. 11.

And by this act it was enacted that betwene May, and the laſt day of Auguſt, none ſhould take anie wilde fowle with nets or other engines. But thys article is repealed by 3. Ed. 6. capit. 7. and the forſaied article for theregges is confirmed.

¶ *VVilles.*

FRomhencefoorth al Widowes may bequeth the croppe of their ground as well of their dowers, as of other their landes and tenements, Sauinge to the Lordes of the fee al ſuch ſeruices as are due for their dowers, and other tenements, Perton capitula. 2. Anno 20. H. 3.

Widowes

Dower

2 ¶ All and euery perſonne and perſones hauinge, or which herafter ſhal haue any manours, lands tenements or hereditamentes holden in ſocage or of the nature of ſocage tenure, and not hauinge any manours, landes, tenementes or hereditaments holden of ỹ king our ſouereigne lord by knyghtes ſeruice, or by ſocage tenure in chiefe, or of ỹ nature of ſocage tenure in chiefe, nor of any other perſone or perſonnes by knights ſeruice, from the xx. day of July in the yere of our lord god M. D. xl. ſhall haue full and free libertie, power & auctheritie to geeue, diſpoſe wil & deuiſe as wel by his laſt wil & teſtament in wryting or otherwiſe by any act

Socage

Laſt will

act or acts lawfully executed in his life al hys sayd manours, landes, tenemẽts or hereditaments, or any of them at hys free wyll and pleasure, any lawe, statut, or other thinge heretofore had, made or vsed to the contrary notwithstandinge. Lands

And that al and euery personne and persons, hauinge mannours, landes, tenements, or hereditamentes, holden of the king our Soueraigne Lord hys heires or successours in socage, or of ẏ nature of socage, tenure in chiefe, hauing any other manours, lands, tenements or hereditaments holdẽ of any other personne or personnes in socage, or of the nature of Socage tenure, and not hauinge any mannours, landes, tenementes, or hereditamentes, holdẽ of the kinge our Soueraigne Lord by knights seruice, nor of any other lord or persone by like seruice from the xx. day of July, in the sayed yeare of our lord God 1540. shall haue ful and frẽ libertie power and auctoritie to geue wil and dispose and deuise, aswell by his last will or testament in wryting or otherwise by any act or actes lawfully executed in hys life, all hys sayed mannours, landes, tenementes, and hereditamẽtes, or any of them, at hys free will and pleasure, any law, statut custome or other thing heretofore, had made, or vsed to the contrary notwithstanding. Sauinge alwaies and reserving to the kinge our soueraigne Lord his heires and successours all his right title and interest of primer seyson and relieues, and also all other rightes and duities for tenure in Socage, or of the nature of Socage, tenure in chyefe, as heretofore hath bene vsed and accustomed, the same manours, lands tenements, or hereditaments to bee taken had and sued out of, and from ẏ hands of his highnesse, his heires and successours by the personne or personnes, to whom anie such mannours, lands, tenementes, or hereditamentes, shalbe disposed willed or deuised, in such and like manner and fourme as hath bene vsed by anie heire or heires before the making of this statut. Socage in chiefe Last will Primer seison Reliefe

And sauinge and reseruing also fines for alienations of such manours, lãds, tenementes or hereditaments holden of ẏ king our soueraigne Lord in Socage, or of the nature of socage, tenure in chiefe, whereof there shalbe any alteration of freehold or inheritaunce, made by will or otherwise, as is aforesaid. Fines

And it is &c. that al and singuler person and persons, hauing any manors, lands, tenemẽtes or hereditaments, of estate of inheritance, holden of the kinges highnes in chiefe by knightes seruice, or of the nature of knights seruice in chiefe, from the sated twenty day of July, shal haue full power and auctoritie by his last will, by wryting or otherwise, by any act or actes lawfully executed in his life, to geue, dispose, will, or assigne two partes of the same manours, landes, tenemẽts, or hereditamentes, in three partes to be deuided, or els as much of the sayed mannours, landes tenementes or hereditaments, as shall extend or amoũt to the yearely value of two partes of the same in three partes to bee deuided in certeintie and by specyal diuisions, as it may be knowen in seueraltie, to and for the aduauncement of his wife preferrement of hys chyldren, & payemẽt of his debtes, or otherwise at hys will & pleasure, any law, statut, custome or other thing to the contrary thereof notwithstandinge. Knightes seruice Last will ⅔. Parts wife Children Debts

Sauing and reseruinge to the king our Soueraigne Lord, the Custodie, wardship, and primer seison of any of them, as the case shall require, of as much of the same mannours, landes, tenements, or hereditaments, as shall amount and extend to the ful and clere yerely value of the third part thereof, wout any diminution, doũer fraud, couin, charge or abridgemẽt of any of ẏ same third part, or of the ful profits thereof. wardship Primer seison

thereof. Sauinge also and reseruing to the kinge our said soueraigne Lord all
Fines
Knightes seruice
fines for alienations of all such mannours, landes, tenementes and hereditaments holden of ẏ king by knightes seruice in chiefe, whereof there shalbe any alteration of free hold or inheritaunce, made by will or otherwise as is aboue said.

And be it &c. that al and singuler person and persons, hauing mannours, landes, tenements, or hereditamentes, of estate of inheritaunce holden of the king in chiefe by knights seruice, and hauinge other mannours, landes, tenements or hereditaments holdē of the kinge, or of any other personne or persons by knights seruice, or otherwise, euery such person and personnes from the sayd xx. day of July, shal haue full power ⁊ authoritie to geeue, dyspose, will or assigne by his last will in writtinge or otherwise by any act or acts lawfully executed in his life, two parts of the same manors, landes, tenemēts and hereditaments, in three parts to be deuided, or else as much of ẏ same mannours, landes, tenements, and hereditaments, as shall extend or amoūt to the yearely value of two partes of the same in three partes to bee deuided in certeintie, and by special deuisions, as it may be knowen in seueraltie, to and for the aduauncement of his wife, preferrement of his children, ⁊ paimēt of his debtes, or otherwise at hys wyl and pleasure: any law, statut, custome or other thinge to the contrary thereof notwithstandinge.
Last will
ij. Parts
Sauinge alway and reseruinge to the kinge our soueraigne lord the custodie, ward ship, and primer seison of any of them, as the case shall require, of as much of the same mannours, landes, tenements, or hereditaments, as shall amount and extend to the ful and clere yearely value of the third part thereof ẏ̄ont any maner diminution, dower fraud, coutn, charge or subtractpon of ẏ same third part, or of the ful profits

thereof. Sauinge also and reseruing to our sayed Soueraigne lord the kyng al fines for alienation for any such mannours, landes, tenementes, or herreditaments, holdē of the king by knights seruice in chiefe, whereof there shalbe any alteration of freehold or inheritaunce, made by will or otherwise as is aboue said.

Lands
Last
Knightes seruice
Socage
Last will
ij. Partes
Bee it &c. that if any persone or personnes hold any mannours, lands tenements, or hereditamentes onely of any other lord or personne then of the kig our sayd soueraign lord by knights seruice, and other landes and tenements in socage, as of ẏ nature of socage tenure, that then euery such personne shal or may geue, dispose, or assure by his last will or otherwise, by any act or acts lawfully executed in his life, two partes of the said manours, lands ⁊ tenements, holden by knights seruice, or of as much therof as shall amount to the ful yearely value of the parts, in manner and fourme as is aboue declared.

Socage
And also al the lands and tenemēts holden by socage, or of the nature of socage tenure at hys will ⁊ pleasure, as is aboue written. Sauinge and reseruing to the lord of the landes ⁊ tenementes holden by knights seruice for hys custody and ward shippe, as much of the same landes and tenements, as shall extend or amount to the ful and cleare yearely value of the third part of the same landes and tenementes, holden by knightes seruice, without anie dyminution dower fraud coutn, charge or subtraction of anie porcyon of the third part, or of the clere yearely value thereof in manner and fourme aforesayd.

Londs
ward
R. seruice
And be it &c. that if any person or personnes holde any maneurs, landes, tenementes or hereditamentes onely of the king our Soueraigne Lorde by knyghtes seruice, and not in chiefe or holde any manours, landes tenements or hereditamēts, of our said soueraigne

lord

Lord by knights seruice, and not in chiefe, & also hold other manours, lãds tenements, and heredytamentes of any other persome or personnes by knightes seruice: and also hold other mannours, Landes, tenementes or hereditaments of any other persome or personnes in socage or of the nature of socage tenure, that then al and euery such person or personnes shall and may geeue dispose, will, deuise and assure, by hys last will or otherwise, by anie act or acts lawfully done or executed in his life, two parts of the same manours, landes, tenements and hereditaments, holden of our sayd soueraign Lord the kyng by knightes seruyce, & two partes of the mannours, landes, tenements and hereditamentes, holden of any other persone or personnes by knyghtes seruice or as much of either of them as shal amount to the ful yearely value of two partes in maner and forme as is aboue declared: & also of all hys landes and tenementes so holden in socage, or of the nature of socage tenure at his free wil and pleasure. Saunge and reseruinge to the kinges highnesse ẏ custody and wardship of asmuch of the same manours, landes, tenements, or other hereditamentes as shal extend and amount to the full and clere yearely value of the third part of the said mannours, lands tenementes and heredytamentes so holden of his hyghnesse by knightes seruice wout any dyminution dower fraud couine charge or subtractyon of any portion of that third part, or of ẏ full profittes thereof.

And also sauinge and reseruinge to ẏ lordes, of whom any of the sayd manours, landes, tenementes or other hereditaments ben holden by knights seruice for custody and wardshippe, as much of the same mannours, landes, tenementes or hereditamentes, holdẽ of them or any of thẽ by knightes seruice as shal extend and amount to the clere yearely value of the third part of the same, wythout any diminution charge and fraud, couin or subtraction of any portion of that third part, or of the clere yerely value of the third part thereof in manner and fourme aboue declared.

Last will

1. Parts

Wardship

Prouided alway, and it is &c. that if that third part of ẏ manours, lands tenements, or hereditaments, of anie of the kings subiectes, whych in anie of the cases aboueseid, shall hereafter come to the kyngs highnesse his heirs or successours by vertue of this act, as is aboueseyed, be not or do not amoũt to the cleere yearely value of the full third part of the said manours, lands, tenementes, or other heredytaments whereof the said kings highnes is or shalbe intituled to haue the custodie or primer seyson as is aboueseid, that thẽ our saied soueraigne lord & hys heires shal and may at his or their free lyberty and pleasure, take into hys or their handes and possessyon as much of the other two partes of the said manours landes, tenements, or other hereditamentes, as with that of the same manours, lands, tenements or hereditaments, holdẽ or remaining in ẏ kings handes, shal make vp the clere yearely value of the ful third part of the said manours, lands, and tenements, so to be had of the kings highnesse, in tytle of wardship and primer seyson, or any of them, as the case shall require, and like benefit & aduauntage to be geeuen to euery lord and lordes, of whom any such manours, landes, tenementes, or hereditaments, ben or shalbee holden by knights seruice as is aboueseid, cõcerninge onely his third part of or for title of wardship.

Prouided alway and bee it &c. that euerie persome and personnes shall sue their liueries for possessions, reuersions, or remainders, and also pay reliefes and heriottes after such maner & fourme, as they should or ought to haue done before the makinge of thys act, and as if this act had neuer beene made.

Lyueries

Reliefe
Herios

Fines Chauncery Writs

made. And that fines for alienations shalbee paied in the kings Chauncery for and vppon writtes of entre in the post, to bee obtained in the same court of Chauncery, after the sayed xx. day of July, for common recoueries to bee had or suffered of any manours, landes tenements or hereditaments, holden of ỳ king in chiefe, in like maner and fourme as is vsed vppon alienations of such manours, landes, tenementes, or hereditamentes, so holden in chiefe by fine or feoffement.

Fines

Prouided also and bee it &c. that in such cases, where fines for alienations shalbe paied in the kinges Chauncery for writtes of entre in the post, as is aforesaid, that thē none other fins shall be paied in the same court for any such writes, any vsage or custome to ỳ cōtrary notwithstandinge.

Lands

And be it &c. that where two or more persons, nowe hold or hereafter shall hold any manours, landes tenements or hereditaments, of the kinge our soueraign lord by knights seruice, iointly to them & to the heirs of one of thē, & he that hath the inheritaunce therof dieth his heire beeing within age, that in euery such case the king shall haue ỳ ward and mariage of the body of such heire so being within age, the life of ỳ freeholder or freeholders of the sayed manours, landes, tenements, or hereditaments, so holden by knightes seruice notwithstanding. Sauing & reseruing to al & euery woman & women, all and euery such right, title, and interest of dower, as they or any of thē ought to haue, and be or shalbee iustly intituled to haue, clayme or demaund, of any mannours, lands, tenements, or hereditaments, by the lawes of this realme, to be taken and assigned vnto them or ante of them, out of the two partes of the said manours landes, tenementes or hereditamentes, seuered and deuided from the third part, as is aboue laid, and not otherwise. And saueynge also to the kynge our Soueraigne lord, his heires and successours the reuersions of all such tenauntes in tayntenure and dower, immediatly after the death of such tenauntes, & they shall happen to die, during ỳ minoritie of the kinges Wardes. Ann. 32. H. 8. ca. 1.

Ward Mariage

Dower

Reuersion

3 ¶ The meaning of the letter of the same statut (s. of 22. H. 8. ca. 5. before 2.) concerninge such matters herafter rehearsed, may be by ỳ authoritie of this present parliament enacted taken expounded, iudged declared and explaned, in manner and fourme folowing.

First where it is contained in ỳ same former statut vpon diuers articles, & braunches of the same, that al and singuler person and persons hauinge any manours, lands, tenements, or hereditaments of the estate of inheritaūce should haue full and free libertie, power and authoritie, to geeue, wil, dispose or assigne, as well by hys last will & testament in writinge or otherwise by any act or actes lawfully executed in his life, his manours, lands, tenements or hereditaments or any of them in such manner and fourme, as in the same former act more at large it doth appeare, which words of estate of inheritance by thauthoritie of this present parliament is and shalbee declared, expounded, taken and iudged of estates in fee simple onely. And also that al and singuler personne and personnes hauing a sole estate or interest in fee simple, or seysed in fee simple in copercenary, or in common in fee simple of and in any manours, landes tenementes, rentes, or other hereditamentes in possession, reuersion, or remainder, or of rentes, or seruyces incident to any reuersion or remaynder, and hauinge no mannours, lands tenements, or hereditamentes holden of the kinge, his heires or successours, or of any other personne or personnes by knightes seruice, shall haue full and free libertie, power and authoritie, to geue, wil, dispose or deuise, to any per-

Lands

Last will

Estates

son

Bodies politike Last will

ſon or perſonnes (except bodyes polytike and corporat) by hys laſt will and teſtament in writing, or otherwiſe by any act or actes lawfully executed in his life by him ſelfe ſolye, or by him ſelf and other ioyntly, ſeuerally, or partyculerly, or by all thoſe wayes or anie of them, as much as in him of right is or ſhalbee, al hys ſayd manours, lands tenementes, and hereditamentes or any of them, or any rents, commons or other profittes or commodities, out of or to be perceiued of the ſame, or out of any parcell thereof at hys owne free will and pleaſure: any clauſe in the ſaid former act notwithſtandinge.

In fee ſimple

And further bee it &c. that al and ſinguler perſonne and perſonnes hauing a ſole eſtate of intereſt in fee ſimple or ſeiſed in fee ſimple in copercenery or in common in fee ſimple, of or in any manours, landes, tenementes, rentes, or other hereditamentes in poſſeſſion, reuerſion or remainder, of & in any rēts or ſeruices incident to anie reuerſion or remainder holden of the kynge by knights ſeruice in chiefe, or of the nature of knightes ſeruice in chiefe, hath and by thauctoritie of this preſēt parliament ſhall haue full and free lybertie, power & auctority, to geue, diſpoſe will or aſſigne to any perſon or perſōs (except bodies politike and corporate) by his laſt will and teſtament in writinge, or otherwiſe by any act or acts lawfully executed in hys lyfe by hym ſelfe & other, ioyntly, ſeuerally, or particulerly, or by all thoſe waies, or any of them, as much as in him of right is or ſhalbee, two partes as well of all the ſaid manours, lands, tenementes, rentes, and heredytaments, as of al & ſinguler his other rentes and heredytamentes, or of any of them, or anie rentes, commons, or other profits, or commodities out of or to be percepued of the ſame two partes, or out of anie parcel thereof, in three partes to be deuided, or as much thereof as ſhall amount to the full and cleere yearely value of two partes therof, in iii. parts to be deuided, of what perſon or perſōs ſoeuer they bee holden, at his free will & pleaſure. And that by the auctoritie aforeſayed, the ſayd will ſo declared ſhalbee good and effectuall for two partes of the ſaied mannours, lands, tenementes, and hereditamentes, as though the will ſo declared bee made of the whole or of more then of two partes of the ſame. The ſame diuiſion to bee made and ſett forth by the deuiſour or owner of the ſame manours lands, tenements and hereditaments, by his laſt will in writinge, or otherwiſe in writing. And in default thereof by a commiſſion to be graunted out of the kinges court of Wardes, and liueries, vpon the inquirie of the true value ther eof, by the othes of twelue men, and retourne or certificat therof had in the ſame Court, of the ſaid manours, landes, tenements, and hereditamentes, diuiſion to be made, by the maſter of the Wardes and Liueries, if the maſter of the Wardes and Liueries for the time being, and the parties thereunto cannot other wiſe agree vpon the ſame diuiſion. And that the iſſues and profites of the two parts of the ſame manours, lands, tenemēts, and hereditamentes, vpon euery ſuch diuiſion, to bee reſtored to them that ſhall haue right, or title to the ſame from the death of the owner or deuiſour thereof.

Diuiſion

Laſt will

Cōmiſſion Court of wardes

Maſter of the wardes

Iſſues

And further bee it &c. that all and ſinguler perſon and perſones, hauinge a ſole eſtate or intereſt in fee ſimple, or ſeiſed in fee ſimple in copercenary, or in common in fee ſimple, of and in any mannours, landes, tenementes, rentes, or other hereditamentes, in poſſeſſion, reuerſion, or remaynder, or of and in any rentes, or ſeruices incident to any reuerſion or remainder, holden of the kynge, his heires or ſucceſſours by knightes ſeruyce, and not in chiefe, or holden of any other perſon or perſonnes by knights ſeruice, ſhall haue

Fee ſimple Copcenery

Knights ſeruice

haue full and free libertie, power and authoritie to geue, dispose, wil or deuise to anie persone or persones (except bodies politike and corporat) by Last will
hys last will and testament in writing or otherwise by any act or actes lawfully executed in his life by him selfe solye, or by him selfe and other ioyntly, severally or particularly, or by al those waies or any of them, as much as in him of right is or shalbe, two partes of all the said mannours lands tenemẽts and hereditaments or any of them, so holden by knights service, or any rẽts common or other profitts or commodities out of, or to bee perceiued of the same two partes, or out of any parcel thereof, in three partes to be deuyded, or as much thereof as shall amount to the full and clere yearely value of two partes thereof, in three partes to bee deuided at his frée will and pleasure.

And that the saied will so declared by authoritie aforesaid, shalbee good and ij. partes
effectuall for two partes of the sayed mannours, landes, tenements or hereditamentes, although the wyl so declared, be or shalbee made of ẏ whole landes and tenementes, so holden by knightes seruice, or of more then of two partes of the same. And also for the whole of all other such mannours, lands, tenementes and hereditamẽts or ante of them, not holden of the king by knightes seruice in chiefe or otherwise by knightes seruyce, nor of anie other persons of knights seruice. And of any rentes commons or other profits or commodities, out of or to be perceiued of the same or out of any parcell thereof, at his free will and pleasure: the same diuision to bee made and sett forth by the owner of the said manors landes, tenementes & hereditaments, by hys last will and testament in writinge, or otherwise in writing. And in default thereof, for afmuch of the same manours, landes, tenements and hereditaments, as shal concerne ẏ kings interest, by commission to bee directed out of the kings court of the Wardes and liueries, in manner and forme as is aforesaid, if the master of ẏ wardes and liueries for the time beeinge, & the parties thereunto cannot otherwise agree vppon the same diuiſiõ. And that restitution of the issues and profitts of the two parts thereof, shalbe had and made in maner and forme aboue sayd. And for such of the same manors lãds tenements & hereditamentes, as shall concerne the interest of any other lord or lordes, by commission to bee graũted out of the kings court of the chaũcery, to enquire thereof by the othes of xii. men, if the same lord or lords, and the parties therũto can not otherwise agree vpon the same diuision.

And be it &c. that the sauinges, reseruinges, and prouisions, concerning sauinge of the custody, wardshipp, reliefe, and primer seison to the kinge, of such mannours, lands tenements and hereditamentes, or asmuch thereof as shall appertaine vnto hym by vertue of the said former act, & by the declaration & exposition thereof, declared by this present act during the kings interest therein: And also of the custody & wardship to other lords of as much of such manours, lands, tenements, and hereditaments holden of them, as shal amount and extend to the clere yerely value of the third part thereof, ouer & aboue all charges, without any diminution or abridgement of the iij. part, or of the full profites thereof, compriſed & mencioned in diuers articles in ẏ saied former act contained by the authoritie aforesaid, be and shalbe intended, expounded and taken, as hereafter ensueth: that is to say, ẏ the king shall haue & take for his full third part, of all such manours, landes, tenements, and hereditamentes, whereunto hee is or shalbe intituled by the said former act, and by this present act, such manours, lands, and tenements, as shal by any meanes discend or come by discent, as wel of estate of inheritãce in fée taile,

Master of the wardes

Feelim

j. Parts

Cõmission

Iuris

wardship

King

Diuision

King

Feetaile

as

Fee simple as in fee simple, or in fee taile onely to the heire of any such persone that shall make any will, gift, disposition, or deuise by his last will in writing, or by any act or acts lawfully executed in his life, immediatly after the death of the same deuisour or owner thereof. And that the will, gift & deuise of euery such deuisour or owner, of and for the two
⅔. Parts parts of the said manours, lands, tenements and hereditamẽts residue, shall by the auctoritie aforesaid, be & stand good & effectuall in the lawe, albeit the same will, gift or deuise be had & made of al his fee simple landes, tenements & hereditamentes, or of ẏ more part thereof. And in case the same manours landes, tenements, and hereditamentes, which after the death of any such owner or deuisour (which shall make any such gift, disposition or deuise by his last will in writing, or otherwise by any act or actes lawfully executed in his lyfe, to his wife, childrẽ or otherwise, as is aforesaid) which shall immediatly after his death discẽd, reuert remaine, or come, to his heire or heirs, aswell of estate of inheritaunce in fee taile, as of estate in fee simple or fee taile onely, be not or shall not amount or extend to ẏ full clere yerely value of the ful third part wt ẏ ful profits thereof, of al ẏ saied manours, lands, tenementes or other hereditamentes, of ẏ said deuisor or owner, according to the true intent and meaning of ẏ saied former act, and of this present act: That
King then the kinge shall & may haue & take into his handes and possession to make vp his ful third part, wt the ful profits thereof according to his interest therein, as much of the other manours, lãds tenements or hereditaments, willed, geuen, disposed or assigned by any such persõ, to his wife, childrẽ or otherwise as is aforesaid, as with such of ẏ same manours, landes tenementes, & hereditamẽts, descended or by any meanes come vnto the heire, as heires of any such deuisour or owner, shal make vp ẏ clere yerely value of the saied full third part wt the ful profits thereof, of al the said manors, lands tenements, & hereditamẽts of euery such owner or deuisour so to be had to the king, in title of wardshippe or primer season as ẏ case shal require. And ẏ deuision thereof to Deuision be had and made, & wt the restitution of the profits of ẏ two parts of the sayed manours, lands, tenements and hereditaments, in such maner and fourme as is aboue rehersed. And like benefite and aduauntage to be giuen, had & take by the said auctoritie, to euery Lord & Lordes of whom any such manours, Lords landes, tenements, or hereditaments, ben or shalbe holde by knightes seruice in maner & fourme as is abouesaid, concerning onely his or their third partes thereof, according to their said interest therein. And be it &c. ẏ if it happen the same third part, or any part therof left willed or assigned to the king or other Lord of any time during their interest therein, to be lawfully euicted or determined, ẏ then ẏ king, & the other Lord shal haue as much of the two parts residue, as shal accomplish and make vp a ful third part in clere yerely value after the rate and porcion of such manors landes, tenements, & hereditamentes, as shal then happen to remaine of the same third part, not deuicted or determined. And of the other two parts of such manors, lãds, tenements, and hereditaments, as the king or other lord should or ought to haue had, by vertue of the said former act, & this present act, & the same to be deuided in maner and fourme aboue rehersed, any clause in ẏ said former act notwithstanding.

And be it &c. that the sauing and reserving for fines for alienatiõ, by any such last will & testament of such manours landes, tenements, or hereditaments, holden of the king by knightes seruice in chiefe, or of the nature of knightes seruice in chiefe, or by socage in chiefe, or Chiefe of ẏ nature of socage tenure in chiefe, or for fynes for alienation of such ma- Fines

nors, landes tenementes, or hereditaments, whereof there shalbe any alteration of freehold, or of inheritaunce, made by any such last will, comprysed in diuers and sundry articles mencyoned in the said former act, be and shalbe intended, expounded, taken, deemed and adiudged by the authoritie aforesaid, that al such person or personnes to whom the said manours, landes, tenemēts, or hereditaments, or any of thē be or shalbe geuen, disposed, willed, or deuised by any such last will, shalbe exonerated acquited and discharged for euer against the king, his heires & successours, for al such fines for alienatiōs by any such last will or testament, wout licence by suing forth of the kinges pardon for alienation out of the kings court of Chauncery, paying to ẏ kinge his heires or successours for the fine of

3. Part

euery such alienation the third part of the yerely value of the same manours lāds, tenemēts or other hereditaments to him or them willed or deuised, & this act from time to time shalbee a sufficient warrant to ẏ lord Chauncellour of

Warrant L. chaūcelor

England, or keper of the great seale for the time being for the graunting out of ẏ said pardon or pardōs, vnder ẏ kings great seale, as heretofore hath bene vsed for pardons & alienations, wout any further suit to be made to the kinge for ẏ same.

And it is &c. that willes or testamēts made of any manours, landes, tenements or other hereditaments, by any

Woman couert

woman couert, or person, within thage

within age

of xxi. yeres,

Ideot

ideot, or by any persō

Non sane memorie

de non sane memorie, shal not be taken to be good or effectual in ẏ law.

And be it &c. that if any persō or persons hauing estate of inheritance of or in any manours, landes, tenementes, or hereditamentes, holden of the kinge

K. seruice

by knightes seruice in chiefe, or otherwise of the king by knights seruice, or of any other persō or persōs by knights seruice, haue geuen at any tyme sithen ẏ xx. day of ẏ said moneth of July, or hereafter shal giue, will, deuise, or assigne, by will or other act executed in his lyfe, his manors, lāds, tenemētes or hereditamentes, or any of them by

Fraude

fraud or couin to any other person or persons for terme of yeres, lyfe, or lyues with one remainder ouer in fee, or wt diuers remainders ouer for terme of yeres, life or in taile, with a remain

Remainder

der ouer in fee simple to any person or persons, or to his or their right heires, or at any time sithe in ẏ said xx. day of July, hath conueied or made or hereafter shal cōuey or make by fraud or couin cōtrary to ẏ true intent of this act any estates, conditions, menalties, tenures or conueiaunces, to the intent to

Defraude

defraude or deceiue the king of his prerogatiue, primer seasen, liuerie, reliefe, wardship, mariages, or rights: or any other lord of their wardships, reliefes heriots, or other profits, which should or ought to accrue, grow or come vnto thē or any of thē, by or after ẏ death of hys or their tenaunt, by force, and according to the former statute, and of this present act and declaration: & the same estates and other conueyaunces being found by office to bee so made or contriued by couin, fraude, or deceipt, as is aboue said, contrary to the trewe intent and meaning of the said former act & of this act: That then the kinge shall haue aswell the wardshipe of the

wardship

body, and custody of the landes, tenements, and hereditaments, as liuerie,

Liuery

primer seasen, reliefe, and other profites which should or ought to appertaine to the kinge, according to ẏ true intent and meanyng of the layed former act and of thys present act, as though no such estates or conueyaunces by couin hadd neuer bene hadde or made, vntil the saied office be lawfully vndone by trauerse, or otherwyse.

And that the other Lord and Lordes

Lords

of whome any such manours, landes, tenementes or hereditamentes, shalbe holden by knightes seruice, as is aforesaid, shal haue their remedy in such

cases

cases for his or their wardshyppes or bodies and landes, by writt of ryght of ward, and shal distraine and make Distreine
analwzic or conisaunce by them selues or their bayliffes, for their reliefes, heriottes, and other profites, which should haue bene to them due, by or after the death of their tenaunt, as if no such estate or conueyance had bene had or made. Sauing and reseruing alwaies, by ỹ auctority aforesaied, the right and title of the donees, feoffees, and de uisees thereof against ỹ said deuisour & his heires after ỹ interesse & title of the king or other lord therein ended & determyned.

Prouided alwaies, that this act, explanation and determination, or any of them, or any thyng in this said act, explanation, or declaration contayned shal not extend to the will or deuise of Sir John Gainsord late of Crowherst in ỹ county of Surry knight deceased: Nor to the will or deuise of Sir Peter Fylpotte knyght deceased: Nor to the wyll or deuise of Rychard Creswell late of Mattingely, in the County of South. gentleman deceased. Nor to the will or deuise of Thomas Vnton, late of ỹ County of Berk. Gẽtlemã deceased, sonne of sir Thomas Vnton knight, also deceased, or shalbe in any wise preiuditiall or hurtfull to any person or persons, for or concerning any manours, landes, tenementes, or hereditamantes, contained or especyfied in the said willes or deuises, or in any of them, but that the said last willes and deuises, & euery of them, shall stand, abyde, remayne, and be, in the same case, force and effect in the law, to all intentes, purposes and constructions, as the sayd last wylles and deuises and euery of them were beefore the makyng of thys act, declaratyon and explanatyon, and of none other effect or force, thys act, declaratyon, and explanation, or any of them, or of any thynge therein contayned to the contrary thereof in any wyse not wythstandynge.

Prouided alwaie and bee it &c. that all and euery person and persons from whom the kinge or other lord or lords shal take any manours, landes, tenementes or hereditamentes, for his or their full thirde parte, or to make vp his or their full thirde parte, shall and may by auctority of thys present act in any of the cases aforesaied, vppon hys or their bill, exhibited in the kings Court of Chauncery, agaynst all and euery such personne & persons, which shalbee entitled, by or vnder any such will, gifte, disposition, or deuise, to the other two partes haue such contribution, or recompence for the same, as by the Chauncellour of Englande, or Chaficelor
by the keper of ỹ great seale of England for the time being, shalbe thought good and conuenient. Anno 34. Henrici 8. capit. 5.

¶ *VVindsore.*

Anno 17. H. 8. cap. 18. is a Statut concerning the honour of Windsore.

¶ *VVines.*

IT is prouided also, that the Maior, Maiors
and Bailifes before the comminge Bailifes
of those Barõs, shal enquire of wines solde against the assise, and shall present it before them at their comming, and then shalbee amerced, where before they were wont to tarrie, vnto the comming of the Justicers in eire. Geuen at Glouceſter, the iiii. day of October, the vi. yere of the raigne of king Edward, the sonne of king Hẽry, Glouceſter ca. 15. An. 6. E. 1.

2 ¶ The Assise of Wyne shalbee Assise
obserued after the kynges assise, that it to say, a sexterne at xij. d. And if the Tauerners, exceede that assyse their doores shalbee shutte vp by the Maire and Bayliffes, and they shall not bee suffred to sell wythout the kynges lycence, statut de pistoribus.

3 ¶ A rule shalbee made, ỹ none be so hardy to sel wynes, but at a reasonable

Price

price, regarding the price that is at the portes from whence the wines came, & the expenses, as in cariage of the sae from the said portes to ỳ places where they bee sold. And that assaie bee made of such wynes ij. times euery yeare, once at Easter, and an other time at Michelmas, and more often if nede be by ỳ lords of ỳ townes & their bailiffs and also by the Mayor and Bayliffes of the same townes. And al the wynes that shalbee found corrupt, shalbe powred out, and the vessels broken. And the Chauncellour and Treasourer, Justices of the one Bench and the other, and Justices of Assise, shal haue power to enquire vpon the Maiors. Bailiffes and ministers of townes, if they doo not accordynge to thys Statute. And beesides that to punishe as reason shall require. Anno. 4. Edwardi 3. cap. 12.

Assaye

Lord Maior Bailife

Chancelor

Justices

4 ¶ Defence and proclamations shall bee made, that no English marchant shall engrosse nor forstall wynes in Gascoyne, nor take them by way of buying of no Gascoyne, nor of other, for to pay in England, for any greater summe then wynes be commonly sold in Gascoyne, beecause of perell in perill of the sea, or by any other colour, vpon paine of lyfe and member, and of forfaiture of the wynes and of al their other goodes and cattalles to the king, & of forfaiture of all their landes and tenements to the chiefe lords. And the chiefe Lordes shall haue a writt of eschete in such case. Anno. 27. Edwardi 3. cap. 5.

Engrosse

Price

Felony

Forf.

5 ¶ Al marchaunts Gascoines & other straungers, may safely bryng their wynes into Englande, to what port ỳ shal please them, & to doe thereof their profits. So alwaies that ỳ kings butler may make puruciance of wynes of aliens when nede shalbe, making paimẽt for ỳ same wines vỉn. xl. daies, in ỳ maner as hath ben vsed in old time. An. 27. E. 3. ca. 6.

Marchants

Port

K. Butler

6 ¶ No English marchant, nor none of his seruãts, nor other for them, shal goe into Gascoine, there to abide, nor shall haue none other there dwelling, to make bargaine or buying of wynes by any colour, beefore the time of the vintag, that is to say, beefore that common passage bee made to seke wynes there. And that none buy nor bargaine by him selfe, nor by other, any wynes but onely in the portes of Burdeaux & Bayon. vpon ỳ paines and forfaitures next aforesaid.

Merchant

Vintage

And if any bee there found doinge against ỳ sae, he shalbe taken & arrested by the Stewarde of Gascoine, or the Constable of Burdeaux, and the body sent into England to the Tower of London. And that the same Steward certifie the kynge in hys Chauncery of the names of such arrested, and of their masters and fellowes also, wyth all the doede. Anno. 27. Edwardi. 3. capitulo. 7.

Arrest

Steward

7 ¶ All wynes red & white, which shall come into the said Realme, and into the land of Wales, and Ireland to sell, shalbee well & lawfully gauged by the kings gaugeours, or their deputies. And if any doe set disturbance or debate, and will not suffer the same to be gauged, he shal forfeit ỳ said wines & shalbe punished by imprisonment, & raunsomed at the kinges will. And if default be found in the gaugeour, ỳ he or his deputie be not redy to do his office, when he shalbe required, or ỳ he do fraude or deceipt, in doing his office to the dammage of the buyer, or of the seller, he shal pay to the partie greeued his treble damages, and lose his office and be punished by imprisonment, and raunsomed at the kinges will. And in case that lesse be found in the tunne or pype, then ought to bee of right, after the assise of the tunne, the valour of as much as shal lacke of such tunne, or pype, shalbee allowed and deducted in the payment. Anno 27. Edward. 3. capit. 8.

Wales Ireland

Gaugeour

Forf. Imprison

damages

Office

Allow

8 ¶ The statut made of wines ỳ said

rrbiij. yere be holde & kept in al points, except the punishement of landes and tenementes and of life and member, which punishement is repealed in this present parliament, aswel of time past as of time to come. Moreouer it is ordayned, that euery yere it shalbee sent to the maior and constable of Burdeaux, to Rochell, & to all other townes and portes in Gascoine and els where which be of the legeaunce of our soueraigne lord the king, out of whych the wynes cõe into Englãd, to be certified of the price of the wynes and in other costes, and of the couchers englysh against the fourme of the statute. And by this certification of the couchers against the statut, they shalbe put to aũswer, if the body bee sent as is contayned in the statute. And if hee deny the certification, it shalbee tried by merchaunts vsing those parties, and other people which best haue thereof knowleage. And if ỳ body be not sent, the certification shalbee sent into the kynges bench, or before other Justices, according as shal nede. And there processe be made by capias & erigẽd, or tried by nisi, as afore is said. An. 37. E. 3. c. 16.

Repealed
Maior Constable
Price
Trial
Proces

9 ¶ As to the merchauntes of wines & of those ỳ passe the sea to fetch wines in Gascoine, for the diuersitie of opinions of dyuers: It is assented, that the statutes and ordinaunces thereuppon made shal stand in their force. An. 38. E. 3. ca. 10.

10 ¶ Al merchantes denizens, that be not artificers, shal passe into Gascoyne to fetch wines there to the intent that by this generall licence, greater plentye maye come and greater market may be of wynes within the realme. And that ỳ Gascoynes and other aliens may come into the Realme wyth their wynes and freely sel them wyth out any disturbãce or impeachemẽt, alwaies saued to the king, ỳ it may be lawful to him whensoeuer it is aduised to hym or his counsaile, to ordaine of this article in maner as best shal seme to him for the profit of him & his commons. An. 38. E. 3. ca. 11.

Denizens
Aliens

11 ¶ It is assented and accorded, for ỳ profite of ỳ Realme, ỳ no Englyshman shal passe into Gascoine to fetche wynes there, but they shalbee brought into Englãd by the Gascoines and other aliens, and thereupon defence shal be made through the realme. And that no englisheman put in the handes of ỳ said Gascoynes or aliens, nor thyther send gold nor siluer nor other marchãdises, thereof to buy wynes to the vse of Englyshemen, vpon forfaiture of ỳ gold and siluer or marchandises so put in their handes or sent. And that all ỳ shippes of England and of Gascoine that commeth into Gascoine, shalbee first frayghted to bringe wynes into England before all other, and that no Englysheman bargayne or buy such wynes comming into Englãd, before that they be put to land, according to ỳ fourme of ỳ said statutes therof made. And this ordinance shal hold place frõ ỳ guile of August next ensuing forward And that no warrant be made to any englishman to the contrary. An. 42. E. 3. cap. 8.

Aliens
Forf.
Ships

12 ¶ Al Englyshmen, Irishmen, & welshmẽ, ỳ be not artificers, may freely passe into Gascoine, to fetch wine there, finding sufficiẽt suerty before his passage before ỳ maior or bailifs, wher no Maior is, of ỳ towne or port, where he shal passe, that he shall buy in Gascoine an hundred tunnes of wynes, & not lesse of his owne proper goodes & of others, & bring the same into England, Wales, or Ireland, & to no place els where.

Suerties

And if it bee otherwyse done by any English man, Welsheman or Irisheman, the wines & shipps, bringing the same wines shalbe forfait to the kyng, and euery of them shal haue one yeres imprisonment, and moreouer be ransomed at the kinges will. And if any Englysheman passe into Gascoyne without finding such suerty, hee shall

Forf.
Imprison

incurre the forfaiture of all his goodes to the king. And the said suerties shalbe certified and retourned into the kinges chauncery, by ỳ said Maior & Bailifs, or by the Bayliffs where no maior is, ii. times by yere, ỳ is to say, at ỳ vtas of Candelmas, and at the gule of Auguste. And if any maior or bailife suffer any Englishman to passe till hee haue found such suerty, or they doo not certifie in the Chauncery in the manner as is aforesaid, they shal haue one yeares imprisonment of their body, & moreouer bee raunsomed at the kinges wyl. And it is not the mynde of the kyng, the great men, nor of the commons, that the ordinaunce made of the sayed wynes, the said xlii. yere be repealed or adnulled, but shal abide in suspence till a man may see what profit or damage this present graunt hereafter shal do in the Realme.

Maior Bailife

Imprison

And the king wil that the Gascoins and their seruants, and al other, when soeuer please them, may come wt their wynes into England, Wales, & Ireland as freely and in the manner as it was ordayned in the said xlii. yere, or in any time before. An. 43. Edwardi 3, cap. 2.

13 ¶ An. 5. R. 2. ca. 4. & An. 6. R. 2. ca. 7. two actes were made concerninge Wynes and the price thereof, but both those actes were repealed by 7. Richard. secundi ca. 11. tamen quere & vide statuta.

14 ¶ Item that none of the kynges liege people be distrained fromhencefoorth, impeched, molested, nor greeued in ỳ eschequer, nor els where for non ganging of wines of Rine, nor for any forfaiture of ỳ same for ỳ cause otherwise then hath bene done of old times. An. 14. R. 2. ca. 8.

Distreine

Eschequer Rine

15 ¶ All the said merchãts repayring to the sated parties of Gascoyne and Guyt, may freely hereafter buy ỳ wins there of ỳ hye coũtrey in al such times & in al such liberties, as they haue vsed to buy them, xx. or xxx. yeres passed, wt out any other newe impolytyon or charge to be put vpon them. And that if any of the kinges officers in the sayd parties or any other person, disturbe, vexe or greeue, or doe to bee disturbed vexed or greued any of the saied marchãts or liege people of our soueraigne lord the king, or do to bee leuied of any of them any newe impositions, contrary to this ordinaunce: hee to forfait as oftentimes as he offendeth, to ỳ parties greeued xx. li. ouer his treble damages to be paied to him, the one halfe of the same forfaiture of xx. li. to be paied to the vse of our soueraign lord ỳ king, and the other part to the partie so greeued, or to him which in his defaut and negligence will sue for our soueraigne lord ỳ king in this behalfe. An. 23. H. 6. cap. 18.

Merchantz

Forf.

iij. damages

Moitie

16 ¶ From hencefoorth ỳ Malueseis that shal be brought into this your Realme of Englãd, by any person, shalbe of ful gauge, containing fyre score & fyre gallons at the least in measure. And if it lacke of the said gauge, ỳ then ỳ seller to abate so much of the price after the rate of the said content. And euery merchaunt straunger bringinge such Malueseys into this Realme, shal pay to your grace the custome of eyghtene shillings for a But of Malueseys, ouer & aboue the custome afore time to your grace vsed to be paied, likewise as they of Venice haue set in Candye vpõ your aforesaid subiects. And more ouer that it be &c. from hencefoorth ỳ no Butt or Butts of Malueseis in vessel or vessels ỳ shalbe brought into this your said realme, shalbe sold aboue viii. li. sterling.

Gauge

Abate

Custome

Prouided alway that this act extend not to any English manne borne, touching ỳ new custome rehersed of xviii. shillings And that this present act endure no lõger then they of Venice shal set asside the imposition of the paymẽt of ỳ fower Ducades aforesaid. An. 7. H. 7. cap. 7.

17 ¶ An. 7. H. 8. ca. 2. it is enacted ỳ all licences made for bringinge in of Gascoine

Licences

Gascoine wine and Tholos woade, contrary to ỳ statut of An.4. H.7.ca. 10. (which is in shipps 8.) were voide.

Retaile

Prices Gauging

18 ¶Anno 23. H.8.cap.7. an act was made to endure to the last day of the next parliament, concerning bringing in of wynes into England, and selling wynes by retaile, & of what prices, and who should set the prices, & concerning the contents & gauging of wines & other licours.

Merchant

19 ¶That euery merchaunt and other person now hauing or which hereafter shal haue wines to bee sold, and refusing to sell or deliuer, or not selling any of ỳ same wines for redy money there fore to bee paied according to the price or prices thereof then beeing set, shall forfait and lose the value of the wyne so required to be bought. And furthermore be it &c. that it shalbee lawfull to al & singuler Justices of peace, maiors, bailliffes and other head officers & gouernours in sheres, cities, boroughs & townes, & in other places of this Realme, within the precinctes & lymittes of their offices, frō the last day of April in ỳ yers of our Lord God M.D.xxviii. at the desire & request of any of ỳ kings subiects, to whom any denyall of sale, or from whom any restraint of sale of any such wines shalbe made, and full payment therefore without delay offered to be made according to the prices which at the time of such denier or restraint of sale be or shalbe set by ỳ lords & Justices, or hereafter to be set, according to ỳ said statut heretofore made, to enter into ỳ houses & sellers & other places, where any such wines shall lye and bee, and to sell and deliuer ỳ same wine or wines desired to be bought, to the person or persons requiring or desiring to buy the same: Takyng of the buyer of the same wine or wynes so to be sold, to ỳ vse of satisfaction of the forfaiture aforesaid, after the rate of ỳ prices therof now breing set or hereafter to be set, as is aforesaid.

Refuse

Forf.

Just. of p. Maiors Bailiffes

Sell

Prouided alwaies that if at the tyme of any such sale of wyne purposed to be made, the marchant vintner, or other owner or owners thereof do truely, fully and manifestly declare & shew to the said Justice of peace, maior, baylife, or other head officer, purposing to make the said sale by vertue of this act, what and how much quantitie & sorts of wynes he then shal haue, & affirme, and depose vpon his bodely oth, to bee made and geuen by the discretion of ỳ sãe Justice of ỳ peace, Maior, Bailliffe or other head officer, that he keepeth & deteyneth the same wines, to the intent onely to drawe & expend the same in his owne house by retaile or otherwise, and not to sell ỳ same wines, nor any of them in grosse, that then ỳ same marchaunt Vintner or other owner, shal kepe and retaine ỳ same Wynes without any sale thereof to be made, in fourme aboue written, and without any forfaiture for refusall or restraint of sale therof to be made in grosse. And in case that after such oth so made ỳ sãe marchant vintner, or other owner or owners, do sel ỳ same wines or any of thē in grosse, ỳ is to say by ỳ tūne, Butt tierce, pype, hoggeshed, barrel, or rūdelet, he shal forfait & lose ỳ double value of all such wines so sold in grosse. The one halfe therof, & of ỳ other forfaiture aboue written, to be to the king our soueraigne lord, & the other halfe to ỳ party or parties ỳ shal sue &c. Prouided alwaies ỳ this act extend not to take effect in any shere of this realme, other then in the city of London, & vōn iii. miles cōpasse of ỳ same before the last day of July, in ỳ yere of our lord God aboue written, vnles ỳ in the meane time this statut be opēly proclaimed in some opē faire or market vōn ỳ same shere wherebefore ỳ said last day of July, it shal happen to be put in execution An.24.H.8.ca.6.

Oths

Just. of p. Maior Bailiffs

Retaile

Vintner

Forf.

Butts

London

20 ¶No person or persōs shal sel any Gascoine, Guion, or Frenche wines aboue viii.d. the gallon, that is to say, i.d. the pinte, ii.d. the quart, iiii.d. the

Price

Forf. pottell, & viii. d. the gallon, vpon paine of forfaiture for euery pint to be sold aboue the said price fower pence. and for euery quart sold aboue ỳ said price viii. pence, and for euery pottel so sold aboue the said price twelue pence, & for euery gallon so sold above the said price afore limitted two shillinges. And that no Swete wines Retaile Prices Malucleys, Romneys, Seckes, or other swecte wines shalbe sold by retail aboue xii. d. the gallon, vi. d. the pottell, iii. d. ỳ quart, & iii. halfe pẽce ỳ pint, vpon paine to lose & forfait iii. s. iiii. d. for euery gallon, xx. d. for euery pottel, xii. d. for euery quart, and vi. d. for euery pynte, that shalbee solde contrary to this act.

Forf. Prouided alway ỳ the lord Chauncellour, lord Treasorer, lord Presidẽt of the kings most honorable counsail & Lord prime seale, & the two chiefe Justices of eyther bench, or v. viii. or iii. of them shall haue power and auctority by their discretions to sett the prices of al kind of wines, ỳ is to say, of ỳ prices of the butt, tunne, pype, hoggeshed puncheon, tierce, barrell, or rundelet, when it shalbe sold in grosse, so that they or any of them cause the prices by them set to be written, & open proclamatiõ there of to be made in ỳ kings court of chauncery openly in the terme tyme, or elle in the citie, borough or towne where any such wines shalbe sold in grosse, any thing contained in this act to ỳ contrary hereof notwithstanding. And it is ẽc. ỳ if any persõ or persons after such prices be set & put in writing by ỳ sayd lord Chauncellour, lord Treasorer, lord Presidẽt of ỳ kinges most honorable counsaile, Lord prime seale, & the two chiefe Justices, or by fiue, fower or three of them, & proclamation thereof had (as is afore said) do sell any wines in grosse by any stealth or couin, contrary to ỳ said prices so set & proclaimed, ỳ then euery offendour in that behalfe shal lose & forfait for euery pottel by thẽ sold in grosse, cõtrary to the said prices vi. s. the one halfe of al which forfaitures to be to the king our soueraigne lord, & the other halfe thereof if it be within any citie, borough or towne corporat, to be to the maiors sheriffes, bailiffes, or other head rulers of such cities boroughes or townes corporate. And if it be wout cities, borough, or towne corporate, then to be to such of ỳ kings subiects as wil sue for the same. And that euery such forfaiture shalbe recouered by original writ of debt, bill, plaint, or information. In which suit no wager of law shalbee admitted nor any protection or essoine allowed.

Maior Sheriffes Bayliffes

Recouery

Prices

Iust. of p. And it is ẽc. that the Justices of peace in euery shere of thys present realme, & al maiors, sheriffes, bailiffes, & other head officers in cities, boroughes, and townes corporate, that is to say, euery of them wiin the limits of their cõmissiõs & auctorities, as well wiin fraunchises as wout, shall haue power and auctorite to examine, heare, inquire, & determine ỳ defaultes of such as shal attẽpt to sel any wines in grosse or by retail, cõtrary to this act, & to punish ỳ offendours by imprisõmẽt or other wise by their discretions, an. 28. H. 8. ca. 14.

Enquire Oier & in.

Imprison

21 ¶ Such lords as by ỳ said former act (s. an. 28. H. 8. c. 14. before 20) haue auctorite & power to set prices of wine in grosse, shall by vertue & force of this act, haue ỳ same auctority to mittigate & enhaunce ỳ price of wines hereafter to be sold by retailes ofte as time & occasiõ shal require, any thing in the said former act cõteyned to ỳ cõtrary thereof notwithstãding. And their said prices, & ordinances, after proclamatiõ therof made, to be obserued & kept vpõ paine & penalty in ỳ same proclamations cõteyned. The moity of al which penalties to be to ỳ king our soueraigne lord, & ỳ other moity to ỳ party ỳ wil sue for ỳ same in any of ỳ kings courts of record, by bil, plaint or informatiõ, in ỳ which no wager of law, essoine, or protectiõ shalbe allowed. This act to endure to ỳ end of ỳ next parliamẽt. An. 34. H. 8. capitulo. 17.

Refuse

Price

Retaile

Maior Recorder Alderman London

Moitie

Sell

Forf.

Moitie

22 ¶ An. 37. H. 8. ca. 23. This last act of An. 34. H. 8. c. 17. is cõtinued to endure to the end of the next parlyament And it is there further enacted that ẏ
Lchãcellor laid lord Chauncellour, lord Treasourer, lord Presidẽt, lord Priuy Seale and the two chief Justices, or fiue, lower or three of them, shall yearely sett
Prices the prices of al kinds of the said wines mencioned in the said former act betwene the twenty day of Nouember, & the last of December, & at no other time or times, & that al & euery person selling in grosse or by retaile, any of ẏ said wines mẽcioned in the same act, shall not sel any of the same wines aboue the prices so by them sett, vppon such paine and forfaiture as be made & prouided in the same statute made at westminster the eight & twenty yere of the raigne of our said most dread soueraigne lord the kyng. And bee it &c. that if any person or persõs, that now haue or hereafter shal haue any manner of wynes to sell in grosse wythin any citie, borough or towne corporat, or any other hauen corporat towne or townes within this realme, or within any the kinges dominions or territories of the same, and doo at any time hereof refuse to sell any kind of ẏ same
Refuse wines according to the price, as now, or at any time hereafter shalbe limited and appointed by the sayed Lorde Chauncellour, lord Treasourer, Lord Presidẽt, lord Priuy seale, and other the said chiefe Justices, or by any fiue fower or three of thẽ, that then it shall
Maior Recorder Alderman London bee lawfull to the Maior of the citie of London, Recorder of the same citie, & two of the auncient Aldermen of the same citie, beeing no vintners, for the time beeinge, & to the Maire Bailifes Aldermen & other the head officers, or to any two of them, whereof ẏ Maire or chiefe Aldermẽ or bailife, to be one, within al and euery citie, Borough, & port towne, within this realm, wherin any wines nowe bee, or hereafter shalbe to sell, to enter into the houses, Sellers, & places, of all and euery such owner and owners of ẏ same wines, in any of the said cities, boroughs, and port towne, and the same wines lawfully to sell to the vse of the owners of Sell the same wines to any person or persons willing to buy ẏ same, according to such prices and rate as by the sayd Lord Chauncellour, lord Treasourer, lord Presidẽt, lord Priuie seale, and the said two chief Justices, or by anie fiue fower or three of them is or hereafter shalbe set, limitted, and assigned, according to the tenour of the said act made in the said eight and twẽty yere of the kings maiesties raigne. An. 37. H. 8. ca. 23. And after An. 5. Ed. 6. ca. 17. that forsaid act of An. 34. H. 8. ca. 7. & ẏ articles aforesaid in Ann. 37. H. 8. ca. 23. be continued vnto the last day of the nert parliament.

23 ¶ No person or persons whatsoeuer inhabiting within any of ẏ kinges maiesties dominions of England and wales, shal after the feast of saint Michael the archangel next comming, vtter by retaile by small measure, ẏ is to Retaile say, by gallon, or any other measure of greater or lesse quantity, any wines called Gascoigne, Guyen, or French wines, but after the rate of eight pẽce Price the gallon at the most by any manner of meanes colour engine or craft, nor any Rochell wines, at greater prices or valuation thẽ after ẏ rate of fower pence the gallon at the most, nor anie other wine or wynes at greater price or valuation then after the rate of vii. d. the gallon at the most, vppon payne that euery person doing the contrarie shal forfait for euery such offence x. li. Forf. of lawful money of England. And be it &c. that it shall not bee lawful to any person or personnes within any the dominions aforesayed, except he or they shall and may dispend in landes tenements, hereditaments or other yerely profits certain, the summe of a hundred 100. marke land markes of lawful money of Englãd, or else bee worth of his owne proper Goods goodes

goodes and cattels one M. markes, or
thalbee ẏ ſomme of a Duke, Marques,
Erle, Viſcount, or Barron of this re-
alme, to haue or keepe after the ſayed
feaſt of ſaint Michael the archangel in
his houſe or cuſtody any pece or veſſell
of any of the ſayed wynes of Gaſcoin
Guion, French or Rochell wines, cō-
tainynge aboue the quantitie of tenne
gallons, to thintent to ſpend or drynke
the ſame in his or their houſe or houſes
by any colour or meanes vppon paine
Forf. to forfait for euery ſuch offence x. poūd
of lawfull money of England. And al-
ſo be it &c. that it ſhal not be lawfull to
any perſon or perſones within ante of
the ſaid dominions, after the ſaid feaſt
Tauerne of ſaint Michael, to kepe any tauerne,
or to ſel or vtter by retaile, by the gal-
lon or leſſe or greater meaſure in any
place, any of the ſayed wine or wines
within any of the ſayd dominions ex-
cept it bee in cities, townes corporat,
Cities Townes Boroughes, port Townes or market
townes, or in ẏ townes of Grauelend
Sittingborne Turford and Bagſhot,
vppon paine that euery perſō or perſōs
ẏ ſhal ſo offend contrary to ẏ fourme
Forf. of this act, ſhal loſe and forfait for eue-
ry day ſo offendinge the ſumme of ten
pound of lawfull money of England,
nor that it ſhalbe lawfull to any perſon
or perſonnes after the ſayd feaſt of S.
Michael, to kepe any Tauerne, or ſell
Retayle or vtter by retaile by the gallon or leſſe
or greater meaſure, in any Cittie, Bo-
rough, or towne corporat, any maner
of wines, but onely ſuch perſon & per-
ſons as ſhalbee thereunto nominated,
Licenced appointed and aſſigned by the head of-
ficers and the moſt part of the cōmon
counſaile, Aldermen, Burgeſſes, Ju-
rates, or comminaltie, for ẏ time bee-
inge, of ſuch cittie, Borough or towne,
corporat, where ſuch perſonne or per-
ſons ſhal tauerne, ſel, or vtter wine by
retaile as is aforeſaid: the ſaid nomy-
natyon and aſſignement to bee made
by writing, vnder the common Seale
of ſuch Cittie, Borough, or Towne
corporat, as is aforeſaid, and the ſayed
nomination appointment and aſſigne
ment, ſhall continue in their force, or
be chaunged at the election & pleaſure
of the head officer or officers, and the
moſt part of the common Counſayle,
Aldermen, Burgeſſes, Jurates, or cō-
minaltie, for the time being, of ſuch ci-
tie, borough, or Towne corporat, by
writinge, & vnder ſuch common ſeale
as is aforeſaid. Prouided alſo that it ſhalbe lawfull to any perſonne or perſonnes, to
kepe any Tauerne, or to ſell or vtter Tauerne Retaile
any Wine by retaile, as is aforeſayd,
in any Cittie, Borough, port Towne
or market towne, nor corporat, wyth-
in the Realme of England or Wales
or in the ſaied townes of Grauelend,
Sittingborne, or Bagſhotte, but one-
ly ſuch perſonne or perſons as there-
unto ſhalbe aſſigned, nominated, and
appointed by all or ẏ moſt part of the
Juſtices of peace for the time being, of Juſt. of p.
ſuch Shire or county where ſuch Ta-
uernes, or ſelling of Wine by retaile,
ſhalbe hadd or allowed, as ſhalbe pre-
ſent at the generall Seſſion for ẏ time
beeinge to bee holden within euery of
the ſaied ſhires or Countries, the ſayd
aſſignement, nominatyon, & appoint-
ment to bee had, and made in full ſeſ-
ſion by writing vnder the ſeueral ſeale
of euery of the ſayd Juſtices, and to bee
continued, altered or chaunged in lyke
fourme, and by like authoritie as is
aforeſayed, vppon paine that euery per-
ſon that ſhal after the ſayed feaſt, ſell
or retaile any wine, beeing not there-
unto lycenced and authoriſed, as is a-
foreſayed, ſhall forfait and looſe for e- Forf.
uery day that hee ſhall ſo offend fyue
pound of lawfull money of England,
nor that any perſone or perſonnes ha-
uinge authoritie by this preſent act, to
nominat aſſigne or appoint what per-
ſonnes ſhall taurne, vtter or ſel wyne
by retaile, as is aforeſayed, ſhal nomi-
nate, aſſigne or appoint by his or their
writinge any moe, or greater number
of tauernes or wine ſellers by retaile,

to

to sell or vtter wine, or keepe or contynue any tauerne at one tyme in anie one Citie, Borough, towne corporat, port towne, or market Towne, or in Grauesend, Sittingborne or Bagshot (all and euery such citie and Towne hereafter expressely named onely except) then two wineselle rs or tauernes And it shal not bee lawful to any persone or personnes hauinge auctoritie to nominate assigne or appoint Tauernes or sellers of wines by retayle, by this act to nominate, assigne or appoint by writing any moe or greater number of tauernes or wine sellers in the citie of Londō, to sel or vtter wine by retaile at any time aboue the number of foerty tauernes or wine sellers. And in Yorke eight, in Norwich viii. in Westminster and in Bristoll fiue, in Lincolne three, in Kingston vpon Hull tower, in Shrewesbury three, in Exceter tower, in Salisbury three, in Glocester tower, in Westchester tower, in Hertford East three, in Worcestour three, in Southhāpton three, in Caunterbury tower, in Ipswich three in Winchester three, in Orford three in Cambridge tower, in Colchester iii. in Newcastel vpon Tine tower, tauernes or wine sellers, vpon paine that euery person auctorised by this act, to nominate assigne or appoint tauernes or wine sellers, to forfayt for euery nommation assignement or appointment by hym made, contrary to the fourme of this act fiue poundes.

And bee it &c. that no personne or personnes whatsoeuer from and after the said feast of saint Michaell, shall sell or vtter by retaile, anie kind of wine or wynes to bee dronke or spent in his or their mansion house or houses or other place in his or their nature or occupation by any colour craft, engin or meane vpon paine to forfait for euery such offence tenne poundes of lawfull money of England, the one half of which forfaytures, shalbe to the king our soueraigne lord, and the other halfe to hym or the that will sue &c. in which &c. Prouided alwaies that it shalbee lawful to all and euerie marchaunt & marchauntes aduenturing for ỳ same at his or their own costs and charges, to haue and keepe to spend in his or their house or houses, such Wyne or wines, as hee shall transport, or cause to be transported into this Realme or any part thereof, not takinge any money or other recompence for the same that shalbe so spent in his or their houses. And that it shalbe lawful to euery high Shirife of euery County, Maire Baylife, and Shirife of euerie cytie and Towne corporat wythin this realme of England, and other the sayd dompnions for the tyme beeyng, durynge his or their office of charge, and to euery other personne inhabytynge or dwellynge in any of ỳ kings maiesties forts or Townes fortified and kept for the Warres duringe his or their dwellynges in any such fort or Towne of warre, to haue wine in their houses by the vessell, to spend the same in his or their houses without takinge any money or other recōpence for the same so spent in his or their house or other place in their tenure or occupatiō: This act or any thing therin cōtained to the contrary in anywise notwithstanding. And it is &c. that the Justices of peace of euery shire or cōty citie and towne corporat in their seuerall sessions, & the steward in euery leete, and the sherife in his tourne, and euery Escheatour shall haue full power and auctoritie by this present act, to enquire by the othes of twelue lawful men, of all and euery offence and offences perpetrated or doone contrary to the fourme of this act. And that euerie enquiry and presentment taken and hadde by the othes of twelue lawful men, as is aforesayed, shalbee of such force & effect, as if the same were taken or had beefore the kinge in his maiesties Bench. And that euerie of the paines, penaltyes, and forfaitures aforesaid

Tauerns

London

Tauerns

Fort.

Retaile

Fort.

Wottie

Merchants

Shirife Maior Baylife

Warres

Iust. of p.

Steward Shirife

Enquire

aforesayed, to bee due by force of thys act for any offence so committed or doone, by any persone or persones, contrary to the fourme of this present act, as shalbee found by presentment before the sayd Justices of peace, Escheatours, Shirife or Steward, by verdict of twelue men, as is aforesayed, and noe bill, plaint, action, or information thereof commenced in any of the kinges courtes of record, shalbee deuided equally into two parts, whereof the one shalbe to the kinge our Soueraigne lord, hys heires and successours and the other to be to the poore people of the towne or place where such presentment shalbe found.

Prouided alway and bee it &c. that this act or any thing therin contayned shal not extend to charge any persone or persons with any penalty or forfaiture, for and concerninge any offece to bee done contrary to ỳ tenour of thys act, vnlesse he or they so offendinge, be sued indicted, or presented for the same within one yere next after ỳ same offence to be done & committed as is aforesaid, any thinge in this act contained to the contrary notwithstanding.

One yere

Prouided alway that this act or any thing therein contained, shall not in any wise bee prejudiciall or hurtful to any of ỳ inhabitauntes of Orford and Cambridge, or to the Chauncellours or Scholers of the same, or their successours or any of them, to empaire or take away any of ỳ liberties, priuiledges, fraunchises, iurisdictiõs, powers or auctoritie, to them or any of them appertaining or belonging, but ỳ they and euery of thẽ, and their successours may haue, hold, vse and enioy al their liberties, priuiledges, fraunchises, iurisdictions, powers, & auctorities, in such large & ample wise as though this act had neuer ben had ne made, so alwaies ỳ there be not any more or greter number of tauernes kept or maintained within any of the sayd townes of Orford or Cambridge, then may bee lawfully kept & maintained by the prouision, true meaning, & intent of thys statut, anie thing in this prouiso mencioned to ỳ contrarie notwithstandinge. An. 7. E. 6. ca. 5.

Orford Cambridge

Licence

Enclose

7. yeres

Coppies woodes

14. yeres old

Standils ii. Okes

## ¶ VVitnesse.

When a deede, release, acquitaũce, or other writinge is denyed in the kings court wherein witnesses be named, proces shalbee awarded for to cause such witnesses to appeare, as before hath bene vsed, so that if none of them come in at the great distresse returned, or if it be returned, that they haue nothing, or ỳ they can not be foũd yet the taking of the inquest shall not be deferred by the absence of such witnesses. And if the witnesses doo come in at the great distres, and the inquest for some cause remaineth vntaken, ỳ witnesses that come in shall haue lyke daie geeuen them as is assigned for ỳ takinge of the inquest, at whych daie, if the witnesses do not appeare, the issues that were first retourned vppon them shalbee forfayt. And the takinge of the inquest shal not be deferred because of their absence. And for absence of witnesses dwellinge within fraunchises where the kinges writ original doth not lie, the takinge of an inquest shall not bee deferred. An. 12. E. 2. ca. 2. ca. of Porke.

Proces

Issues

## ¶ VVood.

Euery man that hath any wood within the forrest may take housebot & heybot within hys said wood without beeinge attached for the same by anie ministers of the forrest, so that he doth ỳ same by vertue of the foresters. An. 1. E. 3. ca. 2. ca. 2.

Housebote Heybote Forrest

2 ¶ If any of his subiects, hauing woods of his owne growinge in hys owne ground vẽ any forrest chace or purlieu of the same, vẽ thys realme of England, from the first day of this parliament, shall cut or cause to bee cut the same wood or part thereof by lycence

Cut down

Licence

licence of the kinge or of hys heires in hys forrestes, chaces or purlyewes, or without licence in the forrest chace or purliewe of any other person, or make any sale of the same wood: it shalbee lawfull to the same subiectes owners of the same ground whereuppon the wood so cut did growe, & to other such personnes, to whom such wood shall happen to be sold, immediatly after ẏ wood so cut, to cut and enclose ẏ same ground with sufficient hedges, able to keepe out all manner beastes & cattel out of the same ground, for the preserving of their yonge springe. And the same hedges so made, the said subiects may kepe them continually by ẏ space of vii. yeares nert after the same enclosinge, and repaire & sustaine ẏ same as often as shall neede within ẏ same vii. yeres, without suing of any other licence of him or of his heires, or other persons, or any of their officers of the same forrestes chases and purliewes. An. 22. E. 4. ca. 7.

Enclose

7. yeres

3 ¶ In and vppon al and singuler woods, cõmõly called copies, woodes or vnderwoodes, which from or after the feast of saint Michaell the archãgell, which shalbee in the yeare of our lord god 1544. shalbee felled at ẏ 14. yeares growinge or vnder, there shall bee left standinge and vnfeld, for euery acre of wood that shalbee felled wi̇n the sayd copies, twelue standilles or stowers of oke, if there bee not so many standilles or stowers of oke, that then there shalbe left so many of other kind ẏ is to say, of elme, ashe, aspe, or beech as shal make vppe the sayd number of twelue standylles, or stowers likely to prone & to be tymber trées, ẏ sãe standils or stowers to be of such standils or stowers as haue ben left there standing at any the sellynge of the same copies, woods or vnderwoods in times past. And in case there bee no such standylles or stowers there standing which were there left of the last sellinge of ẏ same copies or vnderwoodes, that thẽ the same standylles or stowers there to bee left, shalbe left at this nowe nert sellinge of the said copies, woodes, or vnderwods of such most likelest okes. And if there bee not sufficient of okes, then of the most likeliest elmes, ashe, aspe, or beech to prone and to be tymber trées, as shal growe wi̇n any such seuerall woods copies or vnderwodes and that the same standilles or stowers so left, shalbe preserued and not felled or cut downe til they & euery of them shalbee of x. inches square within three foote of the ground, vppon paine that euery owner of euery such standilles & stowers, hauing an estate of inheritãce, or an estate for terme of life of freehold or by copy of court role, or for yeres in the ground or soile, where the same standils or stowers shal grow, causing or commaundynge any such coppes, woods, or vnderwods to bee felled or cut downe, & not leuing ẏ said standils or stowers there standinge in fourme aforesayd, to loose and forfait for euery standil and stower, so not left standinge in the saied copies, woodes, or vnderwods iii. s. iiii. d. And vpon paine that euery owner, as is aforesaied, of any such copies, woodes, or vnderwoodes, causing or commaundinge any of the said standills or stowers so left, as is aboue said to be cut downe, contrary to the fourme of this act, to forfait & lose for euery of the said standils or stowers which shalbe so cut downe iii. s. iiii. d. the one halfe of which said forfaitures to be to the king our soueraigne Lord, & the other halfe to bee to the partie ẏ will sue &c. in the which action &c. And be it &c. ẏ al & singuler copies, & vnderwoodes, which after the said feast of s. Michael tharchãgel, shall happen to be felled or cut downe, at the age of viii. yeres, ẏ xx. day of April next after the felling thereof, during ẏ terme of iiii. yeres thẽ nert ensuing, shalbe sufficiẽtly enclosed, or ẏ springs thereof otherwise saued & preserued from destruction by any maner of cattell or beasts by him

Coppies woodes

14. yeres old

Standils xx. Okes

10. inches

Forf. j

Forf.

Wolfie

4. yeres

by hym or them, which then shal haue lawfull interest and possession in the said woodes copies vnderwoodes as is before said, vppon paine of euery person or persons so bounden to enclose, fence, saue or preserue the said copies or vnderwods, to forfayt and lose for euery rodde thereof so not enclosed, fenced saued, or preserued during the sayd fower yeres, three shillinges fower pence for euery moneth that the same copies or vnderwodes shall happen to lye or be vnclosed, not fenced, saued or preserued as is aforesayed. And that al & singuler copies or vnderwodes, whych after the said feast of saint Michael the archaungel shall happen to be so felled or cut downe, being aboue ye age of 14 yeres groweth, & not aboue the age of 24. yeres groweth from the xx. day of Aprill, next after the felling or cutting downe thereof, during ye terme of fiue yeres next ensuing ye same twenty day of Aprill, shalbee sufficiently enclosed or the springes therof otherwise saued & preserued from destruction thereof by any maner of cattell or beastes, by & at the costes of such whych then shal haue lawful interest and possession in the sayed woodes, or coppes as is beforesaid, vppon payne of euery person or persons so bounden to enclose, fence, saue or preserue the sayd copies, or vnderwoodes, to forfayt and loose for euery rod thereof so not enclosed, fenced, saued, or preserued, during the sayed fiue yeares, three shillings fower pence for euery moneth that the same copies or vnderwoodes shal happen to lye or bee inclosed & not fenced, saued or preserued as is aforesayed. And bee it &c. that no persone or persones after the sayd feast of sayne Michael tharchaungell shal conuert or turne into pasture or tillage, any such coppes or vnderwoes, containing in quantitie two acres or aboue, whych nowe bee wood or vnderwod, and put or reserued to ye vse of encrease of wood or vnderwood, and beinge two furlonge distant from the house of the owner therof, or from the house whereunto the sayed wood doth lie, appertaine or belonging, vpon payne to forfait and lose for euery acre of wood so to be conuerted or turned from wood into pasture or tillage forty shillinges. Prouided alway that thys act shall not extend to anie copies, woods or vnderwodes destroyed, or tourned into tillage or pasture, vnin xx. yeares last past, although ye more part or anie part thereof be nowe ouergrowen with bushes or vnderwod. And bee it &c. ye al and euery person and persons bodies politike & corporat, which haue or here after shall haue any seuerall woods or copie growinge & set with great trees beinge aboue the age of 24. yeres groweth, shall at the fellinge or weeding thereof, leaue standinges within ye precinct of the saied wood and coppes, for euery acre so felled xii. trees of oke of the same such great trees, if there bee so many trees of oke there to bee left, & for lacke of okes, then to leaue for euery acre so felled, as many other trees of elme, ashe, beech, or aspe, as shall make the ful number of twelue of such as shalbee then growing, ye same trees there so left to stand, continue & to bee preserued by such owner or owners, as is aboue saied, during the space of xx. yeres next after the fellinge of the same woods. And also from the xx. day of Aprill, next after the felling thereof during the terme of seuen yeares then next following, sufficiently enclose the, or the springs thereof otherwise saue & preserue from the distruction thereof by any maner of cattail, as beasts, vpon paine that euery such persone or persons, or bodies politike or corporat beinge owner of the said great woodes as is aforesaid, to forfait and lose for euery such great tree of the said number of lackinge and not left so standing in the sayd wood as is aboue saied, fiue shillings viii. pence. And vpon paine that euery owner of the ground or soyle, whereupon such great trees as is afore

sayd

Forf. Forf. Forf. 6. yeres 24. yeres old 12. standil Buylding Ships Forf. 7. yeres Common of pasture Pasture Tillage Forf. viii. Part

said, shalbe left standinge or growing
caullinge, or commaunding any of the
said great trees, there so left standinge
as is aforesaid, to be cut downe contra
Forf. ry to the fourme of this act, to forfait &
loose for euery of the same great trees
so left, which shalbe so cut downe as is
Forf. aforesaid vi.s.viii.pence. And vppon
paine also to lose & forfait for euery rod
of such great wood so not enclosed, fen-
ced, saued or preserued, during the sayd
space of seuen yeres, for euery moneth
three shillings fower pence. Prouided
alway that it shalbee lawful to euerie
owner or owners of any of ẏ sayd co-
Buylding pies, woodes, vnderwodes, standils or
stolers, great woodes & trees afore re-
hearsed, to fel, cut downe and take any
of the same for buildinge, repairinge,
enclosing, & maintaining of houses, or-
chardes, & gardeines, & euery of them
and for paling, railing, or enclosinge of
parkes, forells, chases or other grouns
and for making, or repairing of water
woorkes, dannies, bridges, sludgates,
makinge repairinge or amendinge of
Ships ships and all other vessels, and for all
other thinges concerninge their owne
vses or affaires in such lyke manner &
fourme as he or they should or might
lawfully haue done before the making
of thys act, any thynge in this present
act before mencioned to the contrary
thereof notwithstandinge. And further
be it &c. that it shal not be lawful to a-
ny personne or personnes, which after
the sayd feast of S. Michael, shall haue
any woods or vnderwods, wherein a-
ny other person or persons iustly hath
or haue vsed time out of mans remē-
Common of pasture brance, to haue common of pasture
to fell or cut downe the said woodes &
vnderwoods there growing or being,
or that shall growe or bee in anie such
woods or vnderwod, except it be to his
owne vse and occupation, vntill such
iij. Parte time as ẏ fowerth part of such woods
vnderwods or grounds, where ẏ said
woods now growe, or asmuch as the
fowerth part of the said groun or soile,
whereupon such wood is or shalbe, &
growing shal amount vnto, shalbe by
the lord and owner for the time being
of the said ground, or soile deuised, sett Set out
out, meated, bounden, fenced, and en-
closed, in maner & fourme, as by thys
act hereafter shalbe declared, ordeined,
& prouided, ẏ is to say, the saied lord, ẏ
then shalbe owner of ẏ said ground or
soile, shal call together the tenantes &
inhabitants being cōmoners in ẏ said
groun or soile, or the more part of thē,
& vpō ẏ assēbly & meeting of ẏ said lord
tenants & inhabitants, or ẏ more part
of them, the said lord or owner, by the
assent, consent, & agreement of ẏ sayd
tenants and inhabitants, or the more
part of them, shal seuer, deuide, set out
mete & bound the iiii. part of the sayed
woodes and vnderwodes, or so much
thereof as shall amount to the full iiii.
part thereof. And if the said lord and ẏ Lords
said tenants & inhabitants or the more Tenants
part of them, can not, will not, or doe
not assent, consent, & agree, for or vpon
the seueringe, deuidinge, settinge out,
meeting, & bounding of ẏ said fowerth
part of the said woods, & vnderwoods,
or of as much thereof as shall amount
to the ful fowerth part thereof, ẏ then
two Iustices of the peace, not beinge Iust. of p.
of the kind, aliaunce, counsaile, or fee
of or to the sayd lord or owner being
thereunto appointed by the more num-
ber of the Iustices of Peace of the
shire where the sayd ground or soile li-
eth, in their opē quarter sessions, vpon Quarter
request & supt made vnto them by the sessions.
lord or owner, or by his or their law-
ful deputie or deputies of ẏ sayd woods
vnderwods grouns, or soile, shal haue
ful power and auctoritie to cal before
them, vpō paines & penalties, & ẏ sayd
Iustices shall limit & appoint such nū- 11. Com-
ber of the said commoners, & inhabitants moners
nigh vnto the same, woodes, or vnder-
woods, as by the discretion of the sayd
two Iustices shalbe thought meete &
conuenient. And vppon or after ẏ ap-
parance of the same lords or owners

commoners

commoners, and inhabitaunts, or the more part of them, the same Justices shall open and declare vnto the same Lord, owners, commoners, and inhabitauntes, the cause of their assembly and apparaunce, and that done, shall by the aduise and assent of the said lord owners, commoners, & inhabitaunts, or their lawful deputie or deputyes, or of the more part of them, effectually procéede to the seuering, deuiding meatinge and boundinge of the sayed fowerth part of the sayed woods & vnder woodes, or of so much thereof as shall amount to the fowerth part thereof.

Deuide

And if the same Justices owners commoners and inhabitants, or the more part of them cannot or will not agrée vppon the deuision, boundinge or setting out of the said fowerth part thereof, as is aforesayd, that then the saied Justices shall haue ful power and authoritie by this act, to sener deuide, & set out by meete & bound the fowerth part of the sayed woodes and vnderwoodes, or so much thereof vnder the same fowerth part of the sayd woodes and vnderwoodes, as shall by the discretions and wisedome of ỳ sayd Justices be thought necessary and requysit to limit and set out. And within the moneth next after such seueraunce and settinge foorth thereof, the owner or owners of the same woods and vnder wood, in fourme aforé declared, shall sufficiently enclose the same part of ỳ sayd ground or soile so sett foorth as is aforesaid, & after such enclosure made, the sayd owner of the sayed woodes or vnderwodes, may at hys liberty and pleasure, fell, cut downe, and take the saied woodes and vnderwoods, being, or that shalbe in, or vppon the said copies, woods, vnderwoodes ground or soile so set foorth, or in any part thereof. Prouided alway & bee it &c. ỳ there shalbe left standing and vnfelled in & vppon the sayd part of euery the same woods or vnderwods ground or soyle so seuered, bounden, & set out, distinctly in manner and fourme as is aforesaid at euery fellinge thereof, such and like number of standils or stozers of yong okes or other yong trees of elme, ashe aspe, or beech, if it bee copies or vnderwodes, whych shalbee so felled or cut downe. And if the woods, that shalbee felled, shalbee great trees or great wodes, then such number shalbee left standinge of great trees, in, or vpon ỳ said part to all intentes, constructions and purposes, and vppon like and the same penalties as is before limitted & appointed for not keepinge reseruing & preseruinge of standils & stozers aboue appointed to be left standinge in seueral woods and groundes. And that the sayd part or parcell so seuered, bounded, and set out in manner & fourme afore said, after euery fellynge or cuttynge downe of the copies, woodes, or vnder woodes, for the time being, in, or vpon the same, by the authoritie of this act, shalbee sufficiently enclosed, & defenced, and the enclosure thereof sufficiently and cõtinually kept made or repaired preserued and maintained by the space of seuen yeares next after euerie 7. Yeres felling thereof, in like maner & fourme to all intentes and purposes, and vpon ỳ same and like paines and penaltyes as is before limitted rehearsed and appointed for the not closing or fensing & for ỳ not keping maintaining, repayring & preseruing of the sayed seuerall copies, vnderwods, & wodes. And also that the standils, stozers, and great trees limitted and appointed to be left standinge in, or vppon the sayed part, shalbe there left standinge preserued & not cut downe in such like maner and fourme, and by al such time, and vpon such like penalties to all intentes and purposes, as is afore limitted appointed and declared, for the preseruation & not felling of the said standils, stozers, and great trées limitted and appointed to be left in, & vppon the sayed seueral copies, vnderwodes and woods. And that after the sayd fellyng of the

Standilles

Fozt.

Fozt.

Hoitie

Recompẽce

Justices

Set out 1. Moneth

Enclose

Cut downe

said

ſaid copies, vnder woodes & woodes, bàdis, growing or being, or that ſhall ſtand, grow or be in any ſuch part of any of the ſaid woodes, grounds, or places as is beefore declared, no beaſtes or cattel, during the ſpace of ſeué yeres next after the felling of ỳ ſame woodes ſhal willingly by any perſon or perſons bee put in, or ſhall bee ſuffered to feede or continue in any parcell of any ſuch part ſo ſet forth as is aforeſaid, during the ſaid terme of ſeuen yeres next after the felling thereof, vpon paine of forfatture and penaltie of iiii. d. for the putting in of euery beaſt, or wilful ſuffering of euery beaſt or cattel, to be putt into any of the ſaid ſeueral coppies, vnderwoodes or woodes. And if it ſhal happen any perſon or perſõs being owner or owners of any ſuch woodes, vnderwoodes, coppies, ſette, lying and being in any waſt ground as is aforeſaid, to cutte downe any trees, vnderwodes contrary to the fourme aforeſaid, that they euery perſon or perſons owner or owners ſo offending contrary to thys act, ſhal loſe and forfait for euery tree ſo cut downe fiue ſhillinges eight pẽce, the one halfe of all the ſaied forfatures to be to our ſouereigne lord the king & the other mottie to ſuch perſonne that wil ſue &c. in which ſuit &c.

Forf.

Mottie

Prouided alway and be it &c. that for aſmuch as the ſaid tenaunts, commoners and inhabitaunts ſhall bee by aucthoritie of this act excluded of their cõmon in ỳ ſaid part ſo to be ſeuered & ſet forth as is aforeſaid, by al the ſayd ſpace & terme of ſeuen yeares next after the felling or cutting downe of the ſaid copies, wodes, & vnderwodes, ỳ ſhal grow in, or vpõ the ſãe part from time to time, that in recompẽce there of the ſame commoners tenauntes & inhabitauntes ſhall and may vſe, take and haue their common for their cattell within ỳ reſidue of the ſaid wodes vnderwoodes, ground and ſoyle, not being incloſed, in manner and fourme as if this act hadde neuer beene had ne made. And that the lord beeing owner of the ſaid groũd or ſoile ſhalbe by aucthoritie of this act excluded and forclo- ſed to put or haue any cattaile or beaſts in or vpõ ỳ ſame reſidue, or to take any profite of the paſture, in, or vppon the ſaid reſidue, during and by all the ſaide terme of ſeuen yeres next after the felling or cutting downe of ỳ ſaide copies woods or vnderwoods, being or growing or that ſhalbee or grow in or vpon the ſayed part which ſhalbe ſo ſeuered, diuided, ſet out, bounden and incloſed as is aforeſaid.

Recompẽce

Lord

Excluded

And that from and after the ſaid ſeuen yeres expired and ended vntill the next felling or cutting down of the ſaid copies, woodes or vnderwoodes beeing vppon the ſaied part, being ſeuered and deuided as is aforeſaid, al well the ſame part as the ſaid reſidue of the ſaid ground and ſoile, ſhal lye and bee vſed in common, & the paſture & other profits thereof ſhal and may bee vſed and taken as well by the lord being owner of the ſaid ground or ſoile, as by the ſaid tenaunts commoners & inhabitaunts, in like maner fourme and condition as it ſhould or ought to haue bene before the making of this act, and as if thys act had neuer bene had or made, any thing in thys act contained to the contrary thereof notwithſtanding.

Common

Prouided alſo that it ſhalbe lawfull to euery perſon and perſons to fell and to encloſe all their copies, woodes, and vnderwoodes, in any waſt groundes, which beefore the makinge of this act haue ben vſed to be encloſed, preſerued & kept for the maintenaunce of wood & vnder wood, any thing in this act to the contrary notwithſtanding.

Encloſe

And whereas paraduẽture the lord or owners of the foreſaid wood, and vnderwoodes, after that they haue encloſed and fenced the foweerth part thereof, or as much of the ſame as ſhall bee to thẽ limitted & aſſigned by ỳ ſaid Juſtices of peace, or commoners, wil not nor do not ſell ỳ ſame wods & vnder-

Lord

woodes so enclosed or to bee enclosed, but suffer ỳ sãe to stand & growe, whereby the commoners, who ought to haue their cõmon of pasture within ỳ same parte so enclosed, shal lose and bee put from their said common therein: Bee it therefore enacted by the auctoritie aforesaid, that if the same part of wood & vnderwood so enclosed, be not felled within fower monethes next after the enclosing thereof, that then and so lõge as the same woodes shall not be felled, it shalbee lawfull to the saied commoners, to put their cattell into the same wood and groũd so enclosed, & ỳ owner thereof shal leaue open conuenient places within ỳ same enclosure, whereby the commoners beastes may haue accesse and come into the same wood so enclosed & there to pasture and fede, as longe as the same wood shall stande and be vnfelled, any thing contained in this act to the contrary notwithstanding. Prouided alwaie &c. and be it &c. that this act or any thing therein conteyned or expressed, extend not or bee preiudicial to any of the lords or owner of the woods vnderwodes or wood landes, growing or being within any of the townes, parishes, or places cõmonly called or knowen to bee within the welds of the counties of Kẽt, Surrey & Sussex or of any of them, other then only to the cõmon woods growing and being within any of the sayed welds of ỳ said coũties of Kent Surrey, & Sussex, any thing in this present act to ỳ contrary notwithstanding.

Prouided also that this present act or any thing therein conteyned, shall not extend or be preiudicial or hurtful to extend to charge any person or persones which before the feast of Sainct Michaell ỳ archangel in the xxviii. yere of the raigne of our soueraigne lord kinge H. 8. haue bargained & bought woodes, or great trees, growing in any ỳ same woodes, for or concerning the fellinge or cutting downe of ỳ same woods, or trees, or not leauing of any standels or stolers, of, & in ỳ sãe according to ỳ tenor of this preſẽt act, any thing, penaltie or forfaiture in this preſẽt act cõtained to ỳ cõtrary thereof notwithstãding. Prouided alway & be it &c. ỳ this act or any thing therein contained, shall not extend to charge any person or persons with any penaltie or penalties, contained in this preſẽt act, for, or concerning any timber trees growing within two miles of ỳ sea, in the county of Cornewal, or any other tymber tree within the realme, being scar & dead in ỳ tops, or any other timber trees to bee taken by vertue of the kinges highnesse commission within the realme, of, for, or concerning any offence done contrary to the tenour of this act, vnlesse the same person or persons offending this act, be sued for ỳ same wõn one yeare next after ỳ same offence committed or done, any thinge in thys act contayned to the contrary in any wyse notwithstanding. Prouided alway and be it &c. that if any person or persons do breake or destroy any seuerall fences or hedges made or to be made for the saueing of the same woodes vnderwodes grounds or soiles, ỳ euery person so offẽding, shal forfait & lose for euery such offence ten shillinges. And bee it &c. ỳ if any person or persones suffer hys swine being of the age of ten weekes or aboue, during such yeres, as the said woods be appoynted and ordayned by this act to be enclosed, at any time after the first day of August next commyng, to goe or runne in any cõmon or seuerall ground or woodes, vnlesse ỳ same swyne bee sufficiently rynged or pegged: that thẽ the owner or owners of euery such swine shal forfait & lose for euery such hys swine ỳ shall so goe or renne in any the said groũds woodes or vnderwoods, & not being sufficiently rynged or pegged, as is aforesaid, fro̅ & after ỳ said first day of August next cõming tiii. d. the one halfe of al & euery ỳ said forfaitures, if it be in any of ỳ kings woods or grounds to be to his highnes, & the

4. moneths

Cõmoners

Kent
Surrey
Sussex

Standils

Timber Cornewall

Parke

Enclose

4. yeres

1. yere

Breake hedges

Enclosure

Pul downe

Forf.

Swyne

Forf.

Moity

& ỳ other to the finder thereof. And if it bee within any other person or persons saied groundes woodes or vnderwoods, then the one halfe of al and euery ỳ same forfaitures to be to the owners of the soile, & the other part thereof to be to him ỳ wil sue &c. wherin &c. Prouided alway ỳ where any woodes or vnderwoodes shal after the said feast of S. Michaell ỳ archangel be felled or cut downe in any parke or ground inclosed, wherein any decre shalbe kept, that the owner or owners, possessioner or possessioners, of such parke & parkes or grounds enclosed for deare, to bee chargeable for ỳ inclosure & preseruation of ỳ same, as is aforesaid, but only for the space of fower yeres after any such time of felling or cutting down of the same copies, woodes or vnderwoodes, & not aboue: any thing contained in this act to the contrary thereof in any wise notwithstanding. Prouided also & be it &c. ỳ if the enclosure or enclosures of any of ỳ said copies, woodes vnderwods, or grounds, happen to be broken or pulled downe by any person or persons against ỳ willes & mindes of ỳ owner or owners, possessioner or possessioners of the same woods, or vnderwods, wherby cattel or beastes escape in the same woods, grouds or vnderwods, & distroy or hurt the spring thereof, or if the same woods ground or vnderwodes be by any meanes destroyed, hurted, or hindred by any maner of person or persons, or by ỳ cattaile or beasts of any person or persons, wout the assentes, mindes and willes of such owner or owners possessour or possessours, that then & in euery such case the said penalties contained in this act, to be extended vpon ỳ same person or persons in or by whose default the same spring wood, or vnderwod shalbe so destroyed hurted or hindered & not vpon ỳ owner or owners, possessour or possessours of ỳ said woods, grouds, or vnderwods, any thing contained in thys act to ỳ cõtrary therof in any wise not

Parke

Enclose

4. yeres

Enclosure

Pul downe

withstãding. Prouided also & be it &c. ỳ it shal & may be lawfull to euery owner & owners, possessour, and possessours, their fermors & assignes, of al and singuler the saied woodes, vnderwodes, groundes, and copies, after such tyme the same woodes and vnderwoodes, grounds and copies haue bene fenced and inclosed, or the spring thereof, otherwise preserued by the space of two yeres, next after the felling thereof, to put coltes and calues, being vnder the age of one yere, into ỳ said woods, vnderwodes, groundes, and copies, any thing contained in thys act to the contrary thereof notwithstanding. And this present act & actes to endure onely by the space of vij. yeres next after ỳ said feast of saint Michael the archangell, & from thence vntill the end of the next parliament. Anno. 35. H. 8. ca. 17. And after An. 7. E. 6. capi. 11. this statut was reuiued & cõtinued vnto ỳ last day of ỳ next parlia. And after An. 1. M. 1. parl. c. 13. this act was cõtinued vnto ỳ last day of ỳ nert parli. And after An. 1 M. 2. ca. 12. this act was continued vnto the last day of the nert parliament. And after 1. & 2. P. & M. ca. 10. it is cõtinued to ỳ last day of ỳ next parliament. And after Anno 2. & 3. P. & M. cap. 21. And 4. & 5. P. & M. cap. 9. And 1. El. cap. 19. it is contynued vnto ỳ last day of ỳ nert parlyament, wbych began 5. El. & ended 8. Eli. then this act was discontinued. And 13. El. ca. 25. it was reuiued, & made perpetuall.

2. yeres

Coltes Calues

4 ¶ For the auoyding of destruction & wasting of timber, Be it enacted &c. ỳ no person or persons hereafter shall conuert or imploy, or cause to bee conuerted or imploied to Coale, or other fuel for ỳ making of Iron, any tymbre tree, or timber trées of Oke, Beeche, or Ashe, or any part thereof of ỳ breadth of one foote square at ỳ stubbe, and growing wthin fourtene miles of ỳ sea, or of any part of ỳ riuers of Thames Seuerne, Wye, Humbre, Ouse, Tyn, Tese, Trent, or any other Riuer,

Coale Fuell Iron Timbre

Ryuers

Cracke, or streame, by the which carriage is cõmonly vsed by boat or other vessell to any part of the sea, vpõ paine of forfeiture for euery such træ, or any part thereof so imployed or conuerted to coale, or other fuel, for the makinge of Iron, as is aforesaid xl.s. of lawfull money of England, the one halfe of all which forfaitures to be to our Soueraigne Lady the Quẽnes Maiestie and to her heires and successours, and the other moitie to him or them that will sue for the same, by originall writ byll, plaint, or information, wherein no essoine, protection, iniũction or wager of law shalbe admitted or allowed. Prouided alwaies that this act shal not extend to the County of Suller, nor to the weylde of Kent, nor to any the parishes of Charewood, Newdygate, and Lygh in the weild of ỳ countie of Surrey, this act to beginne, and take effect from & after ỳ feast of the Natiuitie of saint John Baptist next comming after this session of parliament. An. 1. Eliz. ca. 19.

Forf. Moitie

See courts. An. 33. H. 8. cap. 39. concerning the wood sales of the kynges landes.

5 ¶ Be it enacted &c. that from the xx. day of June next, al maner of woodes or copies, intended by the said act. (viz. 35. H. 8. ca. 17. before 3.) to be inclosed, and the springs thereof preserued, shal bee sufficiently inclosed, or the springs thereof otherwise saued from destruction, by ỳ space of two ful yeares more then in the seuerall clauses of the said act is seuerally limitted according to ỳ age of the woodes felled, vppon like paynes as are contained in ỳ foresaied clauses of the said act, concerning inclosure or preseruation of ỳ said woods coppies, or springes, & that from the said xx. of June next following, it shall not be lawful for any maner of person to put any manner of cattell into any copie, woodes inclosed to be preserued from the time of the sale thereof, vntill the end of fiue yeres, nor from the end of fiue yeares, any other cattell but calues and yerelng coltes onely, vntill the end of vi. yeres if ỳ wood was vnder the age of xiii. yeres at the last fal. or vntil ỳ age of viii. yers, if ỳ wood was aboue ỳ age of xiii. at ỳ time of ỳ last fall &c.

Coppies Inclose 2. Yeres

Prouided ỳ this addicion to ỳ statut of woodes, shal continue as long in force as ỳ aforesaid estatute made in ỳ xxv. yere of ỳ raigne of king H. 8. An. 13. Eliz. cap. 25.

Impꝛtion Forf.

## ¶ *VVoolles.*

NO merchãt forein, or denizen, nor none other, of what estate or condition that he be, vpon paine of forfaiture of life and of member, and of as much as he may forfait towardes our soueraigne lord the king, shall bring or cause to be brought, by him selfe nor by other, priuely nor appertly, frombẽce forth any woolles out of ỳ Realme, till by ỳ king & his coũsaile it be thereof otherwise prouided. An. 11. E. 3. cap. 1.

Merchant Stranger Forf.

2 ¶ The ordinances made before this time, vppon the takyng of fortes of woolles in every county, be wholly annulled & defeated. And that every man aswell straunger as priuie, frombence-forth may buy woolles, according as they may agree with the seller, as they were wont to doe before the ordynaunces aforesaid. And that no man be impeched nor greeued, by cause of any buying made in tymes past, against the ordinaunces aforesaied. An. 18. E. 3. ca. 3. stat. 2.

Coyn weight Forf. Oier & ter. Ballaunce Woolles Buy

3 ¶ No marchant priuie nor straunger, nor other, shal bring out of our realme of Englande, woolles, lether, woolfells to Berwike vppon Twede nor els where, nor into Scotlande, nor that no man, marchãt nor other, of what condition ỳ he be, sel his woolles woolfelles, nor leather, to any man of Scotland, nor to none other to bring into Scotlãd, vpon ỳ paines & articles contained in the said third article. An. 27. E. 3. ca. 12. stat. Staple.

Proclamation Merchant Lether Berwicke Shirtis

4 ¶ All

4 ¶ Al those that shalbee convict that they haue brought woolles, lether and wolfelles to the parties beyond ẏ sea against the defence and proclamation therof made before the making of this ordynaunce, shalbe iudged to prison, & incurre the forfaiture of the same woolles, lether, & wolfelles so passed, and of al their other goods & cattalles, & more ouer be raunsomed at our wil. An. 27. E.3.ca.27.stat.staple.

Imprison

Fork.

5 ¶ Whereas at ẏ greuous complaint of the commons of the realme of englande it was shewed, that the merchãts which buy woolles in faires & markets and other places by couyn and consent betwixt them, do abate ẏ price of wools and vse other weight, then is ordeined by the statute before this time, in anoy aunce of the people: It is accorded and stablished, that proclamation be made through the realme, that no marchant do such couin, vpõ a greuous forfaiture And if any do against the same after ẏ proclamation, the king shal assigne his Iustices to enquire at the suit of ẏ party of al that do such couin, & to heare & determin for the king and for the party. And that certaine ballaunces and weightes of sacke, halfe sacke, & quarter, pound, halfe pound, & quarter, according to the standard of the Eschequer, be sent to all sheriffs of England betwixt this & ẏ Natiuity of S. John next comming, so that they (such ballaunces & weights receiued) shal make open proclamatiõ through al their cõties, that euery man that wil haue such ballances & weights, shal come to the sheriffe before Michaelmas, to make their balaunces & weightes according to ẏ said stãdard at their costs, without any thing geuing to the sheriffe for to haue assay or example of the said ballãces & weightes, & that from henceforth none shal sell nor buy by other weight. And if any do against ẏ tãe, hee shalbe punished by fine at ẏ kings wil. An. 31 E.3.ca.2.

Couyn

weight

Fork.

Oier & ter.

Ballaunce

Proclamation

Shirtis

6 ¶ That the king assigne his Iustices to enquire, heare, & determine of those that haue brought woolles, lether and wolfelles to the partyes beyond the Sea, and thereof haue done couyn and excesse, & otherwise attempted against the ordinaunces, and the fourme of the statute of the staple. Anno. 31. Ed. 3. capitulo. 7.

7 ¶ Euery merchaunt & other as well alien as denizen, may bring to the parties beyond the sea which be of ẏ kings amite, woolles, lether, and wolfelles frõ the v. day of May next comming, to ẏ feast of S. Michell next ensuing, paying for euery sacke. l.s. and for CCC. wolfelles. l.s. and for the last of lether C.s. for the custome and subsidye of the same.

Transport Leather

Custome

And that no merchant nor other, that buyeth woolles, shal make other refuse of woolles, then was wont to be made in times past, ẏ is to say, of cote, gare and vilayne fleeces, & that euery sacke cõtaine xxvi. stones. & euery stone xiiii. pound, according to the weight of the standerd of the eschequer, and no more nor lesse. And that al the woolles, felles & leather bought in the countrey, shalbe brought to the staples, and there shall abide at the least xv. daies. And those ẏ may not there be sold or deliuered vtin the xv. dayes, shalbe brought to the portes ordayned for ẏ staples, to passe from thence to the parties aforesaied, paying the customes & subsidies afore saied. And ẏ no woolles vendible shalbe lodged, shewed, nor sold within three myles of the staple, but in the same staple, saiuing that euery Lord and other man then merchant, may freely lodge shewe & sell his woolles, which be of his owne growing, in his own house & elswhere shal please him. An. 31. Ed. 3. capitulo 8.

weight

Staple

8 ¶ The Chauncellour & Treasorer which for ẏ time shalbe, by ẏ aduise of other of ẏ kinges coũsaile, shall haue power to deferre the terme of passage of woolles, when they see that neede is. An. 31. E.3. cap. 9.

Chancellor Treasorer

9 ¶ The king by the assent aforesaied hauing regard to the graunt that the commons haue graunted now in this parliament of woolles, lether and wolfells to be taken for three yere: wil and graunt, that after the said terme passed nothing bee taken nor demaũded of ẏ said commons, but onely the auncient Customs customs of halfe a marke, nor that this graunt now made, or which hath bene made in tymes past, shal not be had in example nor charge of the saied commens in time to come. And that the marchaunt denizens may passe wyth their wols as wel as the forreins without being restrained. And that no subsidie, nor other charge, be set nor graũted vpon the woolles by the merchants nor by nõe other from hẽceforth wout the assent of ẏ parliament. An. 36. E. 3. cap. 11.

10 ¶ Whereas it was another time ordeyned in ẏ statut of ẏ staple that no englysh man should passe the sea with Trankport wols, lether, nor wolfelles by him nor by other, vppon payne of forfaiture of life and member, landes, tenements goodes and cattels: It is accorded, ẏ the forfaiture of life and member, shall be wholly out. And that no man be impeched because of such forfaiture of life & member, as wel of times past as of ẏ time to come. And ẏ forfaiture of lãds & tenemẽts, goods & cattels shall stand in their force. An. 38. Ed. 3. cap. 6. Fork.

Staples 11 ¶ The staples of Caleys &c. shalbe wholly put out, and ẏ staples of wols, wolfelles and leather of the realme of England, shal be holden in the places vnderwryten, that is to say, at Newcastell, Kyngstone vpon Hull, S. Botulfe, Yermouth Quenesborough, Westminster, Chichester, Winchester, Excester, and Bristowe. And ẏ staples of Ireland & of Wales, shalbe in ẏ places where they were first ordayned. And moreouer it is graunted, ẏ al Straungers marchantes aliens & denizẽs may free ly goe through England, Ireland, and Wales, and buy and sell woolles wolfelles & lether, & al other marchandyses at their will, wythout impeachement or disturbance, so that no woolles wolfelles, nor leather shal passe out of the realme of England, Ireland, nor Wales, tyll they be brought to the staples, and there weyed, cocketted & customed. And that all the woolles that shalbee brought to the Staples at Westminster and Wynchester, shalbee betwyxt marchant and marchãt, or marchants, & other, lawfully weyed by the standerd. And euery sacke & sarpler of the same woolles so weyed, sealed vnder the seales of the Maior of the staple and of the constables, or Maior and one of the constables. And also that all the woolles so weyed and sealed at the staples, and leather and wolfelles that there shall come (the customes of the staples thereof paied) shalbe witnessed by byll ensealed of the seales of the maior of the staple and constables, or maior and one of ẏ constables, and brought from Westminster to the port of London, and from Ports Wynchester to ẏ port of Southampton, and there the saied woolles shalbe an other tyme weyed in the presence of our customers and comptrollers assigned in the same portes. And an Inden Indenture shalbee made betweene the maior of the staple and the cõstable, or maior and one of the constables, beeing in the said portes, and our customers there, Customers of al the woolles so weyed, and also of ẏ lether and wolfelles, which shall cõe Leather to the same staple to passe there. And the same woolles, lether, wollfelles and all other woolles, well and lawfully weyed, cocketted, and customed in the other portes and staples aforesaid, shall be brought out of the said Realme and landes by aliens, to what parties shall please them at their wyll, and not by denizens. And if any denizẽ do against the same, hee shal incurre the forfay- Fork. ture of the woolles, lether, and wolfels so passed, and of imprisonment of hys Imprison body by iii. yeres, and more ouer bee raun-

Fork. Custome weight Fine Forein Broker Imprison ẏ. damages Fork. Price Denizen

raunſome at the kynges will. And the ſhippe charged with the ſame mar chaundiſes, to whom ſoeuer he be, ſhal be forfait to the kynge. Ann. 43. E. 3. cap. 1. Forf.

12 ¶ No impoſition or charge ſhalbee put vppon woolles, woolfelles, & lether, other then the cuſtome & ſubſidie graũted to the kyng, in one partie, without the aſſent of ỳ parliament, & if any be, it ſhalbe repealed and holden for none Ann. 45. E. 3. cap. 4. Cuſtome

13 ¶ See marchants. An. 2. R. 2. ca. 3. what marchants may carry woolles & other marchandiſe of ỳ ſtaple to other places then to the ſtaple.

14 ¶ An. 5. R. 2. ſtat. 2. cap. 2. it was enacted for a certaine tyme, ỳ woolles, lether, & felles might be ſhipped & caried to any place, paying the cuſtomes before hand.

15 ¶ And that none buy nor ſel woll at no more weight then at xviii. pound the ſtone, vpon paine to pay the double to him that feeleth him greeued, and to make fine and raũſome to the king after the quantitie of the treſpaſſe. And that no denizen nor forein make none other refuſe of woolles but cot, gare, & bylleyne. And that no marchant nor other man buy hys woolles by theſe words, good packing, nor by like words, vppon payne, that is to ſay, the broker to haue impriſonment of halfe a yeare, and the buyer to make a fyne to the kynge after the quantitie of the treſpas, & the party ỳ feeleth him greeued ſhall haue double damages of that that he hath ſuffered by the ſaid occaſiõ And that none ſhal make woolles to be cocketted but in ỳname of him to whõ ỳ woolles be, vppon paine of forfaiture of ỳ ſame, as it hath ben an other time ordained by ſtatute. An. 13. R 2. ca. 9. Weight Fine Forein Broker Impriſon ỳ damages Forf.

16 ¶ To kepe ỳ price of woolls ỳ better, ỳ no denizen of England, ſhal buy no wools, but of ỳ owners of the ſheepe & of ỳ tithes, except in the ſtaple. And ỳ no denizen regrate woolles, nor other marchandiſes of the ſtaple priuely nor apertly, vpon paine to forfayt the valeur of the thinge regrated. And ỳ the Juſtices of peace in the countrey, haue power to enquire, & ſhal enquire from time to time, of ſuch Engliſh grators, & of ỳ weightes of the ſtaple, & punyſh them by the paine aforeſaid. And ỳ no Engliſhmã buy any woolle of any perſon, but for himſelfe, or for hys owne vſe, as to ſel at ỳ ſtaple, & for to make cloth. An. 14. R. 2. ca. 4. Price Denizen Forf. Juſt. of p.

17 ¶ That no denizen bring woolles, lether, woolfelles, nor leade out of the realme of England, to the parties beyond the ſea, vpon paine of forfaiture of the ſame, but onely ſtraungers. An. 14 R. 2. ca. 5. Denizen Lether Leade Forf.

18 ¶ As in the parliament holden the firſt yere of kinge. H. 4. father to the king ỳ now is, by ỳ aduiſe of the lords & comens in the ſame aſſembled, it was ordained, & aſſented, that the ſtaple of woolles, lether, woolfelles, leade, & tinne ſhould be wholly at Calleis. Sauing alwaies that al the marchants of Jeane, Venice, Catcloigne, Aragon, & of other Realmes, lãds, & coũtreys, towardes the weſt, beyng of the kinges amitie, ỳ would bring to Hampton or els where within the realme, carykes ſhips, galeys, or other veſſels charged, or diſcharged, might frely ſel their marchaũdyſes to whõ pleaſed thẽ, & there to recharg al their ſaid veſſels of wools lether, woolfels, leade & tinne, & of other marchãdiſes of ỳ ſtaple, & freely bryng them into their countrey towardes the weſt, after the fourme of the Statute thereof made the ſecond yeare of kyng Rychard the ſecond after the cõqueſt, And ſaued alſo to the burgeſſes and marchauntes of the Towne of Berwyke vppon Twede, and to the reſiauntes and inhabitauntes of the ſame, that they may buy woolles, lether, and woolfelles, aſwell of the growynge of Tyndale, and other places wythin the realme of Scotland, & other of the growyng of England, that is to ſay, of al that place betwixt the waters of Staple Lead Tinne Berwike

Tewde and Cocket, as of ẏ growing of other parts within the Realme of Scotland. And the same wolles, felles & lether, to bring to the port of the said towne of Berwike, & to cary them to forein parties, or set them to sale in the said towne of Ber. according to ẏ forme & effect of an ordynaunce thereof made the first yere of the said king Richard, & now so it is, ẏ certaine merchaunts aswel of the Iles of Jerneley & Gerneley, as merchants of ẏ parties of Bayt, and Guyon, do buy in diuers places of Cornewall whole tynne not molten, & ẏ same cary & lend to be solde in diuers parts of Fraunce, Normãdy Bayt, Guyon, & els where, then to the said staple, & also diuers other marchãtes aswell denizens as straungers, do buy & send molten tynne, called shotyn tynne, out of the realme to the parties of Flaunders, Holland, Seeland, & to other parties beyond the sea, then to ẏ said stable, against the fourme of ẏ said ordinaunce so late made, to the great fraude, losse and damage to the kynge as of his customes, and to the hyndraunce of al the repairers to the same staple, as the king is thereof certyfied by the motion of hys commons nowe present. The king considering ẏ same ordinaunce to be necessary & profitable for him and the said staple, will, grauneth, and commaundeth, that the same shal stand in his force, & moreouer the king by the assent of his lords spiritual and temporall, and of his commons here assembled in this parliament wil & ordaineth, ẏ no wolles, felles, lether, lead, nor tinne, whole or molten, called shotẽ tynne, nor none other marchandize of ẏ staple, fromhẽceforth shalbe sent nor carried to any parties beyond the sea, vnles they bee first brought to the said staple after ẏ fourme of ẏ saied ordinaunce made the said first yere of king H. vpon paine of forfaiture of al ẏ marchandises in such maner sent or caried out of ẏ realme, vnles it be by the kings licence, & except those persons, places, & thinges, which be excepted in ẏ said ordinaunce made in ẏ first yeare of the said king H. for the time that the persons of the places so excepted be of ẏ kinges amity and that in the fourme contained in the same ordinaunce. And moreouer that euery mã (except those beefore excepted) which shall send or cary ane such marchaundise of ẏ staple out of the realme of England in tyme to come, shal find good & sufficient suerty to the king, before hys customers of the place where the same Marchaundises shalbe taken & customed, within the same realme, before that he depart with the same marchandises, that hee shal first bring or send them to ẏ saied staple, in the fourme aforesaid, vnlesse hee haue the kinges lycence as afore is said. An. 2. H. 5. ca. 6.

Tinne

Leather
Leade
Tinne

Staple

Forf.

Licence

Suertie

Lead
Tine

19 ¶ Euery marchãt straunger buying wolles in England, to bring them to ẏ west parties & els where, not coming to ẏ stable, there to bee solde, shal bring to the master of the mint of the Tower of London of euery sacke, one ounce of bullion of Gold & in the same maner of iii. peeces of tynne, one oũce of bulliõ of Gold, or the valour in bullion of siluer, vppon paine of forfaiture of ẏ same wolles and tinne, or the valour of the same to the king. Anno. 8. Henrici 5. cap. 2. See staple 32. An. 2. H. 6. ca. 4.

Straunger
Mint
Gold
Siluer

Staple
Forf.

Forf.

20 ¶ If any person bring or cause to brought any wolles or wollfelles not customed, out of the Realme, to other places then to ẏ said staple, he shal forfait to the king the valour of the marchandises so shipped, & his body to prysson till hee hath made and paied a fine and raunsome. And that he that thereof geueth knowledge to the Treasorer of Englãd for the time being, & ẏ trespassour for the same duely conuict, shal haue the fowerth part of the forfayture due to the king in this behalfe. An. 2. H. 6. ca. 5.

Impriſon

Impriſon
iij. Part

21 ¶ Euery marchant aswel denizẽ as alien, may frely & safely shippe wolles lether,

Tranſport

leather wolfels, and other marchaun-
dises of the staple, in the port of Mel-
combe, in the cõty of Dorset, & from
thence to bringe them to the staple of
Calleis, paying the customes & subsi-
dies due to the kinge. And ỳ no mar-
chant be impeched molested, nor gre-
ued by the king nor his heires for anie
shipping of the marchaundise aforesaid
in the said port, any statute ordinance
or proclamation made to the contrary
notwythstandynge. Anno. 6. H. 6.
cap. 6.

Port

Customes

22 ¶ No person ship nor do to bee
shipped fromhencefoorth no manner of
woolls, wolfells, leather, lead, nor tin,
whole nor shottē, nor the same cary &
conueigh out of any parties of ỳ sayed
realme, nor out of the lands of Wales
nor Ireland, to none other parties be-
yond the sea, but al onely to the staple
of Calcis, vpon paine of forfaiture of ỳ
double valour of the marchaundises so
caried or conueyghed to any other par
ties then to the sayd staple of Caleys,
and also vppon payne of imprisonmēt
of hys body for the space of two yeres
without baile or mayneprise. And bee
which can spie any person fromhence-
forth, which offending & doinge in any
wyse contrary to this ordinaunce, and
the same offence doo present to the
Treasourer of England for the tyme
beinge, and the trespassour therof due-
ly conuict, or if such trespassour cõfesse
beefore the Treasourer, & the barons
of ỳ Eschequer, such trespasses by hym
done, that then hee shalbee conuyct by
his owne confession. And the presen-
tour shal haue for hys labour the third
part of the forfaiture of the marchaun
dises caried or conueied agaynst thys
ordinaunce. Sauinge alwaies that the
marchauntes of Janes, Venyce Tus-
kain, Lumbardy, Florance, and Cat-
loigne, may shippe woolles, wolfelles
leather, lead, and tinne in their ships,
Galleis, Carackes and other vesselles
and to bringe the same into their cõ-
trey towards the west, in the manner
accustomed beefore this time. Sauinge
also to the Burgesses of ỳ Towne of
Berwicke vpon Twede the priuiled-
ges and benefitts to them beefore this
time graunted, as in diuers statutes
thereof made is fully contayned, not-
withstandynge this ordinaunce. Ann.
8. H. 6. ca. 17.

Lead
Tine

Staple
Forf.

Imprison

Meinprise

Iij. Part

Transport

Berwicke

23 ¶ No mariner straunger nor o-
ther mariner, that is likewise owner
and master of any shipp or vessel, shall
take nor receiue with England, wales
nor Ireland in his ship or vessell anie
maner of woolles, woolfells, nor other
marchaundises of the staple, nor carie
the same out of the realm to any other
parties beyond the sea but onely to the
staple of Caleis, except such whych by
the ordinaunce made shall passe ouer ỳ
straites of Marrocke, and that vppon
paine of forfaiture to the kinge of such
ships and goods so found defective, as
of the gwdes of the said mariners bee-
inge in the same shippes or vesselles.
And that the Maire of the staple for ỳ
time beeinge, shall haue power & auc-
thoritie to make due search in this par
tie. And the shippes, gwdes, and mari-
ners if any bee thereof found defective
for to bee presented and deliuered to ỳ
kings counsell of England, by iust re-
lation thereof to bee made by the sayd
Maire or his deputy, he hauing for his
rewarde the third part of the forfay-
tures by hym presented and taken in ỳ
manner aforesayed. Anno. 8. H. 6. ca-
pitulo. 19.

Marner

Caleys

Forf.

Maior

Serch

iij. Part

24 ¶ Their lycences shalbee re-
pealed. And if any of euel wil sel or ca-
ry any woolles or woolfelles, leather,
lead or any other marchaundyse of the
staple in defraud of the king, or hinde-
raunce of the commoditie of hys Re-
alme, into Scotland, ỳ he shal forfait
the same goods, with the double valour
and his body to prison by the space of a
yere. An. 8. H. 6. ca. 21.

Scotland
Forf.

Imprison

25 ¶ No straunger shall do to bee
forced clacked, not barded, no maner of
woolls to cary thē out of the Realme,

Straunger

vpon

Forf. vppon paine of forfaiture of the same woolles with the double valour of the same: and of imprisonmẽt of his body.

Impriſon woolpacker And that no woolpacker shal make vp in the Realme but good and due packing, & that no man make within the fleece of woolles at the winding of his woolles, nor put in ỳ same lockes, pelt woolle, tarre, sand yerth, glasse, nor no dyat. And if anie do, he that seeleth him greued shal haue his actiõ at the common lawe of trespas & disceipt. Ann. 8. H. 6. ca. 22.

Action of trespas

26 ¶ Whereas by a statut it was ordained that al ỳ woolles & woolfelles hydes lead and tinne, and diuers other marchaundises passinge out of the realme of England, the landes of Ireland Wales, & Berwicke vpon twede ought to repaire to ỳ staple of Caleys and to none other place beyond the sea to be sold vnder the gouernance of the Maire and Constables of ỳ sayd staple vppon certaine paines contained in ỳ sayed statute, which paines be so easy and not doubted, ỳ many take in Custome to cary, and do dayly to be caried out of the realme and landes aforesaid by diuers meanes and wayes a great substaunce of woolles, woolfells hydes lead, and tinne, and other marchaundises, which ought to repaire to ỳ sayd staple into Scotland & into Flaũders Holland, Zeland & Brabant wythout custome or other charge thereof payinge as is payed for woolles repairing to Caleis: And also by the sayd woolls and marchaundises so carted to ỳ sayd parties, there commeth no money into this realme of England, nor ỳ same realme is in no wise encreased nor the mint at Caleis sustayned: And moreouer the same woolles and marchaundises bee sold in the sayed parties at so little a price or valour, ỳ the marchants aliens be so greatly enriched of ỳ same that they come not to Caleys for to buy wools & woolfels as they were accustomed to do, to the great losse and dammage of our Soueraigne lord the king, and the vniuersall damage of his realme and great hinderaunce of the vtteraunce of the commodities of the sayd Realme repairinge, and being at the said towne of Caleys as the same our Soueraigne lord the kynge hath conceiued at the greuous complaynt to hym made by the marchaunts and commons of the realme in this present parliament assembled: Our soueraign Lord the king consideringe ỳ greuous losses and dammages aforesaid, hath ordained, that the valour of all such goodes so found caried, or to bee carted to the said parties, except those wools & woolfelles which by our Soueraigne Lord the kynge be or shalbe lycenced, if there bee any forfait, wherof ỳ same our soueraigne Lord the kynge shall haue the one halfe and the person that espyeth and prooueth the same by the discretion of ỳ Treasourer and ỳ Barons of the Eschequer, shall haue the other halfe. And that euery man haue power by authoritie of the same parlyament to make such search in euerie place where it shalbee needfull. Anno. 10. H. 6. ca. 7.

Staple

Forf.

Moitie

Licence

27 ¶ Beecause that marchaunts aliens and denizẽs by an euil custome risen of late, haue bene constrained to pay custome & subsidie for their canuas with which their woolles bee packed: It is accorded that such canuas wyth their corners, shall fromhence forth be allowed to them wout payinge Custome or subsidy of ỳ same. An. 24. E. 3. cap. 19.

Custome

28 ¶ See staple 33. concerning ỳ prices of woll and other marchaundises of the staple, & ready money to be paid for them &c.

29 ¶ For as much as the great number quantitie and substaunce of the woolles growing in ỳ realme of England by these three yeares passed bee shipped and in great ieopardy & doubt come to ỳ towne of Caleis, there to be sold for ready money, wherof it beehoueth the said marchaunts sellers to receyue

receiue vppon euery sarpler a certaine
Bullion of bullion, to be brought to the kinges
mint at Caleis, ẏ which ready money
& bullion after that they be forged and
coined & receiued by the said marchãts
sellars, ought duely & equally to be dis-
tributed & departed to euery one after
his portion to be sent into his realme,
for ẏ encrease & vniuersall weale of ẏ
sãe, by vertue of certaine statuts made
in ẏ same parliament holdẽ at West-
minster the viii. yere of our said souc-
raigne lord ẏ king, & renewed in ẏ par
liamẽt holdẽ the xi. yere of his raigne,
which statuts be straitly obserued and
kept as by such persõs which by vndue
meanes do ship woolles in the creekes
& other suspitious places, & also in dy-
uers ports of the realme, and thẽ carie
to other places then to Caleys, & also
by such persons which in derogatiõ of
ẏ vniuersal weale of the realme and in
destruction of the good ordinaunce of
partition, & in abatement of the pryce
Licence of woolles, do purchase licẽces for their
singuler auaile, to ship wools at Caleis
there to be sold before al other woolles
there being, and be not bound to kepe
the price nor to receiue no bullion, nor
to make perticion nor distribution of
their money, in manner as all mar-
chaunts of England there repairynge
be straitly bound to do by the statutes
aforesaid, by reason wherof the sayd
marchaunts by ẏ meanes & lycẽces a-
foresaid be in point to bee distroyed, ẏ
said staple to be disseuered & destroyed,
& consequently the said towne of Ca-
leis, which by the said staple hath by-
therto ben greatly maintained & infor
ced, is like to be vndone & lost, & ẏ said
realme in paint to bee greatly hinde-
red & hurt, as the same our soueraigne
lord the king hath comeaned by ẏ gre-
uous coplaint to him made in ẏ same
parliament by the commons of ẏ sãe.
Therefore the same our Soueraigne
lord the kinge, wyllinge for the same
in this case to prouide a remedy, by ẏ
aduise of the sayed Lordes Spirituall
and temporall and at the supplicatyon
of the saied commons, hath ordayned
in the same parliament, that no such
licence, which is so preiuditiall & con-
trary to the common & vniuersal wele
of hys Realme, and of his sayd mar-
chaunts, and in destruction of the sayd
Towne, and of the said ordinaunce of
partition, and of the price of ẏ woolls,
shal in no wise bee graunted. And that
euery man which shippeth or do to bee
shipped any woolles or woolfelles, to
cary thẽ ouer the sea in any wise, shall
repaire with the same to Caleys, and Caleis
there discharge and sel the said woolles
and woolfelles after the tenour of the
sayd statutes, and after the good rule &
ordinance of the sayd staple, in main-
tenaunce and sustentation of the same
relefe, and increase of the saied towne
of Caleis, and for the publike weale
of this his realm of England. Sauing
alwaies to our soueraigne Lorde the
kinge power and authoritie to mode-
rate the same statut whẽ it shall please
him by aduise of his counsel, according
as to him best shal seme for the profit
of him and of his realme of England.
Sauinge also to the marchauntes of
Jeane, Venice, Tuskaine, Lumbardy,
Florence and Catteloyne, and also of
ẏ Burgesses of Barwicke vpõ twede, Berwike
the liberties to them graunted by a
statut thereto fore, and to all other the
kings liege people the benefit of licẽce
to them graunted by the king by the
aduise of his counsel. An. 14. H. 6. c. 2.
30 ¶ Al ẏ wols and woolfels, & al o-
ther marchãdises which by sea ought
to repaire to ẏ said staple, foũd in any
creekes shipped contrary to ẏ said stat. Shipped
& ordinances, shalbe forf. to our sou- Forf.
raigne lord ẏ king. And moreouer ẏ e-
uery persõ which at any time shipp or
do to be shipped any maner of woolls,
woolfels or any other marchãdises to
go to ẏ staple aforsaid, & cõe not there,
shal forf. as much gooes as ẏ woolles Forf.
woolfels, & other marchãdises, by thẽ so
shipped & caried to other places then to

Caleys

Calcis do amount, by extent after the very value, except the marchandyses which be to be excepted to passe by the kings licence to other places. Reserued alwaies to the king the whole moytie of such forfaitures, which be cocketted and customed to go to Caleys, & come not there, as afore is said. And to the which find and seyse the marchaundyses, the other moitie without any diminution or impediment. And if anie persone put any woolles, woolfelles, or any other marchaundise of the staple to any suspitious place adioyning to ye coastes of the water, in what so euer place that it be, and no Indenture ther of made betwirt him and the Maire, Baillife or constable of the towne, in ye which such woolles woolfelles & other marchaundises of the staple be so put, that then the same woolles, woolfelles and marchaundises bee forfayt. And that the kinge haue one moytie of all such forfaitures, and the lord of ye town where such marchaundises bee so put and hee which them find and seyse the other moitie, to bee equally betwirt them departed. And euery man shall haue power by auctoritie aforesaid to make search in euery place vpon such goodes of the staple so caried or shipped or put to bee shipped as afore is sayed, without impediment or disturbaunce of any person. An. 14. H. 6. ca. 5.

Forf. Moitie

Serch

31 ¶ No maner person of what condition that he be, shal carry nor do to be caried any woolles or woolfelles customably out of this realme to other places then to the staple of Caleis, without the kinges special licence, vppon paine of felony. And if any person frohence forth doo contrary to this ordynaunce and thereof bee conuict or attainted ye bee bee adiudged for a felon. And that aswel commissioners assigned, as the Justices in euery County where such woolles and woolfells, shalbe so caried out, haue power and auctoritie by the same ordinaunce to enquire of the premisses, and then to heare & determine.

Licence Felony

Commissioners Justices

Diet & ter.

Prouided alwaies ye woolls which passe ye streits of Marroke, shalbe in no wise comprised with this ordinaunce. An. 18. H. 6. ca. 15.

Certificat

32 ¶ Anno. 3. Ed. 4. cap. 1. an act was made for iii. yeares concerninge straungers for buying and shipping of woolles and felles, and carying thereof to the Staple at Calcis, and paying & receiuing al redy payment thereof in money, plate or bullion, at the staple of Calcis, and for coining of the same plate & bullion.

That woolles and woolfelles, morling and shorling, that shalbe shipped to passe out of this realm, after ye feast of Easter which shalbe in the yere of our lord M. CCCC. lxv. shalbe shiped at ye Townes of such ports wherein the king hath his beame, his weights & collectours of custome, to serue and deliuer the marchauntes, that is to say at the Towne of Pole, Southhampton, Chichester, Sandwich, London, Ipswich, Boston, Hull, Lynne, and in none other place creke or port, the woolles and woolfelles to bee shipped in galeis & carrakes, and in none other vessell, to passe out of this Realme by the streites of Marroke forprised and except. And that by the same auctoritie euery person, that so shal shyppe or cause to bee shipped out of thys Realme any woolles wolfelles, morlyng or shorlinge, after the sayed feast, vpon the shippinge of them, and beefore that they passe out of any of the sayed townes, where they shalbee shipped shal find sufficient suerty to the kynge and to the collectours of his Custome there for the time beeinge, ye the same woolles wolfelles shorlyng & morling shal passe to Caleis, and to none other place, without fraud or collusion. And also by the same auctoritie it is ordained, that euery persone, whych so shall ship woolles, wolfelles, shorling and morling to Caleis, shall bring within xii. monethes next followinge such shippinge into the kinges, Eschequer,

Forf.

Ports K. beame

Forf.

Moitie

Suertie Customers

Countie

there

Certificat

there to be entred of record a certificat of him, whych is, for the tyme shal bee called the kynges customer at the port there, testifyinge the commynge of al such shippes with woolles wolfels mozling and shozling to Caleys. Also it is ordained by thauctho̅itie aforesaied, that if the same customer at the port do not delyuer to the marchãt bringing such woolles wolfels mozling and shozlinge to Caleis, a due Certificat, after the fourme of this act, within vii. daies after due request of him

Fort.

thereof made, hee shall forfayt to the owner of the sayed woolles wolfelles shozlinge & mozling, at ante time that hee shal refuse to make & deliuer such Certificat C.li. And if hee whych so shall shippe woolles wolfelles shozlinge or mozlinge, to be had to Caleys do not bringe into the kinges Eschequer the certificat as aboue is recited, and there offer the same in opẽ court before the Treasourer and barons of ỳ same Eschequer, for ỳ time beinge, to be entered of record within the sayd vii. monethes, or if any person do contrary to the said ordinaunce, hee shall

Fort.

forfait all such woles wolfelles mozlinge and shozlynge so shypped contrary to the sayed ordinaunce whereof hee bringeth not a certificat, as before is recyted, or ỳ value thereof. The one

Moitie

halfe to be employed to therpences of the kinges house, and the other halfe to such persone as shal sue for ỳ same in this behalfe, being Maire of ỳ kings staple at Caleis at the same tyme of such suit commenced. And that hee in this case may sue an action of debt of such wools wolfels shozlynge or mozlinge so forfait or of the value thereof at hys election against such persone or personnes, which shall do contrary to this ordinaunce. The said action to bee taken, and euery issue therein ioyned,

Countie

to bee tried in the countie where such woolles wolfelles shozling & mozling shalbee shipped: except that if any issue be taken in the sayed action vpon the offer of the certificat, that then it shalbee tried in the countie where the sayd court of the Eschequer for ỳ time shalbe. And that the same proceisse lye in such

Proces

action, as is and lieth in an action of debt at the common law, and that no protectiõ nor essoine lie or be allowed or admidged for the defendaunt in such action. And though the playntife in such action bee discharged of hys sayed office of Maire, haunnge the same action, hee shall maintaine and pursue the said suit, notwithstandinge the same discharge. Prouided alwayes that if any woolles wolfelles mozling or shozling to be shipped in the fourme aforesayd, be taken with enemies vpon the Sea, or else there perished or lost by misfortune, & such takinge perishinge or losse be found & proued before the Treasorer & the Barons of ỳ king for ỳ time being, by examination of the persones or person, which so should shyppe such woolles wolfelles shozling or mozling or their executors, or iij. credible persõs swornе, or other reasonable witnesses & proues, testifiyng the same woolles, woolfels, shozling, or mozling, so taken, lost or perished, that no person for any such wolfels, shozling or mozling so takẽ, lost or perished, shalbe greeued or otherwise preiudiced by this act. Prouided also ỳ the woolles, woolfels, shozling or mozling, only of the growing betwixt the waters of Tese, and Twede, Northumberland, Cumberland, Westmerland, the Bishopricke of Durham, Richmondshire, & Northalderton shire, may be shipped in the port of Newcastel vpõ Tine, to passe at their libertie, this act notwithstanding. An. 4. E. 4. ca. 2.

34 ¶ That no person shall shippe or cause to be shipped, at the said port and towne (s. New Castel) any wools or woolfels, mozling or shozling, of ỳ growing of any countie or countrey, other thẽ of ỳ growing of ỳ countrey berõd the said waters, or of any of the sayed Counties of Northumberland,

Cumber-

Cumberland, weſtmerland, Richmon
ſhire Northalderton ſhire, or of that
ſaid biſhoprick of Durham. And if any
Shipped perſonne ſhippe or cauſe to be ſhipped,
at the ſayd Towne or port any wolls
wolfelles ſhorlinge or morlinge, of ẏ
growinge of any county or countrey,
other then the ſaid countryes, betwixt
the ſame waters, or of the ſaid coun-
ties of Northumberland, Cumberlãd,
Weſtmerland, Richmondſhire, Nor-
thalderton ſhire, or of the ſaid Biſhop-
ricke of Durham, to be caried into any
place beyond the ſea, other then ẏ ſaid
Forf. ſtaple of Caleis, ſhall forfait the dou-
ble value of the ſame wolls & wolfels
ſo ſhipped: and not growen betwixt ẏ
ſaied waters: nor in none of the ſayed
counties of Northumberland, Cum-
berland, Weſtmerland, Rychmond-
ſhire, Northalderton ſhire, or in ẏ ſaid
Biſhopricke of Durham: Whereof
Wottie our ſoueraigne lord the kyng ſhal haue
the one halfe, and hee that wyll ſue in
thys partie the other halfe: & ẏ aſwell
the kynge, as hee that wyll ſue for ẏ
ſame in thys behalfe, ſhall haue hys
recouery by an actyon of debt. The
ſayd action to bee taken, and euery iſ-
ſue there in ioyned, to bee tryed in the
ſaid Comtie of Yorke, and not in the
ſayd Towne, nor in none of the ſayd
Counties of Northumberland, Cum-
berland, Weſtmerlande, Richmond-
ſhire, nor Northalderton ſhire, or in ẏ
Proces ſaied Biſhopricke. And lyke proceſſe
to be had in the ſame action, as is com
monly vſed in an action of debt. And
that the defendaunt in this caſe haue
no aduauntage by any eſſoyne or pro-
tection, nor be admitted to wage hys
law. An. 4. E. 4. ca. 3.

Buy 35 ¶ No perſon by himſelfe or any o-
ther, ſhall buy or bargaine, frõ ẏ xviii.
day of March, which ſhalbe in ẏ yeare
of our lord M. CCCC. lxiii. any wols
thẽ not ſhorne, or take promiſe of bar-
gaine of any woolles then not ſhorne,
of the growing of Berkeſhire Dron-
forſhire, Glouceſterſhire, Shropſhire
Herforſhire, worceſterſhire. Wilt-
ſhire, Somerſetſhire, Dorſetſhire,
Hamſhire, Eſſex, Cambrygeſhire,
Norfolke, Suffolke, Kent, Surrey,
and Suſſex, or of any of the ſame, till
the feaſt of Saint Bartilmewe then
next enſuinge, or buy any woolles, or
take any promiſe of bargaine of wols
whych ſhal growe in any of the ſame
Counties, the yeare then next enſuing
the ſayed feaſt, beefore the ſãe feaſt
then next folowinge, or in lyke man-
ner buy any woolles, or take promiſe
of bargaine of any woolles: which ſhal
growe in any of the ſaied Counties ẏ
yeare then nert enſuynge the ſame
feaſt, tyl the ſame feaſt then nert fol-
lowinge, whych feaſt ſhalbe in ẏ yere
of our lord M. CCCC. lxvii. but onely
ſuch perſons; which ẏ ſayd wols ſhal
make, or do to be made yarne or cloth
within this realme vppon the paine of
Forf. forfaiture of the double value of all the
wolls bought or to be bought bargay-
ned or taken by promiſe of bargayne
Wottie againſt this ordinance: The one halfe
to bee hadd to the kinges vſe, and the
other halfe to thuſe of hym that wyll
ſue in this behalfe. And that euery per
ſon that will ſue in this behalfe ſhall
haue an action of debt of the ſame for-
faiture, and like proces in the ſame ac-
tion as is hadde in an action of debt.
And that no eſſoigne, protectyon nor
wager of law be allowed for ẏ defen-
daunt in thys actyon. Anno. 4. E. 4.
cap. 4.

36 ¶ All manner woolles and wol-
felles, and felles called morlynge and
ſhorlinge, growinge within any part
of this realme and wales, woolles and
Ports woolfells morling and ſhorling grow-
inge in any part within the Countyes
of Weſtmerland, Cumberland, Nor-
thumberlande, in the Byſhopricke of
Durham betwixt the waters of Tine
and Teeſe. And of the Countyes of
Richmondſhire, and Northalderton-
ſhire, except woolles to bee ſhipped to-
wards ẏ weſt in gallets and carracks

to bee shipped and caried out of ẏ Realme, shalbee conueied to the staple of Caleys, and to none other place, vpõ paine of forfaiture of the sayd woolles woolfels & fels called shorling, & morling, as in the same statuts doth more fully appeare. Neuertheles ẏ said ordinances & statuts notwithstanding a great multitude of woolles and woolfelles called morlinge, and shorlinge growinge in Yorkeshire, in ẏ counties of Lincoln, Notingham & Derby & other coũties of this realme of England, vnder the colour of therception before recited, in the same Northparties bee caried out of the Realme into Flaunders, Holland, Zeland, Brabãt and other parties beyond ẏ sea, where by ensueth not onely great decay of ẏ customes & subsidies of our soueraigne lord the king, but also the distruction of the price of wolls, woolfels, and felles, called morling and shorling, growing within this Realme, to the vnnecessall dammage and impouerishinge of the same, thereuppon by thaduise assent & auctheritie aforesaied it is enacted ordained and stablished, that al ẏ wools woolfelles and felles called morlinge & shorling growinge within thys Realme, other then be before excepted, to be shipped & conueied out of thys Realme, shalbee conueied to the staple of Caleys and to none other place. And that all other woolles woolfelles and felles called morlinge and shorlinge, growinge and beinge within the sayd countries of Westmerland, Cũberlãd Northumberland, the Bishoprieke, Richmond, & Alderton, to bee caryed out of this realme of England shalbee shipped at Newcastel vpõ Tine, onely. And from thence to bee conueied to Caleis, or to newe Middelburghe in Flaunders, there to be stapled and vttered, and at none other place. And if any man attempt and doo the contrary, and thereuppon be duely conuict, that then he shal stand and bee of like condition as a man attainted of felony, after the course of the common lawe, & shal incurre like paine and forfaiture as hee so attainted for the same should do. And it is ordained by ẏ sãe assent and auctheritie, that al woolles and woolfelles, and felles called morling and shorlinge, growinge or being in any coũtrey of this realm or wales, or in the marches of the same, other then before excepted, to bee caried out of this realme, shalbe conueyed to the said staple of Caleis, & to none other place, vppon the same paine & forfayture. The prerogatiue of our soueraigne lord ẏ king to graunt any licẽce to ẏ cõtrary except. This act to begin & to take effect at ẏ feast of S. Michael which shalbee in the yere of our Lord god M. CCCC. lxviii. And to endure by the space of fiue yeares onely. An. 12. E. 4. ca. 5.

37 ¶ Which act (s. An. 12. E. 4. cap. 5. beefore 36.) our Lord the king will and ordeineth to bee in full strength & force, in euery point thereof. Saunge onely, where it is by the same act ordeyned, that all woolles, woolfells, and felts, called shorling or morling, growing and beeinge within the said counties of Westmerland, Cumberland, and, North. the Bishoprieke of Richmond and Alderton, to be carried out of this Realme, shalbe shipped at new Castel vpon Tyne onely. And from thence to bee conueied to Caleis, or to new Middelbourgh in Flaunders, there to be stapled and vttered, and at none other place. The saied act for so much shalbe void, & that in the stede of thole words, it shalbe as followeth. It is ordained by the same auctheritie that all woolles, and woolfelles, called shorling and morling, growing & beeing within the said Counties of westmerland, Cumberland, and Northumberlãd, ẏ Bishoprieke of Durham Richmondshire & Alderton shire, to be caried out of this realm, shalbe shipped at Newcastel vpõ Tine onely. And frõthence to be caried to Caleis, or to ẏ

Towne

Celies Fort.

Horts

Felony

Licence

Felles

Newcastel vpon Tine Caleis

Moyd

Werwike

Vtter

Yorke

Proclamation 3. moneths

Woolles

Wind

fleece

Deceipt Forf.

Moity

Woolf

Towne of Werwike in Brabaunt, or to any other certaine place at ỳ kinges pleasure to be named, there to be staple & vttered, and at none other places. And also it is ordained by thaff t and auctoritie aforesaied, that in case where our soueraigne Lord the kinge, ordained that the said woolls woolfells & felles called shorlinge and morlynge of the growing of the countries and bishopricke aforesaid, to be placed in any other place beeyond the Sea, then at Caleis or Werwicke aforesayed, that then the place so to bee named by the kinge, shalbe certified & published by open proclamatiõs in ỳ said coũties of Yorke, Northumberland, Cũberland, westmerlãd, ỳ Bishopricke of Durhã & ỳ towne of Newcastell. And ỳ euery of the subiectes of our Soueraigne lord the kinge, after such proclamation made, and after three monethes after the same proclamation passed, shalbee bound to haue & cary the said woolles & woolfelles to the said places to bee named by our soueraigne lord the king, & expressed in the sayd proclamatyon, vppon the paine before limitted. Ann. 14. E. 4. ca. 3.

38 ¶ An. 6. H. 8. cap. 12. an act was made against Norfolke woolls to bee caried ouer the sea, to endure to ỳ nert parliament.

39 ¶ No maner of person or persons do wind or cause to be wound any fleece of woll beeinge not sufficiently ryuered or washed, ne wynd or cause to be wound within any fleece, clay, lead, stones, sand, tailes, deceiptfull lockes, cot calls, cambre lambes, wool or any other thinge where by the fleece may be ỳ more weightie to ỳ deceipt & losse of the buyer, vppon paine the Seller of any such deceiptful wools to forfait for euery such fleece vi. d. the one moitie to the king, thother to the finder & prouer of the same deceipt by actyon &c. Prouided alwaye that this act concerning ryuering & washinge of any woll shal not in any wise extẽd to any shire or shires, thinhabitaunts whereof hath not customably vsed before thys tyme to ryuer or wash their shepe afore they be shorne, nor shal in any wise be hurtful or prejudicial to any person or personnes ỳ hath vsed customably to sell their woolles by tale or number of the fleece or fleeces, & not by weight, any thinge in this act to the contrary notwithstandinge.

Buy

This act to endure to the nert parliament. Anno. 23. H. 8. ca. 17. And after An. 28. H. 8. ca. 8. this act was contynued to the last day of the nert parliament. And after An. 21. H. 8. c. 7. thys act was continued to the last date of the nert parliamẽt. And after An. 37. H. 8. ca. 23. this act was continued to the last day of the nert parliamẽt. And after An. 7. E. 6. ca. 11. this act was continued to the last day of the nert parliament. And after An. 1. M. 1. parliament cap. 13. this act was cõtinued to the last day of ỳ nert parliamẽt. And after An. 1. M. 2. parliament ca. 12. this act was continued to the last day of the nert parliament. And after An. 1. & 2. P. & M. cap. 16. it is cõtinued to ỳ last day of ỳ nert parliament. And after An. 2. & 3. P. & M. ca. 21. it is continued to the last day of the nert parliamẽt. And after An. 4. & 5. P. & M. it is continued to the end of the nert parliament. And after 1. Elizabeth it is contynued to the last day of ỳ nert parlyament, wheych beeganne 5. El. ended 8. El. capitulo. 25. and made perpetuall.

Yarne Hatts Girdles Cloth Forf.

40 ¶ Anno 4. H. 7. ca. 11. an act was made concerning maintenaũce of drapry & against regrating of woll of like effect as this that nert here followeth, to endure for terme yeares. And after An. 22. H. 8. capitulo 1. the same statute was reuiued, and some other article adioined vnto it to endure for other yeares.

Drapery Regrating Markets

41 ¶ After ỳ saied first day of March nowe nert commynge, no manner of person other then the marchauntes of the

the sayde staple, and their seruauntes and factours, for the onely prouision of the said staple, and for to be shipped onely to the said staple and other then such as shal conuert ẏ same into yarne or cloth, within this Realme by hym selfe or by any other, buy or bargaine, or take promise of bargaine of any woolles being now vnshorne of ẏ growing of the sheres of Kent, Surrey Suller, Southampton, Wiltsheere, Dorcest. Somerl. Glouces'shere, Worl. Herf. Salop. Warw. Lece'st. Notting. Derb. Yorke. Lincoln. Rut. Northamp. Norf. Suff. Esser, Cãb. Huntington. Buck. Bedford & Herford. or any of them, before the feast of the Purification of our Lady next after the shering and clipping of the said woolles, or buy or bargayne of any woolles, take or promise of bargaine of any woolles that shal grow in any of ẏ said sheres, in any yere or yeres to cõe after the said feast of the purificatyon of our Lady, that shalbe next after the sheerynge or clipping of the said wool, but onely such personnes, their seruauntes and factoures, that of the said woolles shall make or doo cause to bee made yarne, hattes, girdels, or cloth within this realme, and not sell the sãe woolle againe, or the stapler or his factoures, to be shipped onely to the saied staple, vpon paine of forfaiture of the double value of al ẏ said woolles bought or for to be bargained, or taken by promise of bargaine contrary to this act and ordinaunce.

Buy

Yarne
Hatts
Girdles
Cloth
Forf.

Prouided alwaies ẏ it shalbee lawfull for euery man to bring or sẽd his own woolle into ẏ cõmon markets, & there to sell the same vnto the marchants of the staple or his factour, or to him or them ẏ will buy the same for to make yarne or cloth within this Realme or their factours or seruants. And in case neither the stapler or his factour or other for him, for ẏ clothier or other for hym, will not bey the same woolle so brought to the market, in their default to sel the same to any other that will buy the same in the said open market, any thing in this present act to ẏ contrary notwithstanding. And further it is &c. that no person after ẏ first day of March now next cõming, shall buy or bargaine any maner woolle within this Realme for any marchant estraunger, nor shall take any promise of a bargaine or sale of any woll for any marchaunt straunger within thys realme, vpon paine of forfaiture of the same woll so bought, or whereof promise of bargaine and sale shalbe so taken, to the vse of any marchãt straunger or ẏ value of the same wools. The moitie of al which forfaitures to bee to the king our soueraigne Lord, ẏ other moity to the party ẏ wil sue for ẏ sãe. The party that shall breake this ordynaunce, and that any person that will sue in that behalfe shall and may haue an actyon of Debt of the sayed forfaiture.

Stranger
Forf.
Moity

And such procesſe in the same to be had as in an action of debt at the common law, or after the custome of the citie, borough or towne where it shalbe sued, wherein no essoine, protection, ne wager of law shalbe admitted. And further it is &c. that al bargaines couenauntes promises and contractes for woolles heretofore made or any tyme hereafter before the first day of March now nert comming to be made by any person, of, or for any woolles of ẏ growing of any of the said sheres, beeinge vnshorne, shalbe void & of none effect. Except the buyer, prouider or such person or persons to whom any such former promise or bargaine is made, doo put the same woolles by hym receiued by such former contract, couenaunt, or promyse into yarne or cloth wythin thys Realme, or doe shippe the same to the said staple. It is also further prouided &c. that the said marchãts of the saied staple may bargaine and sel their refuse or courſe woolles such as is not mete for the saied staple, to any other

Proces

Bargaines

Void

yarne

person that wil buy the same to make yarne or cloth within this Realme, any thing in this act to ỳ cõtrary notwithstanding. This act to cõtinue & endure to ỳ end of ỳ next parliament. An. 37. H. 8. ca. 15.

42 ¶ All and euery person and persons dwelling & inhabiting within the said county of Norff. & Cittie of Norwich or in eyther of them, by his or the seiues, or by hys or their factours seruaunt or seruants, may lawfully from henceforth, without paine, forfaitures daũger or breach of any lawe or ordynaunce, buy and bargaine woolles & take and make prouisiõ to buy or bargaine wolles growing or ỳ shal grow onely within the saied county of Norfolke, in as large and like manner and fourme as the same inhabitauntes wtin the said county and cittie might and did vse to do before the making of the said act of parliament (s. an. 37. H. 8. ca. 15. before 41.) & as ỳ said act of parliament had neuer bene had or made, so that the same person and persons so buying or bargaining, or making promise to buy or bargaine ỳ said wolles, do sell or retaile the same againe in the common market or open place within the said county of Norfolke or Cittie of Norwich to any person or persons at their pleasure and libertie that wil buy ỳ same or any parcel thereof, dwelling and inhabiting wtin ỳ said county and cittie of Norwich, or any of them, that shal or will spinne ỳ same wythin the said county of Norffolke and Cytie of Norwich, or any of them, the said former act. (s. An. 37. H. 8. cap. 15. before 41.) or any article clause or sentence therein contayned, or any other act or actes, lawe or ordinaunce heretofore made to the contrary thereof in any wise not withstanding. Anno. 1. E. 6. cap. 6. This act is confirmed by 5. E. 6. cap. 7. as appeareth here following. 43.

43 ¶ No manner of personne ne personnes being borne within the kinges obeisaunce, shall after the last day of May nert, buy, bargaine, take or make any promise or bargaine of wolles, but onely such personne or personnes, hys wyfe or his or their apprentice or apprentices inhabiting in his or their mãsion house or houses, as shal of the said wolles make yarne, any kynde of clothes, chamblets, wollestede, layes stamine, knitt hose, knitt peticoates, knit gloues, knit sleues, hatts, coises, cappes, arras, tapistery, couerlettes, girdels, or any other thing vsed to be made of wolle or mixed with woll wtin the realme, or els a marchãt or marchauntes of the staple at Caleys, or his or their apprentyce or apprentyces dwelling in his or their mansion house or houses, to be shippd onely to the staple at Caleis vpon paine of forfaiture of the double value of the said wolles so to be bought or bargained, or taken by promise of bargaine cõtrary to this present act. And be it &c, that no marchant straunger after the xx. day of Aprill nert comming by him selfe or by any other person or persons for him in his name, or to his vse, in any yere after the said xx. day of April then to cõe, shall bargaine or buy any wolles before the feast of the purification of our Lady nert after the clypping or shearing of the same wolles, vppon payne of forfaiture of the double value of the same wolles. And bee it &c. that no manner of person or persones hauing any wolle or wolles of hys or their owne grouth, shal at any time after ỳ feast of the Natiuitie of Saint John Baptist nert comming, kepe the same wolles to thintent to sell the same in wolle vnwrought, ouer and aboue one whole yeare nert and immediatly after the shearing of the same wolles, so as ther be offered without fraud or couin to the owner or owners thereof wtin ỳ same tyme, such price as then shalbee most commonly geuen in the same there for wolle of lyke goodnes & packing, vpon paine of forfaiture for euery

Bargaine

Retaile

Bargaine wife Apprentice

Norffe

Merchãt

Staple

Forf.

Forf.

Proclamation

Onely

Forf.

euery tod or tod weight therof so kept aboue one yeare vnsolde, as is afore-said, the summe of x.s. the moitie of all and euery such forfaiture and forfay-tures, penaltie or penalties before re-hearsed to bee to the vse of our Sou-Moitie raigne lord the kinge, his heires and succeſſours, & the other halfe to the vse of him that will sue &c. wherein &c.

Merchãts Prouided alwaies that the marchãts of new Castel and other persons, may buy woolles of the growth of the coũ-ties of Northumberland, Cumber-land, Westmerland, Richmond, and Aldertonshire, or the Bishoprieke of Durelme, to the intẽt to ship or trans-port the same into the parties beyond ỹ sea, as they haue bẽ accuſtomed, any thing in this act to the cõtrary in any wise notwithstanding. Prouided also &c. that the merchauntes of the staple from time to time, may bargayne or sell their refuse course woolles & lockes such as is not meete for the said staple, to any person or persons that will buy the same to make yarne or cloth, or o-ther thinges, as is aboue saied, within this Realme, so as the same be shotte and packed by the woolle packer, decla-ring of what packing or countrey the refuse or lockes be, and writing vppon the clothes wherein the sayed refuse woll is packed in great letters as they do vpon the woolles that is shipped to Caleys. Prouided alwaies & be it &c. ỹ it shal & may be lawful to the king our Proclama-tion soueraigne lord by his proclamation at any time hereafter to be made and set forth, to repeale this statut & al & euery article clause sentence and other thyng or thinges therein cõtained, & to make the same voide to al intents & purposes as though thys act hadde neuer beene hadde or made, any thyng in this sta-tute to the contrary, notwythstan-dynge.

Prouided alwaies that the act made at the first Session of this parliament holden in the first yere of the raigne of our soueraigne lord ỹ king called & en-tituled an act for ỹ continuance of ma-king of Worsted yarne in Norff. and euery article & clause thereof shall re-mayne and continue in ful force vertue & strength. And that all persons inha-biting or ỹ shal inhabite within ỹ sayd countie of Norff. or citie of Norwich and euery of them, shal and may buy & sell woolle growing wythin the sayed county of Norffolke according to the purport true effect & plaine meaning of the saied act made in the saied first yeare of the raigne of our sayed sou-eraigne Lord the king, any thing in this act contained to the contrary thereof in any wise notwithstanding. An. 5. E. 6. cap. 7.

Note a parcel of the said act of An. 1. Edwardi 6. capitulo 6. is here next before 41. And parcell thereof is in Norwich. 2.

44. ¶ Be it enacted &c. that it shalbee lawful to any person or persones inha-biting within the parish of Halifax, to Halyfax buy any woolle or woolls, at such times as the clothiers may buy the same, o-ther then by engrossing & forstalling, so ỹ the persons so buyinge the same, doo carry or cause to be carried ỹ said wools so bought by them to the towne of Ha-lifax, and there to sell the same to such poore folks of that & other parishes ad-ioyning, as shall worke the same in cloth of yarne (to their knowledge) & not to ỹ riche & welthy clothier, nor to any other to sel againe. And if either ỹ said woll driuer shal sel his said woolls at any other place sooth of the sayed towne of Halifax, or if any such as shal buy their woolles at Halifax, shall sell their woolles that they bought againe vnwrought in yarne or cloth, that then euery such offendour to lose & forfait ỹ Forf. double value of the woll so solde or vt-tered, thone moitie thereof to be to the Moitie. king & Quenes maiesties, her heires & succeſſours kinges of this realme, & thother moitie to hym or them ỹ will sue for the same in any of the kinge & Quenes maiesties courtes of record.

Just. of p. Dier & ter.

or before the Justices of peace in their Sessiõs, who by vertue hereof in their open sessions shal haue auctoritie vpõ information, to heare and determyne the same, and to make proces against the offendours, as in any other case to be determined before them. An. 2. & 3. P. & M. cap. 13.

## ¶ VVomen, VVidowes, VViues, & maydes.

A Widow after ỳ death of her husband, incontinent, and without any difficultie, shall haue her marryage and inheritance, & shall geue nothing for her dower, her mariage, or her inheritance, which her husband and shée helde the day of the death of her sayed husband. And she shall tary in ỳ chiefe mansion of her husband, the space of

40. Dayes Dower

fortie daies after the death of her husbãd, within which daies her dower shalbe assigned her (if it were not assigned her before) or that the house bee a castell. And if shée depart from the castel, then a competẽt house shalbe forth with prouided for her, in the which she may honestly dwell, vntill her dower be to her assigned, as it is aforesaied. And she shal haue in the meane time her reasonable estouers of the comen.

Estouers

And for her dower shalbe assigned the third part, except shee were endowed of lesse at the church dore. No widow shalbe distrained to mary her selfe, nevertheless she shal find suerty, that she shal not mary without our licence and assent (if she hold of vs) nor without the assent of the lord, if she holde of an other. Magna carta cap. 7. Anno. 9. Hen. 3.

Suertie

2 ¶ Also he shal assigne to wydowes after the death of their husbandes, that held of him in chiefe the dower, that to them belongeth &c. though the heire be of full age (if the widowes will) and such widowes before assignement of their dower, shall sweare that they shall not mary them selues without ỳ kynges licence, whether their heires be of full age or not. And if they mary without licence, then the king shal take into his hands by way of distres all such landes and tenements as they hold of him in dower, vntill hee be satisfied at his owne wil, so that she shal take nothing of the issues &c. for after such distresses, they or their husbandes must fine at the kinges will. And hys will in the time of kyng Henry father of kynge Edward, was estemed to the one yeres value of her dower, vnlesse they had the greater fauour. Women that hold of the king in chiefe of what soeuer age they be, shal swere likewise that they shall not mary them selues without the kings lycence. And if they do, their lands & tenements shalbe taken in like maner into ỳ kings hands vntil they haue satisfied at the kinges wil. Prerogat regis ca. 4.

Dower

Other

Licence

One yeres value.

Chiefe

3 ¶ Whereas in al parties of this reaime duers people of power, moued of insatiable couetise, against al right, gentlenesse, trueth, and good conscience, haue laboured and found newe inuentions, and them do busely execute, to the damager, trouble, and euill treating of al ladyes, gentel women, and other women sole, hauinge any substance of landes tenementes, or other moueable goods within this said realme of Englande, perceiuynge their great innocency and simplicitie, willing to take thẽ by force, or otherwise come to thẽ seeming to bee their great friendes, promysing them their faythfull loue, and so by great dyssimulatyon or otherwise, gette them in their possessyon, conueying them into such places, where the sayed offendoures bee of most power, and when any woman by such meanes, or by any other meane bee in their gouernaunce, the sayed euyll disposed personne or personnes will not suffer them to goe at large, and be at their libertie, tyll that they will bind them to the saied offendours or other person or personnes to their vse, in great sũmes, by obligatiõ or

Chauncery

Writte

Proclamation Counties Court

Examine

Obligatiõs

or obligations, aſwell ſimple as condicional, or by obligation or obligations of ſtatute Marchant, made before the maior or bailiffe hauinge power to take ſuch recogniſaunces. Alſo they will many times compel them to be maryed by them, contrary to their owne deſires, or otherwiſe they will leuie ẏ ſaid ſũme or ſũmes of their landes & goods & put their perſõ or perſõs in daũger to their great damage which hath bẽ & is likely to be an vniuerſall preiudice to the lawe of wholly church, and the lawe of this realme, vnles due remedy thereupon be prouided. Our ſaid ſoueraigne lord the king conſidering ẏ premiſſes, hath ordained and ſtabliſhed by auctho*r*itie of this preſent parliament, that in al ſuch caſes afo*r*eſaid, ẏ party bound may haue a writ out of ẏ chauncery, containing al the matter of their vnreaſonable ẽtreaty, directed to the ſheriffe of the countie, where any ſuch offences were ſo done or after ſhould be done, cõmaunding hym that he by force of this writ make proclamation, in the ful countie, and in the next county court after the receipt of the ſaid writ, that the perſon or perſons contained in ẏ ſaid writ ſhal appeare at a certaine day and place prefixed in the ſaid writ, before ẏ Chauncellour of England for the time being, or other wyſe before the Juſtyces of aſſiſes in ẏ counties, where the ſayed offences were dõe, or otherwiſe before any other notable perſonne to bee aſſigned by the chauncellour of England for the time being. At ẏ which day and place if the ſaid partyes appeare, that thẽ the ſaid Chauncellour of Englande for the time being, Juſtice or other perſon ſo to be aſſigned by the Chauncelour for the tyme beeing by vertue of this ordinaunce, ſhall duely examine the ſaied parties vpon the premiſſes. By which examination if they may finde the ſaid obligation or obligations, or any of thẽ ſo to bee made as is afo*r*eſaid: that then the ſaid obligation or obligations and all proceſſe and execution ſued or to be purſued thereupon, ſhalbe voide and of no force nor effect. And if it bee found by examination before them, ẏ ẏ ſaid obligatyon or obligyations were made, or ſhalbe found to be made for a true dutie, & by no ſuch means as afore is ſaied, that then the ſaied obligation or obligations, and all the proceſſe and execution ſued or to be ſued thereupon, ſhal ſtand good and effectuall. And if it be ſo that the perſon or perſons in ſuch writts named or to be named, againſt whom any ſuch letters or writts hereafter ſhalbee ſhewed, make default at the day and place lymitted in the ſame writ or writtes, that then al ſuch obligations, as be before ſpecified, and declared, and in the ſaid writ or writts expreſſed, declared, and ſpecified, and al manner of proceſſe and executyon ſued or to be ſued thereupon, ſhalbe void and of no force nor effect. And that the ſaid ſheriffe or ſheriffes, to whom ſuch writte or writtes vpon this ordinaũce hereafter conceiued ſhalbee dyrected, ſhal execute the ſaid writts, according to ẏ tenour of ẏ ſame, vppon paine of CCC. li. whereof ẏ king to haue ẏ one halfe & ẏ other halfe to ẏ partie which ſhal ſue ẏ ſaid writ of proclamation, & that the ſayed partie ſo greeued may haue an action of Debt in euery ſuch caſe againſt the ſayed ſheriffe for the halfe of the ſayed CCC. li. ſo forfayt, with proces of outlagarie. And that the partie or parties defendaunts in any ſuch action frõhencefoorth, againſt any ſheriffe or ſheriffes to be purſued, ſhall alledge no protection, nor ſhall wage his lawe, nor ſhalbe receiued to make or plede any forein plee, to bee tried in any other place thẽ ther where the ſaid writ grounded vppon this ordinaunce is ſhewed. Anno. 31. Hen. 6. capitulo 9.

Chaſtcery

Shirife

Proclamation

Countie Court

Examine

Moyte

Moyte

Shirife

Moyte

Default

Moyte

Shirife

4 ¶ Bee it enacted &c. that it ſhall not bee lawfull to any perſonne or perſonnes to take or conuey awaye, or cauſe to bee taken or conueyed away

Conuey

any mayde or woman chylde vnmaryed, being within the age of fyrteene yeares, out of, or from the possession, custody, or gouernaunce, and against the will of the father of such mayde, or women child, or of such persone or persones, to whom the father of such mayde or women child by his last wil and testament, or by any other act in his lyfe time, hath or shal appoint, assigne, bequethe, geue or graunt the order, keepyng education or gouernaūce of such mayde or woman chyld, except such taking and conueyinge awaye as shall be hadde, made or done by or for such persone or persons, as without fraude or coūne, bee or then shalbee ỳ maister or mistresse of such maide or woman childe or ỳ gardein in socage or gardein in chiualry, of or to such maide or woman childe.

16. yeres old

And be it further enacted by the auctoritie aforesaid that if any persone or persons aboue the age of xiiii. yeares, shal from and after the first daye of Aprill next comming vnlawfully take or conuey or cause to be taken or conueyed any mayde or woman chylde vnmaried, being within the age of fyrteene yeres, out of, or frō the possession and against the will of the father or mother of such childe, or out, or from the possession, and against the will of such persone or persones as then shal happen to haue by any lawfull waies or meanes, the order keeping and education or gouernaunce of any such mayden or woman chylde, ỳ then euery such person and persons so offending, being thereof lawfully attainted or conuicted by the order & due course of ỳ lawes of this realme, other then such of whom such persone taken away shal holde any lāds or tenementes by knightes seruice, shal haue and suffer imprysonment of hys and their bodies by the space of two whole yeres without baile or mainprise, or else shall pay such fine for his or their sayed offence, as shalbe assessed by the counsayle of the Queens highnesse her heires or successours in ỳ Starre Chāber at Westminster.

14. Yeares olde

R. seruice

Imprison

Mainprise

And be it further enacted by the auctoritie aforesaid, that if any such persō or personnes after the said day shall so take away, or cause to bee taken away as is aforesaid, & deflower any such maide or woman child as is aforesaid, or shal against the will or vnknowing of or to the Father of any such maide or womanne chylde, if the Father be in life, or against the wyll, or vnknowing of or to the mother of any such maide or woman chyld, hauinge the custody and gouernaunce of such chyld, if the father bee deade, by secrete letters, messages, or otherwise contract matrimony with any such mayden or woman chylde, except such contractes of matrimony as shalbe made by the consent of such persone or personnes as by the tytle of ward shyppe shal then haue or be intitled to haue the mariage of such maide or womā child, that then euery such persone or personnes so offending, being thereof lawfully conuycted as is aforesayed, shall suffer imprisonment of his or their bodies by the space of fiue yeres, without bayle or mainprise, or els shall pay such fine for his or their sayed offences as shalbe assessed by the said counsaile in the sayed Starre Chamber. The one moitie of all which fine shalbe to ỳ king and Queens maiestie, her heires and successours, the other moytie to the parties greued. And bee it further enacted by the said auctoritie, that the kynge and Queenes highnes honorable counsaile of the Starre Chamber, by byll of complaint or informatyon, and Justices of assise by inquisition or indictment, shall haue auctoritie by vertue of this act, to heare and determine the sayed offences, vppon euery which indictements and inquisitions, such proces shalbe awarded and lye, as vpon an indictement of trespas at the common lawe. And further bee it enacted

Deflowre

Contract matrimony

Imprison

Mainprise

Moitie

Justices of

Proces

acted by the auctho3itie afo3esaid, that if any woman childe o3 mayden, beinge aboue the age of twelue yeres, and vnder the age of fyrtene yeares, doo at any tyme consent o3 agree to such personne that so shall make any contract of matrimony contrary to the fourme and effect of thys estatut, that then the next of the kynne of the same woman childe o3 mayde to whō the inherytaunce shoulde discend retourne o3 come after the decease of the same woman childe and mayde, shall from the time of such assent and agreement haue, holde and enioy all such landes tenements and hereditaments as the same woman chylde and mayden hadde in possession, reuertion, o3 remainder, at the time of such assent and agreement during the lyfe of such person that shal so contract matrimony. And after the deceals of such person so contractinge matrimonye that then the said lands, tenementes, & hereditamentes, shal discend, reuert, remaine & come to such person o3 persōs as they should haue done in case thys act had neuer bene had ne made, other then to him onely that so shal contract matrimony.

12. Yeares old

Consent

Reuert

Prouided alwaies and be it enacted that this act no3 any thing therein contained, shal extend to take away o3 diminish any libertie, custome o3 auctoritie touching o3 concerning any Orphant o3 Orphauntes which now bee o3 hereafter shalbee within the Cytie of London, o3 any other Citie, Borough o3 towne, where Orphants are commonly vsed to be prouided fo3, eyther by graunt, o3 by custome, but that the Lo3d maio3 of the said Citie of L. & the Aldermen of the same fo3 ỹ time being, & al & euery other head officer o3 officers of any other Citie borough o3 towne where such Orphaunts be prouided fo3, shall & may haue & take lyke rule, o3der kéeping & charge of such Orphant & Orphantes & of all their landes tenements, goods, & cattals, as hereto-

Orphant

London

Maioz

fo3e they o3 any of them lawfully had o3 vsed, o3 lawfully might haue had & vsed if this act had not ben made. An. 4. & 5. P. & M. ca. 18.

## ¶ VVorsted.

THe marchāts & wo3kers of cloths called single worsted, may bryng boltes of syngle wo3sted to what parties that them pleaseth (except to the kinges enemyes) paying the customs and subsidyes thereof due, wythout paying the denoyzes of Calyes, notwithstanding any statut, o3dinaunce, proclamation, inhibition, commaundemēts, o3 charters, liberties, vsages, o3 priuileges, graūted o3 to be graūted to the burgesses of Caleis, o3 to the marchāts of the staple of Caleys, o3 to any other made o3 to bee made to the contrary.

Customs

Caleis

And that the obligations & suerties taken befo3e this time fo3 the denoyers of Caleis, shalbee reso3ted & deliuered. Prouided alwaies that vnder the colour of the said bolts of single wo3sted, they shall bring no double wo3stedes, no3 half double, no3 wo3steds ray, no3 motley, vpon paine of fo3feiture of the same. An. 17. R. 2. cap. 3.

Suerties

Bolts

Fo3f.

¶ An. 20. H. 6 cap. 10. an act was made to endure fo3 three yere, fo3 the true makinge of Wo3stedes in No3wich and No3ff.

¶ Anno 23. H. 6 cap. 4. an act was made to endure fo3 three yeres, fo3 the true making of wo3steds in No3wich and No3ff.

¶ Men of the said craft (.s. wo3sted makers) within the said citie (of No3wich) shall haue power euery yeare the munday next after the feast of Pethecost, to chose iii. wardens within the said citie of the same craft. And also that artificers of the same craffte like wise out of the citie, that is to say, within the countie of No3f. shall haue power euery yeare at the same day, to chose fower wardens within, and

Wardens

of the saied county of the same crafte. And thafore said wardēs in the sayed Countie and Citie to come before the maior of the saied Citie for the tyme being, vpon the monday nert after the feast of Corpus Christi then nert following. And then to be sworne before the maior of the said Citie, and the steward of the duchie of Lancaster within the said countie for the tyme beeing if it happen hym within the said Citie then to be present, or els before the said maior onely, the said steward then being absent. And that al the saied wardens, aswell within the saied Citie as without, or els the greatest part of them, vnder this fourme before reherted, chosen and sworne, shalhave ful power for the yere then nert followinge to surueye the workemanshyps of the said artificers, and that they make and worke rightfully and well and of good stuffe, and to ordaine such rules and ordinaunces within the said craft, as often as it shal seme nedefull or necessary, for thamendment of the said worsteds and craft. And that such rules & ordinaunces so made and ordained to them, to be obeyed and kept by the said artificers, or els power of the said wardens, callynge to them vi. of the most discrete of their said artificers within the said Citie, and vi. of the same artificers within ỳ said county, by the discretion of the said maior and steward, or of one of them, shal punish such of the said artificers, which breaketh or doth contrary to any of their saied rules and ordinaunces. And that euery peece of worstede be throughe the peece of lawful making, good and conuenient stuffe, And that they shall holde the lengthe and breadth as thassise was wonte to be of old tyme ryghtfully accustomed, that is to say, beddes of the greatest assise xiiii. yards largely in length, and foure yardes largely in breadth. And beddes of the meane assise, twelue yardes in length and three yardes in breadth And beddes of the least assise x. yardes in length at the least, and fyue quarters in breadth, and clothes called chanon clothes of the one Assyse fyue yardes in length and two yardes in breadth.

And of the other assise fyue yardes in length and seuen quarters in breadth, & double motleys vii. yardes in length and fyue quarters in breadth. And single motleys vi. yardes in length and fyue quarters in breadth, and double worsted tenne yardes in length and b. quarters in breadth. And the halfe double worsted vi. yards in length and b. quarters in breadth, and the rolle of worsted xxx. yards, in length and demi yarde in breadth. And that no lambes wolle bee put in any of the saied worstedes. And that the wardēs of the said craft and euery of them for the tyme beeing, shal haue power and auctorities to seyse all such clothes and stuffe so being defectiue. And that the saied maior and steward and euery of them by xii. of ỳ discrete artificers of the said citie and countie, shal haue power at al tymes to enquire heare & determyne of al such as dos against the sayed ordynaunces within the sayed Cytie or Countie.

And moreouer in eschewing of al such dysceyptes and falsytie, which myght happen to be wrought and done in the sayed craft by the eight wardens afore said, or betwixt them selues onely, or in concealyng of the false workemanshyp of other of ỳ saied artificers in the sayed Citie and Countie, That the maior of the saied Citie, for the tyme beeyng, and the saied steward or one of them, at such tyme as he shal thinke conuenient, shall call beefore hym the saied xii. artificers, or the greatest part of them, and charge them to bee sworne to make rightful search as wel in the stuffe as in all the workyng of the worsted by the said eyght wardens hereafter to bee wrought and made, And ỳ ỳ said wardens so found defectiue, or in execution of theyr office in

Maior
Othe
Steward of Lanc.
Surney
Punish
Length
Breath
Lambes woll
Seils
Dier & ter.
Punish
Marke
Maior Steward
Othe
Wardens
Berch
Punish
Fors. Hottie
Maior
Lords
Marke
Fors.

In search of al other of the same artificers within the sayd Citie and Countie or in their own stuffe or workmãship, shalbe corrected by ỳ same Maire or steward in such forme as other offenders of ỳ same craft ought of right to be corrected. And ỳ ỳ said wardens and euery of them in euery part of the said citie of Norwich, & else where, in ỳ coũties of Norfolke Suffolke & Cãbridg at all times cõuenient, shal haue power to search al maner of worsteds & the stuffe of them, as wel within the lomes as out of the lomes, wrought within the saied City of Norwich or county of Norfolke. And if any man before the said Maire and steward or any of them, bee thereof found defective, by their discretyon he shalbe corrected: And the worsted & stuffe found in manner and fourme aforesaid defective, shalbee forfait. The one halfe of such forfaiture found in the sayd Citie of Norwich to bee to the maire of the same citie, & found in any other place, to the Maire or Bailifes of the Cities boroughes and townes, or to ỳ chiefe lordes of the fee of and in such place as shall happen any such worsteds and stuffe by the said Wardens or by any of them by any cause aforesaid to bee found defective or forfaitable. And the other halfe to the Wardens of ỳ said craft for the time beinge. And that no man of the said craft make any worsted, vnlesse hee put his proper marke fired or wouen vpon ỳ same, by thordinaunce of the said wardens, or else the same worsted to bee forfait to our soueraigne lord the kinge. Moreouer for the ful reformation of ỳ disceiptes and falsitie aboue rehearsed, by thauctoritie aforesaied, it is ordained & enacted, that the said eight wardens the said monday next after Corpus christi yerely incontinently after their charge aboue recited, before the said Maire & steward or one of thẽ, shal assigne incontinently a certaine place or two wtin ỳ said citie, and certaine dates by the weeke. And an other certaine place or two or more if they thinke it necessary, in the saied countie of Norfolke, & certaine dates by the weeke, for the yere then next following, to thentẽt ỳ euery pece of worsted, which in the same yeare shalbe set to sale, shalbe brought before the Wardens of ỳ saied craft for the time being, to one of the sayed places so by them assigned, to thentent that as well thartificers of worstedes, as the sayed Wardeins may certainely knowe the place where ỳ said worstedes may duely and ryght fully be searched. And if the sayd wardens find the said worstedes by their search wel and lawfully made, ỳ then such a marke or token shalbee sett by the sayd wardens or by one of them, wythout fine or fee vpon the same, so that al buyers may wel knowe, which peece is sufficiently & ryghtfully searched and wrought. And that the sayd search shall as well extend to ỳ stuffe of the same, as to the sufficient makynge. And such as they shal find defective, that the Maior of the said citie and steward of the sayd Duchy or one of them for the time being, by thassent of the said wardens and xii. artificers, shal haue power by this act to set therin such correctyon as to them shall seeme reasonable. And for euery peece of worsted sold, not marked after the fourme aforesaied, that the first seller thereof shall forfait the price of ỳ pece so by hym sold, to our sourraigne lord the kinge. And that all ordinaunces acts and graunts made, or to be made in prejudice contrary to the premisses concerninge worsteds, bee voyd and of none effect. And that al Maires shirifes and Bailifes, and al other officers shalbee attendynge aydynge and supportinge to the sayd Wardens, in their search, as often as they or any of them shalbee by the sayed wardens or any of them reasonably required. An. 7. E. 4. ca. 1.

¶ Anno. 11. H. 7. cap. 12. an act was

was made concerning the shering and sherers of worsteds in Norwich. But it is repealed by 19. H. 7. ca. 17.

6 ¶ No person ne persones within this said realme hereafter doo take vppon him or the to drie calender any worsted wythin this sayed Realme vppon payne to forfayt for euerie Worsted that is so drie calendred one C. s. And ouer that whereas the sayd old calendringe of worstedes, called wet calendring, hath been vsed well & substauncially in times past in the citie of Norwich, and yet is by persones haunge cunning in the same. Bee it therefore &c. that no person ne persons hereafter doo take vppon him or them to wet calender anie Worsted, but onely such persons as haue bene bound apprentices to other persons of the same craft or occupation of wett calendrynge of worsted, by the space of seuen yeares, or be cunninge in the same, and their cunninge approued & admitted by the Maire of the said citie of Norwych for the time being, and that two masters of the said craft and occupation yearely to bee chosen within the sayd Citie of Norwich, in the countie of Norfolke of the craft of wett calendring, vppon paine of euery such person or persones which hereafter shall doo the contrary to forfayt for euery peece so calendred against the ordinaunces and purueyaunces aforesaid C. s. The one moitie of which penalties and forfaitures (aboue specified) and of euery of them, to bee to the kinge our Soueraigne lord, and the other moitie thereof to bee to the maisters of the sayed occupation of wet calendring for ỳ time being. And that it shalbee lawfull to the maisters of the said occupation (for the time being) and their successours, to sue for the one moitie of al such penalties hereafter to bee forfaited, against euery such person or personnes, as herafter shall doo contrary to the fourme and effect of this statute, by actiõ of debt by writ at the common law, or by bil or plaint after the custome of such Citie, port, or towne, where shal happen anie such forfaiture to be or fall, or by informatyon in ỳ kings Eschequer. And ỳ no protection or essoine, ne wager of law for the defendaunt, in anie such action plaint or informatiõ be allowable before any maner of Justices, where any such suit or information shalbee vsed for the said forfaiture. And this act to endure to the next parliament. Anquinto Henrici 8. capitulo 4. This act is made perpetuall. Anno. 25. Henrici 8. ca. 5.

7 ¶ No maner person vsinge ỳ craft or mistery of dyinge of worsteds stamins or saies, or any of them, neither by themselues, or any seruant factour deputy, or any other by his commaũdement or assignemẽt, from the feast of Christmas now next ensuing, shall vse to calender any worsteds stamins or Saies, or any other commodyties made of worsted yarne, during al such time as the same persone shall vse the mistery or craft of dying aforesaid, vpon paine to forfait for euery peece, so dyed and calendred by colour, couyne, fraud, or contrary to the true meaning and intent of this present act xl. s. to be deuyded in three egall partes, the one part thereof to the king our soueraigne Lord, and one other part to the Maire for the time being, and the third part to him or them that wil sue for ỳ same by byl, action of debt, plaint, information or otherwise in anie of the kinges courtes, wherein noe essoigne delay, or protection shalbee allowed. An. 25. H. 8. cap. 5.

8 ¶ The craftesmen (called worsted weauers) inhabited in the said towne of great Yarmouth shall haue power & authority, by this present act, from henceforth to elect and choose yearely for euer, in the munday next after the feast of Pentecost, one honest mã of the same misterie and occupation, beeinge an housholder within the sayed towne of great Yarmouth, & hauynge

of hys

of his proper goodes and cattells of the
value of xx. pound at the least, or landes
and tenements to his owne vse, of es-
tate of freehold at the least, to the clere
warden yearely value of xx. s. to be warden of
the same craft and misterie for ẏ yere
next ensuinge, which man so elected &
chosen, shall personally appere before
Maior the Maire of the said citie of Norwich
for the time beeing, the Munday next
after the feast of Corpus Christi then
Othe next ensuing, then & there to be sworne
and charged by like othe, concerninge
the true and substanciall makinge of ẏ
said clothes within the saied towne of
great Yarmouth, as the fower war-
dens of the said Citie of Norwych by
vertue of the saied act of parliament,
made in the sayd vii. yere of king Ed-
ward ẏ fowerth (s. ca. 1. before 4.) ben
charged and sworne for the same citie
of Norwich. And if ẏ said Maire hap-
pen to be absent the said munday after
Absent Refuse Corpus Christi, or elle thẽ refuseth to
receiue or take the sayed othe, then the
said warden so elected, wtin iiij. dayes
next after the same munday shal come
Bailifes Yarmouth before the bailifes of the sayd towne of
great Yarmouth for the time being, or
before one of them, the other being ab-
sent, and thẽ & there receiue a corporall
Othe othe for the true exercising of the same
office of wardenship, after the tenour
of the othe accustomably vsed to bee
geuen to the said wardens of the sayd
Citie of Norwich. And then the sayd
warden of the said Towne of great
Yermouth for the time beeing, so elec-
ted and sworne, may ordaine and ap-
Seale point a seale with thys letter Y. to bee
grauen in ẏ same seale, and may haue
full power & auctoritie to view, search
seale, and seale in lead wyth the same
seale so to be appointed and engrauen,
and none other, al Worsteds, Sayes,
and stamins, within the sayd town of
Yarmouth, and suburbes of the same,
made or to be made, and not elswhere
in as large and ample maner, as the
said wardens of the said city of Nor-
wich & wardens of the said countie of
Norf. or any of them hath or haue wtin
in the said Citie or Countie, or in any
wise may doe in that behalfe by auc-
thority or vertue of the before remẽ-
bred act, made in the said vii. yeare of
king Edward the fowerth, any thyng
in the same act conteined to the contra
rie notwithstãding. And that no per-
son inhabited within the said towne of
great Yarmouth, or suburbes thereof,
weaue any Worstedes, Saies, or sta- Weaue
mins, within the same towne, except
he be an Englishmã borne, & haue ben Englishmã
apprentice to the said occupation, & wt- Apprentice
out he weaue there such proper marke
as shalbe limitted & appointed by the
said warden of the said towne for the
time being, elect, and sworne, as is a-
foresaid, vpon paine of forfaiture ther- Forf.
of to the king our soueraigne lord. And
that euery warden of the said Towne
shal limit & distinct seueral markes to Markes
euery of the said Worsted weauers of
the same towne of great Yarmouth,
and the same markes by the said war-
den to be registred in a booke. And also Register
be it &c. that if, and whensoeuer hereaf-
ter the said towne of Lin, shalbe inha- Linne
bited wyth tenne sundrie housholders
or more number of housholders exer-
cisinge and vsing the said craft or mis-
terie of worsted weauers, then & from
thencefoorth, that is to say, as longe as
the same towne of Lin shalbe inhaby-
ted with the number of ten such house-
holders at the least, it shalbe lawful to
the same inhabitants of ẏ same towne
of Lyn yerely in ẏ munday next after
the feast of Pentecost, to elect & chose
of them selfe one wardẽ of ẏ said craft Warden.
and misterie of Worsted weauers, to
bee of the value in landes and goodes,
as is before said, of the wardẽ of Yar-
mouth, which warden so elect, shall
yerely bee sworne and charged at the
said Citie of Norwich, in like manner
and at like day, as is before limitted to
the wardẽs of Yarmouth: Or in de-
fault of the saied Maire of Norwych
then

then the said warden so to be elect for the said towne of Linne, to take a corporal othe before the Maire of the said towne of Linne, within such time, and after such fourme, as is before limitted vnto the warden of Yarmouth. And that the said warden of ỳ sayd towne of Lynne, for the time being, so elect and sworne, by him selfe, may ordaine and appoint a seale, with the letter L. to be grauen in the same seale, & may haue ful power and authority to viewe search, seale, and seale in lead with the same seale so to bee engrauen, & with none other, all Worsteds, Sayes, and Stammins, within the said towne of Linne and suburbes of the same, made or to be made, & not elsewhere, in as large and ample manner as the sayed warden of the said Citie of Norwich and wardens of the sayed Countie of Norfolke, or any of them hath or haue wtin the said citie or countie, or otherwise may doe by authoritie or vertue of the before remembred act, made in the saied seuenth yeare of kynge Edward the sowerth: any thinge contained in the same act to ỳ contrary notwithstanding. And that no person inhabited within ỳ said towne of Linne or suburbes thereof, make any Worsteders, Sayes, or Stammyns, within the same towne, except he be an English man borne and haue ben apprentice to the same occupation, & without hee weare therein such proper marke as shalbee limitted and appointed by the said warden of the same towne of Linne, for the time being, vpon paine and forfaiture thereof to the kynge our soueraigne lord. And that euerie warden of the said towne shall limitt, and distinct seuerall markes to euerie of ỳ saied worsted weauers of ỳ sãe towne and the same marks by the saied warden to be registred in a booke.

And be it &c. that from the feast of S. Michael the archangel next comming vnto such time as the sayed towne of Linne, shalbe inhabited with the sayd number of ten housholders of the sayd craft of worsted weauers, & alwayes after when the number of tenne housholders shall happen to fayle and not be inhabited in the said town of Linn, the said wardens of the sayd Cytie of Norwich, and their successours shall procure and cause one of thẽselues, or one of the wardens of the said craft, of the sayed County of Norfolke, personally to come and be euery xxviii. day, from and after the sayd feast of sayne Michael the archaungel, in and to the said Towne of Linne, or wythin fyre daies next after euery such xxviii. day, and there to continue and abyde by so long time, as hee may search and seale all such Worsted, Sayes, and Stammins made in the same towne of Lin as then shalbee brought to him to bee sealed within the space of one whole day. And the said inhabitants of worsted weauers of ỳ same towne of Linn being, shal content and pay to the sayd warden of Norwich or Norff. which shal so come to Linne, in ỳ said xxviii. day, or within fyre daies next after the said xxviii. day for his costes and expẽces for euery time that hee shal so cõe to Linne, betweene the feastes of saint Michael the archaungell, and the Annunciation of our Lady sayne Mary, three shillings, and for euery time that he shall so come to the sayd towne of Lin, betweene ỳ feast of the Annunciation of our Lady, and ỳ feast of S. Michael the archangel two shillinges. And if the said inhabitants of worsted weauers of the said towne of Lin, do not content and pay to ỳ sayd warden comming to Lin, in fourme aforesaid, for his sayd costes & charges, the sayed three shillings or two shillinges, as is aboue limitted, then the same inhabytants shal forfait and pay to the sayed warden or to his executours for euerie such default of paimẽt xl.s. And if nõe of the sayd wardens of Norwich and Norfolke cõe to ỳ said towne of Lin, for the cause aforesaid, in manner and

fourme

Othe Maior

Seale

Engliſhmã Apprentice

Forf.

Wardes

Regiſter

warden

Herch

Pay

Coſts

Forf.

forme aboue rehembred, then the said wardens of the said citie of Norwich, shall forfait and pay to the said inhabitants of Lin of ỳ said misterie of worsted weauers, for euery such default. xl. s. For recompence of which penalty & forfaits, the said wardēs of Norwich, or Norff. being thereunto entituled by this present act, by his proper name, with this addition. That is to say, Vnius Gardianorum, or Nuper vnius Gardianorū artis, siue misterij textorum panni lanei vocat' Worstedes, in Ciuitate Norwich, vel comit' Norffolke, as the truith requreth, shal and may haue action of debt, by writ, byll, or plaint, in any competent or lawfull court of this Realme, againſt the said inhabitāts of Linne, of the said misterie for the time being, by their sundry proper names. And the said inhabitāts by the said names, with this addition. Textorum panni lanei vocat' worstedes inhabitantes ville de Lin, shall & may haue like actions of debt against ỳ said wardens of Norwich, by the name of Gardiani artis siue misterii textorum pannorum laneorum voc. worstedes infra ciuitatē Norwich, vel cōm Norfolke to be vsed in good congruitie of latine, & forme of ỳ lawes of this realm. In which actions or any of thē none essoigne protection or wager of lawe shalbe suffered or allowed. And that ỳ particuler bodies, or goodes of ante of the said wardens or inhabitants being condempned in any of the said actiōs, shal and may be put in executiō, after such maner & fourme as is vsed in actions of debt by course of the common law of this realme. And moreouer bee it &c. that al clothes of worsteds, saies, and stammins, made or to be made ỏ in any of the said townes of Lin, and great Yarmouth, or suburbes of the same, or any of thē, and marked with such markes as shalbee limitted to ỳ makers by the said wardens of ỳ sayd towne in maner & fourme aboue saied, and weaued and sealed by anie of the wardens of the said townes of Linne & Yarmouth in forme aboue remembred, by force and vertue of this present act, may be lawfully put to sale by the owners and makers of the same, without any other marking or sealing, vpon the said clothes, or vppon ante of thē, or to be had or made by any other wardens dwelling or abidinge wythout the saied towne, and without ante arrest seisure or forfaiture to be had or made of or vpō any of the said clothes for lacke of any other seales or marks: any thing cōtained in the said former act made in the said vii. yere of kynge Edward ỳ fowerth, to ỳ contrary not withstanding. And ouer this bee it &c. that euery craftes man of ỳ said misterie and occupation of Worsted makinge, dwelling within any the sayed townes of Lin and great Yarmouth, and suburbs of the same, at their owne frée wils and liberties fromhēceforth for euer, may haue & take apprentyce or apprentices (beeing male) of the age of xiiii. yeares and vpward, & beeynge the kinges naturall subiectes, for the terme of vii. yeres & not vnder, so that none of them excéde the number of ii. at once, to learne, vse, & exercyse ỳ said craft within either of the said townes of Lin & great Yarmouth or suburbes of ỳ same, albeit the father of the same apprentices or apprētice, may not expend in lands and tenementes, to the yearely value of xx. s. any act or ordynaunce to the contrary made, or to be made notwithstanding. Prouided alway that this présēt act nor any thing therein contained, be not in any wyse hurtfull or prēiudicial to the Maire of Norwich or to his successours, or to ỳ wardens of the said city and county, or to their successours, in any point, article, power, or authoritie, other thē for weauinge, searchinge, and sealinge of Worstedes, Saies, and Stammins, made or to be made onely wythin the said townes of Lin and Yarmouth, or suburbs of the same, or to any of them.

And

And for limitting of markes to ẏ making of worsteds, sates, and stamins, onely inhabited in either of the saied townes or suburbes thereof, & takyng apprenticies, in fourme aboue remembred, but that the said Maire of the said citie of Norwich, and wardens of the said citie and county, and euery of thē may haue and vse al other poynts, articles, powers, & auctho[r]ities, cōtained and specified in the aboue remembred act, made in the sayed seuenth yere of king Edward the fowerth, as wel for the search, sealing, correction & reformation of the said wardens, newly to bee elect by vertue of thys present act and euery of them, accordinge & after such fourme as they may doo or vse, anie of the sayed Wardens of the said Citie or Countie by force of the sayd act made in the sayed seuenth yeare of kinge Edward the fowerth, as all and euerie other inquiries, correctyons, searches, sealynges and reformatyons to bee had for the true makinge of Worstedes, Saies, and Stammins, in and vppon any person or persones, aswell within the sayed Townes, of Lin and Yarmouth, as without, with out trouble, lett, or veration of any of the inhabitantes of the said townes, in as large & ample wyse as they might haue done beefore the making of thys present act any thynge contayned in this present act, to the contrary notwithstandinge.

And also prouided and bee it &c. that the sayd craftes men of worsted-weauers inhabited or hereafter to be inhabited, win either of the sayed townes of Lynne and Yarmouth, or suburbes of the same, and the marchants, or anie other persomne or persones wbych shal happen to buy of the same craftes menne or any of them, or of any other persomne, any of the sayed Clothes of Worstedes, Stammins, or Saies, made or to bee made win either of the sayd Townes of Lin and Yarmouth, and sealed by the sayed Wardens of the same Townes, to bee elected and swoyne as is aforesayed, and anie of them, shal not shere, die, or put in colour, or calender, anie Worstedes, Stammins, or Sayes made, or to bee made win either of the said Townes of Lynne and Yarmouth or suburbes of the same, in any other place or places, but onely within the saied Cytie of Norwich, or suburbes of the same, vpon paine of forfaiture of euery peece of Worsted, Sayes, or Stammins, to bee made within anie of the sayed Townes of Lin and Yarmouth, or suburbs of the same, or the value there of, shorne, dyed, coloured, or calendred, by anie of the sayed craftes menne, buyers, or marchaunts, in anie other place or places, then in the sayed Citie of Norwich or suburbes of the same: The one halfe therof to be to the king our soueraigne Lord, and the other halfe thereof to such person or persons as shal seise the same. So that the said Worstedes brought to the said citie of Norwich to be shorne, died, coloured, and calendred, wythout couin or craft of anie of the sayed inhabitauntes and marchauntes, may bee shorne dyed, coloured & calendred, at and by as cōuenient price or prices, and in as ready wyse as the sayed inhabitaunts of eyther of the saied townes of Linne and Yarmouth, and marchants, buyers of the sayed Worsteds, or other of ẏ said citie or ceunty hath had in times past, or herafter shal haue,

And also that the same inhabitants and marchauntes and euerie of them so bringinge their sayed Worstedes to the same Citie for to be shorne, died coloured, and calendred, bee reasonably and lawfully entreated accordynge to the sayd act made in the said seuenth yeare of kynge Edward the fowerth and the ordinaunce made and affirmed, or herafter to be made & affirmed for the said mistery without let or disturbaunce contrary to the same act or ordinances in ẏ behalfe.

And

And be it &c. that no person or personnes any time hereafter conuey or transport in any of the partes of beeyond the sea, any maner of clothes of Worsted beefore the same clothes bee shorne, died, coloured, & calendred, vpō paine & forfaiture of the value therof: The one halfe to the kinge our Soueraigne lord, & ỳ other halfe therof to ỳ partie ỳ wil sue therefore, by action or plaint of debt in any of ỳ kings courts. In which action or suit, no protectyon or essoine shalbe allowed, nor the offēder admitted to wage his lawe. This act to endure to the nert parliament. An. 14. H. 8. ca. 3. And after. An. 21. H. 8. ca. 21. It is continued to endure to ỳ end of the nert parliament. And after Ann. 26. H. 8. ca. 16. thys act is made perpetuall.

Transport
Forf. Poitie

¶ *VVrecke.*

COncerninge wreckes of the Sea, it is agreed, that where a manne, a dogge, or a cat escape quicke out of the shippe, ỳ such ship nor barge, nor any thinge within them, shalbee adiudged wrecke, but ỳ goodes shalbe saued and kept by view of ỳ sherife, corōner, or ỳ kinges bailife, and delyuered into the handes of such as are of the Towne, where the goodes were found, so that if any sue for thole goodes, and after proue that they were his, or perished in his keping within a yeare & a day, they shalbee restored to him wythout delay. And if not, they shall remaine to the king, and be seised by ỳ sherifes, corōners and bailifes of the Towne, whych shall aunswere before ỳ Iusticers of the wrecke belonginge to the king. And where wrecke belongeth to an other then to the king, he shal haue it in like manner. And hee that otherwise doth, and therof be attainted, shal bee awarded to prison, & make fine at ỳ kings wil, & shal yelo damages also. And if a bailife do it, & it be disalowed by his lord, & ỳ lord will not discharge him thereof, the bailife shall aunswere (if he haue whereof) and if he had not whereof the lord shal deliuer hys baylifes body to ỳ king. W. 1. ca. 4.

Quick thing
Shirife Corōner
Restored
King
Imprison
Fine
Damages
Bailife

2 ¶ Also the king shal haue wrecke of the sea throughout the realme, whales & great sturgeons take in ỳ sea or elsewhere within ỳ realme, except in certaine places priuiledged by the kynge. Prerogatiua regis capitulo 11. Ann. 17. E. 2.

whales
Sturgeons

¶ *VVrits & abatements of writtes.*

ANd as often as frombencefoorth there shall happen in ỳ Chauncery that in one case there is a writ found, and in lyke case, happeninge vnder the same right, & the lyke remedy is not found for hym that needeth it: The Clerkes of the Chauncery shall agree in makinge the writ, or shal adiourne the playntyfes vntyl the nert parlyament, and wrytte the case wherein they can not agree, and referre them to the nert parliament, and of ỳ consent of the erpert in lawe let the wrytt bee made, lelle that hereafter it happē that the kinges court faile in geuinge Iustice to thē ỳ complaine. W. ca. 25.

Chauncery
Clerke
Parliamēt
Iustice

2 ¶ To the entent that wrytts of debt and accompt, and all other such actyons bee frombencefoorth taken in their Countyes, and directed to the Shirifes of the Countyes where the contractes of the same actyons dyd ryse: It is ordayned and accorded, ỳ if frombencefoorth in pleas vppon the same wryttes it is declared, that the contract therof was made in an other countie then is contayned in the oryginall wrytte, that then incontinently the same wrytte be vtterly abated. An. 6. R. 2. ca. 2.

Counties
Abate

3 ¶ An. 4. H. 6. ca. 4. it was enacted, that the writes and suits of them that were made knights in the parliament should not abate.

¶ *Yarne.*

NO mā shal cary nor bring out of ỳ sayd

said realme no maner of thrumes nor wollē yarne vnder colour of thrums, vpon paine to forfait the double value of the same. An. 8. H. 6. ca. 23.

Forf.

2 ¶An. 23. H. 6. cap. 3. it was enacted ẏ no thrūmes nor wollē yarne should be shipped or packed or caried ouer during three yeares, vppon paine of forfaiture.

Shipped

¶*Yorke.*

WHereas great inconueniences and damages haue come nowe of late in ẏ citie of Yorke, & more in time to cōe be like to happen if prouision therof be not hadde: for ẏ diuers & certaine persons, citizens of the said citie, haue purchased & gotten of our souerayngne lord the kinge seueral letters patents, thereby to bee exempted of the offices and occupations of Mairaltie, Sherife Chamberlaine, collectour of dismes, & quinsimes, and citizen of the said citie, to come to the parliaments of our souereaigne lord the kinge and his heires within the sayed Citie: Our sayed souereaigne lord the king, consideringe ẏ premisses, by aduyse and assent aforesaid hath ordained and stablished, that al such letters patentes graunted or to be graunted to any person or persons, now citizens of the said city, or which in time comming shalbee made, shal bee void & of none effect. And moreouer that if anie citizen of the sayd citie now being, or which in time cōming shalbe, do purchase, admit, take or gett any such letters patents, thereby to bee exempt of any of the offices or occupations aforesaid wīn the same city, shal forfait xl. li. the one halfe to our Souereaigne lord the kinge, & the other halfe to ẏ Maire and citizens of ẏ sayd city and their successours. And ẏ ẏ Maire for the time being and his successours may & might haue & maintaine an action of debt to demaund the sayd xl. li. against euery of the sayd persō or persons purchasinge admitting, taking or gettinge such letters patents of exēption, ẏ one halfe of the sayd xl. li. so recouered, to be to the vse of our sayd souereaigne lord ẏ king & his heires, and the other halfe of the said xl. li. to be to the vse of the Maire of the said city for the time beinge, and of the Citizens of the same city & their successours. And that in such actions of debt hereafter to bee pursued, the parties defendants in no wyse shalbe admitted to their law An. 29. H. 6. ca. 3.

Letters patents

Forf.

Wolles

2 ¶An. 21. H. 8. c. 17. an act is made wherby certaine letters patēts made to the aide of Yorke concerning shippinge & cōueyinge of woolles & felles be repealed.

Shipping

3 ¶An. 34. H. 8. ca. 10. an act is made concerninge the making of coueriletes wythin the Towne of Yorke, and none to bee made to bee put to sale in Yorkeshire, but in ẏ towne of Yorke onely.

Coueriets

FINIS.

(***)

# ¶ A perfect Table of all the Statutes which at any time heretofore haue bene in print from the 9. yere of the raigne of king Henry the third, vntil this present yeare of our Lord God. 1578. newly translated into English, & collected in such order, that by this Table the reader may at his pleasure (by the numbers placed after euery Statute) turne to eche Chapter and Statute in this booke, like as before this time hath bene vsed by the Tables in the volume of Statutes which is set out at large.

## The Statutes made in the time of king Henry the third.

### ¶ Magna Charta. 9. H. 3.


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### ¶ Charta de Foresta. 9. H. 3.


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## ¶ The Statutes made in the time of kinge E. the first.

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13 The warranty of packing of wools put out 498.a
14 Shewing of woolles euery day at the Staple except Sunday 498.a
15 The bondes of the Staple. 498.a

## ¶The xxxj. yere of King Ed. the 3.

1 ¶The great charter, & the charter of the forest confirmed 196.b
2 Against abating the prices of woolles 627.a
3 Discharge of estreets at the Eschequer 107.b
4 For fines for probate of testaments 95.a
5 The measure of a Tunne of wine, and true gauging of the same 607.b
6 For fines & amerciaments of labozers 277.a
7 The statut of labozers to hold places in London and the suburbes 277.a
8 For carrying of wools ouer the Sea 627.a
9 The Chauncellor and Treasorer to deferre the passage of woolles 627.a
10 Against victuallers of London 557.b
11 The Ordinary to commit administration where a man dyeth intestate, & the administrators to haue actions as executors should 7.a
12 For Errour in the Eschequer 161.a
13 The kinges Pardon 377.a
14 The lewying of escapes 161.a
15 What times the sheriff shall hold his turne. 95.a

## An other Sta. made the same xxxj yere.

1 & 2 ¶For herring, & the manor of selling thereof. 196.b & 197.a.
3 For Stockfishe. 197.a

## An other stat. the same xxxj. yere.

For fish comming within the hauen of Blackney, & of the Banckes holden 197.b

## The xxxiiij. yere of king Ed. the 3.

1 ¶For Justices of peace 273.b
2 & 3 For purueiours 409.b & 410.a
4 For making of pauets 265.a
5 & 6 Justices of peace to Enquire of measures 607.b
7 Attame aswel in plee real as plee personal 33.a
8 Against turrors taking money for saying their verdict 263.b
9.10.11. For labozers 277.a & b
12 For Escheatours disceyuinge men by colour of their offices 107.b
13 How escheators shal take their enquests 165.a
14 For trauerse of offices 165.a
15 For alienations made by tenants of king Henry the third 504.b
16 Nonclaime of fines to be no barre heareaf-ter 190.b
17 Marchants aliens or denizens may come into Ireland without fine or raunsome 263.b
18 An act for them that haue possessyons in Ire-



19 No custome for caruaches 629.b
20 For passage of Coyne 89.b
21 For passage of woolles 498.a
22 For hawkes founde 233.a

## The xxxv. yere of kinge Ed. the 3.

1 ¶For herring comming to yermouth and the hostiers there 98.a

## The xxxvj. yere of kinge Ed. the 3.

1 ¶A Confirmation of al sta. not repealed 77.a
2 Against purueyours. ca. 3.4.5.6. 410.a & b
7 Of what things the maior & constables of ye staple shal haue conisance 498.b
8 For the wages of pykes 65.b
9 Punishment for the offendours of any of the said statutes 66.a
10 A Parliament to bee holden once euery yeare 356.b
11 A pardon of the subsidye 627.b
12 For the sessions of the peace 273.b
13 For wast done by escheatours 165.b
14 The fines & amerciaments of labozers to be leuied to the comons 501.b
15 Pleadinge to bee in the Englishe tongue 125.b & 388.b
16 The kings general pardon 377.a

## The xxxvij. yere of kinge Ed. the 3.

1 ¶All statutes before made confirmed 77.a
2 For writtes of Idemptitate nominis 257.b
3 The price of pultry 557.b
4 An order for clerks of the eschequer 164.a
5 Against grocers engrossing marchaundyzes 311.a
6 Handycraftmen to holde them to one occupation 28.b
7 For siluer vessels 226.b
8 For Apparel ca. 9.10.11.12.13.14.15. 16.a
16 An act for wines 619.a
17 No writ to be abated by exception of villenage vpon anerrment that he was free the day of the writ purchased 556.a
18 Suggestions to be pursued before the counsell 6.a
19 For finding of hawkes 233.a

## The xxxviij. yere of king Ed. the 3.

1 ¶All stat. not repealed confirmed 77.a
2 For al marchants to buy any marchandizes, to carry them whether they will 311.a
3 Fines to bee taken in the presence of the pledges 390.b
4 That penall bondes in the thirde person bee voide 352.b
5 Wayninge of lawe in London against papers 568.b
6 The penaltie of death put out for carrying woolls ouer the sea 617.b
7 The staple to be in England 498.b
8 The whole shippe not to be lost for a little thing therein not customed 474.a
9 For them that make greeuous complaintes to the kinge, & can not proue them true 6.a
10 For selling wines in gascoyne 619.a
11 For turrors & imbraceours of inries 619.a
12 An other sta. made against pronisors, & same 38. yere 403.a

## The xlij. yere of kinge Ed. the 3.

1. The great charter, & the charter of the forrest confirmed 77.a
2 A confirmation of a pardon 377.a

3 That none bee put to answere vnout presentment, or other thing of record 6.a
4 That commissions bee made to some of the Justices for al enquiries 75.b
5 Euery Escheatour must haue twenty pounde land 165.b
6 A confirmation of the sta. of labozers 277.b
7 They of London to sel vitaile at retaile and none other 303.a
8 That no Englishe marchant go to seeke wines in Gascoine 619.a
9 For leuying of the greneware 171.b
10 Children borne beyonde Sea wythin the Kinges dominyons, shall enherite landes in England 1.a
11 For arraying of panels 356.a

## The xliij. yere of king Ed. the 3.

1 ¶ The staple had from Caleis and brought into England 628.a
2 A repeale of ỹ act ỹ no Englishman should seke wines in gascoine 619.b
3 For arresting of Wines by the Kinges butler 57.a
4 The kings pardon 377.a

## The xlv. yere of king Ed. the 3.

1 ¶ The great charter & the charter of the forest confirmed 77.a
2 For pulling downe of weares, mylles and hidles 612.b
3 A prohibition to spirituall iudges, that holde ple of tithe of wood, of 20. yeres groth & aboue 398.b
4 No impositiõ to be laide vpõ woolles & leather other then the custome 628.a

## The xlvij. yere of kinge Ed. the 3.

1 ¶ For measuring of clothes 137.a
2 Howe sterlinge money shalbe current 336.b

## The L. yeare of kinge Ed. the 3.

1 ¶ The liberties of the church confirmed 77.a
2 The great charter, and the charter of the forest confirmed 77.a
3 The kings pardon 377.a
4 That after a consultation once graunted, no prohibition be awarded 398.b
5 That no minister of holy Church be arrested at seruice time. 28.a
6 For gifts of goods by collusion 175.a
7 That woollen clothes be not brought out of the realme till they be fulled. 137.a
8 No subsidy nor aulnage to be leuyed of Irysshe fryse. 137.a

# ¶ The statutes made in the time of king Richard the second.

## ¶ The first yere of his raigne.

1 ¶ A Cõfirmation of the liberties of the church, & of al stat. not repealed 77.a
2 For keping of the peace 374.b
3 Al stat. of purueyours confirmed 410.b
4 For maintenance of quarels 305.a
5 After tailes of debtes allowed in the chequer, the dettes neuer after to renne in demaund 164.a
6 Against villens that withdrawe their seruices 356.b
7 For greuing of liueries 299.a
8 For protections cum clausula volumus 399.b
9 Alle against the pernour of the profits 185.b
10 A confirmation of a pardon graunted in the 50. yere of king Ed. 3. 377.a
11 Noe that hath ben sheriffe, shalbe shirife within thyee yeres after 486.a
12 For prisoners of the fleete suffered to goe at large 315.b
13 That obligations made by spirituall men to do contrary to the lawes of the church, be voide 158.b
14 An act concerning tithes 508.b
15 That no spirituall ministers be arrested during diuine seruice 28.b

## The ij. yere of King Ric. the 2.

1 ¶ That merchants straungers may safely bring any marchandizes into this realme 311.b
2 For forstalling of wines 210.b
3 An act for marchantes of Jeane &c. & others towards the west parties 311.b
4 For mariners fleeing out of the kinges seruice vpon the sea without licence 374.b
5 For counterfaitors of newes 347.a
6 For welshmen taking away women & maidens out of England 434.a
7 An act that Pope vrban should be taken for vndubitat Pope 403.a
8 The statut of labozers confirmed 277.b

## An other sta. made the same 2. yere.

1 ¶ A confirmation of the liberties of the church and of al stat. 214.b
2 The article of assembles &c. contayned in the last statut made at Gloucesters put out 434.a
3 Prozesse against them. which after gyftes made of their goodes by collusion flee to sanctuary 126.b

## The iij. yere of King Ric. the 2.

1 ¶ Al liberties & good statutes confirmed 214.b
2 For measure of woollen clothes 137.a
3 For receiuing prozuratory. letter of attourney. nor ferme of any benefice but of Englishmen 403.b

## The iiij yere of King Ric. the 2.

1 For Gawging of wines 225.b
2 The kings pardon 377.a

## The v. yere of Kinge Ric. the 2.

1 ¶ Al liberties and stat confirmed 214.b
2 For carriage of mony out of the realme 336.b
3 For maintenance of the Englishe nauye 474.a
4 The price of wines to be solde within the Realme 619.b
5 The kings pardon 377.a
6 For manumissions &c. made by manasse at the insurrection 158.b
7 For entering into landes where it is not lawfull 202.a
8 For charters eloigned at the insurrection 125.b
9 For impechments of debtes & accompts in the Eschequer 164.a
10 The couenants of them that shal serue ỹ king to be put in writing 59.b
11 That accomptes in the eschequer bee shortly heard 164.a
12 Two clerkes to be assigned to make parcel of ỹ accompts in the eschequer 164.a
13 Accompts of Nichil be put out 164.a
14 The clerke of the Poype. and the 2. Remembrancers to be swoine for thentre of writtes of ỹ great & priue Seale euery terme 164.a
15 When the iudgement of lyuery commeth into the eschequer by mittimus. the Remembrancer shal discharge the partye of any accompt for the same lande 164.a
16 The fee of the clerks of the eschequer for making a cõmission or Nisi prius 164.a

## An other ſtatut of the ſame v. yere.


1 For wel entreating of marchants ſtrangers in this realme 312.a
2 For paſſage of wooles, leather, & felles 628.a
3 A ſubſidy graunted to the king 501.b
4 For cõming to the parliaments 356.b
5 For preachers of hereſies 356.b


## The vj. yeare of kinge Ri. the 2.


1 ¶ The liberties of the church with al ſta. not repealed. confirmed 214.b
2 For actions to be purſued in their proper counties 640.a
3 For writtes of noiſances 352.a
4 For deedes inrolled that were deſtroied in the laſt inſurrection 261.b
5 For Seſſions to bee holden in the principal townes 271.b
6 An act for raiſhyng of women 414.b
7 For ſweete wines to be ſold at retaile 619.b
8 A mollefying of the act touchynge the nauye 474.b
9 Victuallers to beare no office in townes where they dwel 557.b
10 Victuallers to bee vnder the kinges protection. 557.b
11 That hoſtes vſe no more foreſtallinges 557.b
12 Maiors to be ſworne to kepe the ordinances of fiſhmongers & victuallers 557.b
13 The kings pardon 377.b
1 An other ſtatut the ſame firſt yere enlarging the ſame pardon 377.b
2 For them that ſeeke them ſelues greeued, by ye laſt inſurrection 4.a & 568.b


## The vij. yere of king R. the 2.


1 ¶ The liberties of the church confirmed 214.b
2 Al ſtatutes confirmed 77.a
3 For tranſating of iuroys 206.b
4 For impriſonment by miniſters of the forest 206.b
5 For vacabond. ds 535.a
6 For proclamation to be made of the ſtat. of wincheſter 396. b
7 A Niſi prius to be graunted at the ſuit of any of the iuroys 350.b
8 For purueiours 411.a
9 For diſceipt in clothes 137.a
10 Aſſiſe for a rent going out of lands lying in 2. counties 31.a
11 The ſtatut of victuallers made the 5 & 6 yeares of king Richard repealed 557.b
12 Againſt proniſors 403.b
13 For riding in harneſſe 24.a
14 For atturneis of def. in writtes of Premunire facias 37.a
15 For champerties maintenance 305.a
16 For ſending armour or victuall into Scotland 460.a
17 The mainpernours to ſatiſfye the pleintife for his delay where the defendant keepeth not hys daye by the Superſedias vpon mayntpryſe 304.b


## The viij. yere of King R. the 2.


1 The liberties of the church and al ſtatutes confirmed 77.a
2 None to be Juſtices of aſſi. nor of Gaiole deliuery in his owne countrie 272.b
3 Juſtices nor barons of the eſchequer that take fee nor reward 272.b & 457.a
4 For falſe entring of plees, ruling of rooles, and changyng of dedictes 419.b


## The ix. yere of King Ri. the 2.


1 A confirmation of al ſtat. not repealed 77.a
2 For villens flying to Cyties and Boroughes 557.a
3 For writtes of attaint, & of Error for them in ye reuerſion 33.a
4 The trial whether a Priour be perpetual, or durſke and remouable 530.a
5 For fees of priſes taken in the marſhalſe of the kings houſe 307.a


## The x. yere of king R. the 2.


1 For the good gouernaunce of the realme 75.b


## The xij. yere of king R. the 2.


1 For ye good gouernãce of ye realme ca. 2. 3. 4. 75.b
5 & 6 The forf. of diuers perſons attainted geuen to the king 32.a & 207 .b
7 That al Marchants may ſel their marchandizes in Englande where, and to whome they will 366.b
8 Certen annuities graunted by the king made voide 366.b
9 No impoſitions to be put vpon wooſles, leather nor felles, other then the cuſtome 501.b
10 No letters so bee ſent in damage of the Realme 460.b
11 For keping Seſſions in the chiefe townes 27.b


## The xij. yere of king R. the 2.


1 A Confirmation of the liberties of the church, & of al ſtatuts 214.b
2 For making of officers 352.b
3 A confirmation of al ſtat. for labourers, & victuallers, & ſtockes to be in euery towne, & for demeaning of labourers 278.a
4 & 5 For wages for labourers. & howe they ſhall demeane them ſelues 278.a & 22.a
6 For vnlaweful games 24.b
7 & 9 For beggers 278.a & 534.b
8 For trauailers out of the realme hauing no teſtimonials 535.a
10 Juſtices of peace to puniſhe vacabonds. & for holding their ſeſſions 273.b
11 For tellers of newe tidings 347.a
12 For leuying knights expenſes comming to the parliament 356.b
13 For auoiding of dongue and carrein in infection of the ayre 260.a
14 For the meaſure of clothes 137.b
15 That none paſſe out of the realme to obtaine any benefice of holy Church 403.b
16 For remouing the ſtaple from Middleburgh to Calays 498.b


## The xiij. yere of king R. the 2.


1 That the kings preſentee be not receyued to a Church full of incumbent till he hath recouered it by lawe 259.a
2 The iuriſdiction of the court of the Conſtable and Marſhalles 80.b
3 The iuriſdiction of the court of the Steward & Marſhall, not to exceede xii. myle from the kynges lodging 307.a
4 For the Clerke of the market of the kinges houſe 75.a
5 The iuriſdiction of the Admirall 7.a
6 For ſeriеants at armes 460.b
7 Juſtices of peace to be made a newe 273.b
8 For price of victuails, and for labourers 77.a & b & 278.b & 557.b
9 For weights 307.b & 628.a
10 For meaſure of clothes 137.b

11 For making of Clothes 337.b
12 For Tanners & cordwainers 89.a
13 For hunters 245.b
14 For double bonds in the chequer & recognisance of debtes 164.b
15 For joyning Goyles to the Counties 390.a
16 For protections 399.b
17 For receipt upon faint pleding 427.b
18 For Attaint in Lincolne 33.a
19 For sauegard of fishe 231.b
20 For Pilgrimmes 361.a

An other statut made the same xiij. yeare.

1 For charters of pardon 377.b
2 & 3 Against Prouisours 404.b

The xiiij. yere of king R. the 2.

1 The staple remoued from Caleys 498.b
2 For exchaunge at the court of Roome 161.b
3 The Maior of the staple and other shall swoone to the king 498.b
4 For regrating of woolles 628.a
5 For carrying of woolle and leade out of the realme 628.a
6 For frayghting of English shippes 22.b
7 For shipping of Tynne 508.a
8 Gawging of tennish wynes 619.b
9 Marchant straungers to be wel entreated 312.a
10 No customer or comptroller to haue shippe of his owne, nor to fraught shippe 118.a & 352.b
11 For alligning of Justices of peace 274.a
12 For how much Scottish money shal rēne 336.b

The xv. yere of king R. the 2.

1 All good statutes confirmed 77.a
2 For forcible entries 202.a
3 For the Admiralles iurisdiction 7.b
4 For measuring corne in London 608.a
5 For making of churchyardes 342.b
9 For appropriation of churches 22.b
7 For carrying of vitailes or merchandizes into Scotland 460.b
8 For passage of Tynne 508.b
9 For recognizances of the staple 498.b
10 For clothes made in Surrey, Sussex & Southampton 337.b
11 For Gyrdlers 226.a
12 For answering before the counsell of Lordes and Ladyes 221.a

¶ The xvj. yere of king R. the 2.

1 For Merchants alyens retayling marchandizes in the Realme 312.a
2 For appearing before the counsell of Lordes & Ladies to answere 221.a
3 The clerke of the market to haue ready hys wayghts according to the standerd 608.a
4 For liueries of companyes 299.a
5 For prouisions to the court of Roome 405.b
6 For charters of pardon 377.b

¶ The xvij. yere of king R. the 2.

1 For melting money to make plate 336.b
2 For clothes called bartyns 337.b
3 For woolsteds 636.a
4 For clensing & purifying of malt 90.a
5 For certeine officers to haue no estate in their offices for life nor yeres 352.b
6 For damages for them that be vexed before the counsell by vntrue suggestions 6.a
7 For carrying of corne out of the realme 90.a
8 For ryotters & vnlawfull assemblies 434.a
9 That Justices of peace be conseruators of the stat made for weares &c. 231.b



10 Two men of lawe to be assigned in the commission to deliuer Gayoles 273.a

The xx. yere of king R. the 2.

1 For ryding armed in the realme, and boyding of Launcegaies 24.b
2 For wearing of liueries 299.b
3 Lordes nor other shall sit with the Justices of Assise 271.b
4 That no shippe fraighted towards England, be compelled to come to any other port 312.a
5 For taking of Horses 238.a
6 Lycence graunted to Belknapt & others, to returne into England 271.b

The xxj. yere of king R. the 2.

1 All liberties confirmed 214.b
2 An act touching the commission made to the Earle of Arundel, and others 75.a
3 Against such as compassed the kinges destruction 519.b
4 Touching the king & the conseruation of the realme, Chapters. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14.
15 The kings pardon 377.a
16 For determination of certeine matters &c.
17 For lycences to shippe merchandizes of the staple 498.b
18 For bringing vittage of good stones to Calice 57.b.
19 For leuying weares &c. in disturbance of the passage of belles 612.b
20 Against them that procure to reuerse any thing made in the parliament. 519.b

## ¶ The statutes made in the time of king Henry the fourth.

The first yere.

1 ALL liberties of the church, and stat heretofore made confirmed 77.a. 214.b
2 For the safegard of them which came in with king Henry the fourth 377.b
3 A repeale of the parliament made in the xxi. yere of king Richard the second 14.a. & 434.b
4 The statute made in the 21. yere of king Richard confirmed 77.b
5 For restitution of those which were attainted the said xxi. yere of Richard the second 431.b
6 For letters patents to be made by the king 138.a
7 For geuing of liueries 299.b
8 For them that be put out of their lands by suggestion made to the king 31.b
9 For the sales of forfaitures made by great officers of king Richard the second 366.b
10 For paines of treason made the xxi. yere of king Richard the second 519.b
11 For tenths to be charged after the olde fermes of the counties 486.a
12 For weares &c. lenyed in disturbance of passage 612.b
13 For what season forchecoms, and such other officers shal abide in their offices 352.b
14 For determination of appeales 20.a
15 For Errours in London 303.a
16 For Londoners to be free of packing of clothes 337.b
17 That Aliens vitailers be in the kinges protection 558.a
18 For murders and other offences done by people of Chester 66.a
19 For making of clothes 337.b
20 The kinges pardon 377.b

The

## ¶The ij. yere of King H. the 4.


1 ¶A confirmation of al ſtat. & liberties 214.b
2 For gifts and grants to be made by the kinge 367.a
3 For proviſions made to the Court of Rome 405.b
4 For religious men of the order of Ciſteaux &c. 405.b
5 For carriage of money &c. out of the Realme 317.a
6 For diſceipt in ſterlinge & ſcottiſhe money 317.a
7 For nonſuits in aſſiſe after verdit 351.a
8 The fee of the Chyrographer 68.b
9 For Commiſſions awarded in the tyme of kinge R. 75.b
10 For the Clerke of the Crowne of the kinges benche 75.a
11 The iuriſdiction of the Admyral. 7.b
12 For Welſhemen purchaſing landes, & beinge in offices 569.a
13 The pardon made the 21. yere of king Ric. confirmed 377.b
14 For Vnthriftes 411.a
15 For Hereſyes 233.b
16 For welſhemen comming by night &c. 569.b
17 For Welſhemen burninge houſes &c. within Englande 569.b
18 For ſtuffing of the Caſtels in Wales 569.b
19 For Engliſhmen conuict by Welſhmen in Wales 569.b
20 For Welſhmen purchaſing landes within boroughe Townes in Wales 569.b
21 For geuing of liueries 299.b
22 For luſtes contracte to the Statute made 12. yere of king Ric 207.b
23 The fees of the Marſhal of the Marſhalſy of the kinges houſe 307.b
24 For Proctes made againſt them that were in the kinges wages with the Duke of yorke 5.a


## The iij. yere of king H. the 4.


1 ¶All liberties & ſta. confirmed 77.a
2 For enditements of Inſidiatores viarum & depopulatores agrorum 70.b
3 For Clerkes conuict 70.b
4 For reuennes of the Crowne without deliberation 367.a
5 Shiriffes to bee reſident within their Bayliwikes 486.a
6 For ſuting of clothes 138.a
7 Actions againſt the iuſtyces of the pleas 563.b
8 For diſſeiſing with robbry 31.b
9 For commiſſions of enquiris 76.a
10 For halfepence and farthinges 317.a
11 For pulling downe of weares &c. 613.a
12 For appropriations of benefices 22.b
13 For doing ſeruice in warre 602.b
14 For retayning of labourers, and other craftes men. 278.b
15 That merchants aliens beſtowe their money, which they receiue within the Realme 312.a
16 For carryinge of money or plate out of the Realme 317.a
17 For the power ordres of Freyers 221.a
18 & 19 For Atturneis of the law 37.b
20 Cuſtomers and Comptrollers to be reſident vpon their Offices 118.a 352.b & 474.b
21 Scrchers to occupy in proper perſon 460.b
22 For Incumbents put out by the kinges pryuiledge 259.a
23 For examination of Iudgements &c. 264.b
24 For auinage of clothes 137.b
25 For halelers & bitailers 558.a
26 That Engliſhemen be not comuict by Welſhemen 561.b
27 For Cõmorthes in Wales 569.b
28 For congregations of welſhemen 569.b
29 For bearing armour in wales 570.a
30 For ſendinge armour or bitailes into Wales 570.a
31 Welſhemen to haue no Fortreſſes nor Caſtels in Wales 570.a
32 Welſhmen not to bee in certaine Offices in Wales 570.a
33 Caſtels and walled Townes in Wales to be enuyred with Engliſhmen 570.a
34 For Engliſhemen maried to any of the aliens of Owen Gleyndoure 570.a
35 For Tanners & Shoomakers 89.a


## The v. yere of king H. the 4.


1 ¶The forf. of Sir Henry and Sir Thomas Percie 312.a
2 For charters to bee graunted to Appropers 377.b.
3 For watch vpon the Sea coaſtes 604.b
4 Multiplication made Felony 287.b
5 For cuttinge tounges and puttinge out of eyes 287.b
6 For bateries done to ſuch mens ſeruants as come to the parliament. 29.a
7 For entreating of Marchant ſtraungers 312.a
8 For examination of Atturneis in accions of debt vpon arrerages of accompt 568.b
9 For keping of Golde and Siluer within the Realme 312.b
10 Iuſtices of peace to impriſon men in the common Gayole 390.a
11 For paying of tythes by fermours where the landes be ſeyſed into the kinges handes 508.b
12 For not ſhewing againe the ſtatut Marchant, after it is once ſhewed 419.b
13 For gylting of diuers wares 226.b
14 For imbeſillinge of ſtuff 191.a
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8 For pardons to benefices full of Incumbents by proviſion 406.a
9 For ſales of clothes in London 313.a
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12 For the fort. of John Earle of Salisbury and Sr Thomas Blont 32.a. & 207.b
13 For attorneys of impotent persons 37.b
14 For geuing of Liueries 300.a
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3 For felonies in Southwales 570.a
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5 For naming Lordes and Baylifes of auncient demesne in assyses 81.a
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5 For additions to be geuen in case where proces of outlawrie lyeth 6.b
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5 For Tindale and Cramthyre 507.b
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1 ¶ For banishinge of gallihaphence, sustins, & Worthyns 377.b

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1 ¶ A confirmation of al statuts 77.a
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4 For the wages of seruants of husbandry 279.a
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1 ¶ For appealing & endicting men of Lancastershire 20.a 80.a

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1 That in the kings absence the Teste of ỹ writs be in the name of the lieutenant 357.a
2 For bullion to be brought to the mint by marchants of the west parties 628.b
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1 For appeals & enditements in Lancastershire 20.a
2 For exigents against any of Lancastershire 289.a
3 For protections in assises 31.b & 602.b
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5 For making of sheriffes & Escheators 486.b
6 For the mint & romage at Callice 337.b
7 For men of Ridesdale offending in Northumb. and other places 507.b
8 For scollers of Oxford hiding by night &c. 156.a
9 For Abbots &c. to be discharged of collection of tithes out of the countie where they dwel 75.a
10 For Spectacles 346.b
11 For washers & clippers of money 337.b
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2 For the exchange in London 338.a

3 For payment of exchaunge 338.a
4 For bringinge of the money receyned for exchange to the Tower of London 338.a
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4 The repaire of woolles &c. to be at Calleys 628.b.
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7 For Cordwayners vsing the Misterie of Tanners 89.a
8 For voyding of Irishmen out of the land 264.a
9 For voyding of the money of blankes 338.b
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12 For the allay of white mony accordyng to the indenture 339.a
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3 For wages of husbandry, & punishement of labourers 279.b
4 For election of knightes and Burgesses of the Parliament 357.
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1 ¶ For arresting Clerkes comming to the Conuocation 357.b
2 An acte for the Staple of Denmarke 126.a
3 For Sewers 467.a
4 For gyuing of Liueries 300.b
5 For Waights 609.a
6 For casting billes into mens houses 519.b
7 For elections of knightes of the Parliament 357.b
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10 For proces in indictements & appeales 394.b
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14 For felons and murderers, that voyde themselues into Woodes &c. 436.a
16 For inquisitions taken by Eschetors 165.b
17 For shipping to the Staple 629.a
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19 For priuie conueiance of merchandizes out of the Realme 629.a
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21 For men of Newecastell & Berwike, shippinge to Calleys 629.a
22 For clothing & forcing of woolles 629.b
23 For cutting wollen threedes, and sending them beyond sea for thummes 640.b
24 For payments in golde made to Marchantes aliens 313.a
25 For continuance of the maior of the staple in his office for a season 499.a
26 For assises sued in the benches, of landes lying within a fraunchise 81.a
27 For passage of Trowes through the riuer of Seuerne 362.b
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10 For attornes of Staincliffe and Frendles 38.a
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1 For recognisance of debtes before the maior of the staple 499.a
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1 ¶ For impanelling men dwellinge about the fewes 266.a
2 For naming the shrifes in writtes of assise by collusion 32.a
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9 For aulnage of clothes 138.b
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11 For affraies made vpon lordes comminge to the parliament 29.b
12 For warchaundlers 604.b
13 A confirmation of an act for selling wares at Calleis for ready money 490.a
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15 For imbesilling the kings customes by Customers 118.b
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1 ¶ That Justices of Nisi prius may geue Judgement aswell where felons be acquited as where they be conuicted or attainted 350.b
2 Against licences for shipping of woolles 630.a
3 The Sessions for the county of Cumberlande to be at Karlile 272.a
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1 ¶ An act for suites before the Stewards and Marshalls of the kings house 307.b
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4 For Merchandyses forein bought and forreyne solde 313.a
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6 Landes to be let to ferme to him that trauerseth the office, and to none other 166.a
7 For returning of officers by Escheators 166.a
8 For spanyshe shippes taken vpon the seas by Venizens 457.a
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12 For enditements supposed in a place where there is no such in that county 80.a
13 For outlagaries in the county of Lancaster 289.a
14 For making of arrayes and Panells 356.a
15 For carriage of woolles to other places beyõd the sea then to Calleys 630.b
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5 That no Customers, Serrhears &c. haue shippes of their owne 119.a
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7 For not customing goodes brought first from beyonde Sea into Wales, and from thence into Englande 119.a
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9 For women of high estate to be iudged by their peeres 530.b
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11 For leuyinge knights wages for the Parliament 358.a
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¶The xxvij. yere of king H. the 6.

1 ¶For restraint of Clothes in Brabant &c. 313.a
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1 ¶For seruants spoyling their Mallers goods after his death 179.b
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1 ¶For making of Worsteds 637.a
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2 For maintenance of the kinges name 275.a ỹ 619.b
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11 For restitution of goodes felonously stollen 432.a
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15 That al fermors may enioy their leases against recoueries by feyned tytles &c. 422.a
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18 For Newe castle vpon Tyne, and the port thereof 346.b
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1 ¶An act for maintenance of drapery ỹ against tegrating of woolles 632.b
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5 For repairing of bridges in high waies 54.a
6 For Tanners ỹ Butchers 89.a
7 For conueying horses out of the realme 239.a
8 That denizens pay straungers customes &c. 13.b
9 Against poysoning 519.b
10 Concerning Egiptians 159.a
11 For Powdike in Marshland 188.b
12 How aged people shalbe ordred, ỹ vacabonds punished 539.a
13 That certein straungers shal not be expounded handy craftesmen 28.b
14 Howe persons committing petty treason, shall abiure 4.a
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2 Where ỹ after what manet the Gaoles within England shalbe made 391.b
3 For punishmt of periury, ỹ vntrue verdicts 37.a
4 That no Brewers make vessels, and the content of barrels &c. 97.a
5 For commission of Sewers 470.b
6 Before whom recognisiances of debt shalbe made, ỹ the fourme &c. 421.b
7 For maintenance of the nauy, ỹ bringing in of wynes 610.a
8 For the amending of certeine hauens in Deuonshire ỹ Cornewall 232.b

9 That no perſon be cyted out of the dyoces but in certaine caſes 69.b
10 For teſtementes of lands to the vſe of a Chutch 343.a
11 For breaking of priſon by clerkes conuict 71.b & 188.b
12 For exactions taken for the pathes by Seuerne lyde 364.b
13 What men ſhal paſſe in trial of murders 266.b
14 Dyocey of briary to lye in couenaunt and auntitie 395.a
15 That the def. ſhall recouer coſts, & the plaintife be nonſuit &c. 225.a
16 That no Horſes be conueyed into Scotland without lycence 239.b
17 For true winding of woolles 632.b
18 For the pulling downe of fiſhgarths in the ryuer of Ouſe, & Humber 232.b

## ¶ The xxiiij. yere of king H. the 8.

1 ¶ An act for tanning of leather 89.a
2 For dying of woollen cloth 152.b
3 For fleſh ſold by weight 47.b
4 For ſowing of flaxe & hempe 201.b
5 No foxe. for killing a theefe 208.a
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8 Where def. ſhal not recouer coſts 225.a
9 Againſt killing of Conyings 58.b
10 For the deſtroying of Sparrowes &c 108.b
11 For paſſing betwene Seronde Croſſe & Charing Croſſe 374.a
12 That appeales ſhal not be had, but within this Realme 22.a
13 For exceſſe in apparell 16.a

## ¶ The xxv. yere of king H. the 8.

1 An act for Glaziers and Butchers 58.a & 47.b
2 A proclamation for victuals 559.a
3 For ſtanding muet, & peremptorie challege 72.a
4 Againſt forſtalling of fiſh 199.a
5 For chaſtenyng of woorſtedes 617.b
6 For punithment of Buggery 388.a
7 For killing ſpawne of Salmon 199.a
8 For paſſing of Holborne and other places in London 374.a
9 Concerning Pewterers 382.b
10 The othe of cõmiſſioners of Sewers 470.b
11 To auoide deſtruction of wildfowle 613.b
12 For the attainder of Elizabeth Barton 32.a
13 What cheepe a man may keepe 474.a
14 For punithment of hereſye 233.b
15 For Printers & bynders of bookes 48.a
16 Who may haue a Chapleine beneficed with cure 437.a
17 For ſhooting in croſſebowes & handguns 616.a
18 For Clothiers in Weſtcheſter 144.b
19 The ſubmiſſion of the clergye to the kynge 492.b & 443.b
20 For the payment of firſt fruites to the Biſhoppe of Roome & for election of Archbiſhoppes & Biſhoppes in England. 445.b
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22 For the ſucceſſion of the kinges maieſtie in the imperiall crowne 109.b

## ¶ The xxvj. yere of king H. the 8.

1 ¶ The king to be ſupreame head of the church of England &c. 451.a
2 For the ſuerty of the ſucceſſion of the crowne of England 112.b
3 For the payment of firſt fruits of al dignities ſpirituall and of one annuel portion &c. graunted to the king &c. 393.b & 375.a
4 For punithment of periury of Iurors in wales 571.b
5 For not conueyinge any perſons goods or catteles on the water of Seuerne after ſunne ſett vntill ſunne riſinge 365.a
6 That murders & felonies done in wales ſhalbe enquired of in the ſhires next adioyning &c. 574.a
7 For amending high wayes in Suſſex 233.b
8 For recouering of void grounds in Norwich 351.b
9 For reediffying of void grounds in Lynne 297.b
10 A repeale for cõming in of wines afore Candelmas 316.a
11 For punithment of welſhmen aſſaulting inhabitaunts of other ſhires 574.a
12 For purgation of conuicts in wales 72.a
13 Diuers offences made high treaſon, & taking away al Sãctuaries for al high treaſõs 457.b & 520.a
14 For nomination of Suffragans within the Realme 46.b
15 For takinge away exaction in Richmond by ſpiritual men 434.a
16 For making worſteds in Norwich, Lyn, and yarmouth 640.a
17 That no fermers of ſpiritual perſons ſhal pay firſt fruits of the tenth graunted to the king 193.b
18 A general pardon 378.a

## The xxvij. yere of king H. the 8.

1 ¶ For reparacunge of Gloucester, Notingham, Northampton, & others 515.b
2 That the counterfeyting of the ſigne ſignet, and priuie ſeale, be high treaſon 520.a
3 For exactions taken by the Maior of Hul 245.b
4 For punithment of pirats on the Sea 531.a
5 For making Iuſtices of peace in Cheſter and Wales 67.a
6 For encreaſe of good Horſes 240.a
7 Againſt exactiõs také in ꝑ forreſts of wales 575.a
8 That ſpirituall ſubiects ſhall pay no tenth the ſame yere they pay firſt fruits 193.b
9 That all Butchers may ſell fleſh by retaile for a certeine time 47.b
10 An other for bles and willes 366.a
11 For Clerkes of the ſignet & priuy ſeale 75.a
12 For true making of woollen clothes 145.a
13 That certeine clothes may be caried ouer the ſea 145.b
14 For the cuſtome of Leather 81.b
15 That the king may nominate xxtij. perſons for to make eccleſiaſtical lawes 492.a
16 For inrolment of deedes 261.b
17 For them which robbe their maſters 188.b
18 For the preſeruation of Thamyſe 232.b
19 An order for Sanctuaries, and ſanctuarie perſons 458.a
20 An order for Tythes 509.a
21 For tythes within London 509.a
22 For decay of houſes 247.b
23 For preſeruation of hauens in Deuon and Cornewall 252.b
24 For recontinuing of certein liberties taken from the Crowne 217.a
25 For punithment of vacabonds 539.a
26 For Iuſtice to be miniſtred in Wales &c. 581.a
27 For eſtabliſhing ꝑ court of Augmẽtatiõs 322.b

## ¶ The xxviij. yere of king H. the 8.

1 ¶ An act that felony abiuring for pety treaſon, murder or felony ſhal not haue their clergy 4.a & 72.b
2 For ſuch as go away with their maſters goods 188.b
3 Geuing the king authoritie to allot the townes & ſhippes of Wales, within thee yeres 581.a
4 For bringing in of Dowlas & Lockeram 297.b

3 For exactions taken vppon apprentices in Cities &c. 94.a

6 For continuance of certen sta. & conueyinge of horses out of the realme, against westmen for making of affraies in Werk. &c. & against buggery 188.b & 519.a & 574.a & 239.a

7 For ꝑ succession of ꝑ crowne 110.a & 356.a & 458.a

8 For continuance of the sta. against the carriage of Wealle &c. out of the realme, for making of cables &c. for winding of woolles, & against killing of wemminges 49.b & 57.b & 672.b & 58.b

9 For continuance of the sta. for perjury, making of gages, Pictures, & sowing of linge 201.b & 381.b & 391.b & 17.a

10 For extinguishing the auctoritie of ꝑ Bishop of Roome 450.b

11 For restitution of first fruites to the next incumbent 290.b & 510.a

12 For the limits of the palace at Westm 356.a

13 For spirituall persons to kepe residence vppon their benefices 431.a

14 For the prices of wines 610.b

15 For the punishment of Pyrats on the sea 72.b

16 For release of such as haue obtained licences from the sea of Roome 132.b

17 For geuing auctoritie to the successors of the crowne, after their age of 24. yeres, to make voyde such acts as were made before in their time 425.a

18 For treason in certen cases 520.a


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1 ¶ An act for iointenats, & tenats in cõmon 360.b

2 That fishing in a pond to the intent to steale fish is felony 199.a

3 For changing of the custome of Gauelkind 122.a

4 For amending the true ꝑ poze of Exeter 232.b

5 Hampton court made an Honor 237.b

6 That religious ꝓfes may purchase lues & be sued 1.b

7 For punishment of vacabonds, and continuance of other statutes 539.a

8 That proclamations be obeied & kept, as though they were made by parliament 397.a

9 That ꝑ king may make Bishops by his letters patents 46.b

10 For placing of lords in the parliament chamber &c. 303.a

11 For auctorising the king to allot certen townes in Wales 581.a

12 For taking of haukes egges & birdes out of ꝑ nest, taking vp the kings haukes, hunting in forests and killing of Conies 189.a

13 All manors &c. belonging to any monasteries dissolued, assured to the kinge, & howe leases made of them shal take effect 233.b

14 For abolishing diuersity of opinions concerning Christian religion 76.a


## ¶ The xxxij. yere of king H. the 8.


1 An act howe by the kings graut lãds &c. may be by will &c. disposed & of wards & primer seisons 615.b

2 For limitation of prescription 297.a

3 For continuance of certen stat. 4.a

4 For trial of treasons &c. in Wales 531.b

5 For contentation of debts vpon executions 175.b

6 For trial of felonies vpon conueying of horses into Scotland 434.a

7 For true paiment of tithes & offeringes 531.b

8 For sellers & buiars of forestes & parkes 189.b

9 Against maintenance &c. & vnlawful buying of Tytles 305.b

10 For moderation of punishmt of incontinency of ꝓsts and women offending wth them 259.a

11 For stealinge of haukes eggs, Conies and Deare 189.a

12 For sanctuaries, priueleges of churches, and churchyardes 459.b

13 For breede of horses of higher stature 241.b

14 For maintenance of the navy, & for certen rats of freights 477.b

15 For Archbishops & others to be in cõmission for abolishing of erronious opinions 76.a

16 For Straungers 14.b

17 For paving of certen streats 374.a

18 For reedifying of decaied houses in certen places 516.b

19 For reedifying of decayed houses in the west parties 516.b

20 For priuiledges and liberties 219.a

21 For the abbreuiation of Trinitie Terme 124.a

22 For thaccompts of Bishops, for ther. graunted to the king 193.b

23 The subsidy of the clergy of Caunterbury 502.b

24 For the lands & goods of S. Johns of Jerusalē to be in the kings disposition 457.a & 1.b

25 For the dissolution of the kings marriage wth ladie Anne Cleue 307.b

26 For true opinions of Christes religion 424.a

27 A resumption of extraordinarie grãts &c. of offices & reuersiõs in Calais, & the marches therof, & in Berwike & of chiefrewikes for life in Wales 34.a

28 That lesees shal enioy their fermes against their tenants in taile or in the right of their wiues or churches &c. 292.a

29 For customable lands in Oswelstoke 122.a

30 For misplending, feofailes attornes 426.a

31 For thawoding of recouerie by collusion by tenants for terme of life 422.a

32 For iointenants for terme of life or yeres 360.b

33 That wrongfull disseisō is no discent in lawe 161.a

34 Concerning grannes or reuertions, to take aduantage of the conditions to be performed by the lesees 76.b

35 That Justi. of forests may make deputies 206.b

36 For the exposition of the sta. of Anes 193.a

37 For recouery of arrerages of rents by execution of tenants in fee simple 434.b 424

38 For pre contracts of marriages, & degrees of consanguinitie 308.a

39 The iurisdiction of the great maister of the kings houshould 499.b

40 For the priuiledges of Pbitions 384.a

41 For baking of horsebread 237.b

42 For Barbours and Chirurgions to be of one company 385.b

43 For white bayes in Chester 67.b

44 Royston reduced to one parish 442.a

45 For the erection of the court of first fruites and tenthes 97.b

46 The estabishment of the court of the kings wardes 599.b

47 The Bysshop of Norwich charged with the collection of the tenth in his diocese 193.b

48 For a generall pardon 378.a


## ¶ The xxxiij. yere of king H. the 8.


1 ¶ An act concerning counterfait letters or tokens to receiue money in other mens hands 95.a

2 For buying of fish vpon the sea 199.a

3 For folding of clothes in Northewales 245.b

4 For Dewterers 381.b

5 For keping of great horses 241.b

6 For crosbowes & handgunnes 207.b

7 For conueying of Wealle &c. ouer ꝑ sea 50.a

8 Against conjurations witchcraftes &c. 189.a

9 For maintenance of Artillery, and debarring of vnlawful games 388.b

10 For the execution of certeine statutes 178.b

11 For Butchers to sell by weight or otherwise 47.b.

21 For murder & bloudshed within the court 534.a & 189.a
22 For lordshippes translated from Denbigh to Flint 67.b & 581.b
24 For false prophesies vpon declaration of names or badges 189.a
25 The sanctuary translated from Manchester, to Westchester 460.a
26 For worsted yarne in Norfolke 351.b
27 For confirmation & continuatiō of certē acts 94.a
28 For true making of herbes 146.a
29 For expoūding a statute for shipping of clothes 146.a
30 For due proces in high treason, in cases of lunacy and madnes 521.a
31 For the attaindor of Q. katherine & her complices 378.a 521.a 31.b 359.a & 6.b
32 For y order of wards & liueries 602.a & 168.a
33 For to proceede by a cōmission of Oyer & determ. against such as shal cōmitte treason, without remaūding them to the shire where the offence was committed 534.b & 65.a
34 That no man shalbe Justice of assise in his owne countrye 272.b
35 For making free Childē borne beyōd y sea 2.a
36 To make void certen conueiances deuised by sir John Shelton 471.a
37 For leases of hospitalles &c. to be good w the consent of the more part 94.a
38 For the Chancellor of Lancaster & other noble men to retaine chaplens 431.b
39 For religious persons to sue & to be sued 2.a
40 For the Deane & chapter of Lichfilde to make leases &c. 431.b
41 For the differencing of the bishoprike of Chester and the Ile of Man from Caunterburye to Yorke 68.a & 46.b
42 For whitegate to be a parishe of it selfe and no part of Ouer 613.b
43 For priuiledges of Kingston vpon hul 245.b
44 For reuocation of 2. lawes of Linne 297.b
45 For y Cundutes of Gloucester 226.a
46 For the repayring of Caunterbury &c. 517.b
47 For the honor of Ampthil 237.b
48 For the honour of Hakton 237.b
49 For the erection of the court of Surueyours 38.a & 103.b & 175.b


## The xxxiiij. & xxxv. yere of king H. the 8.


1 ¶An act for the aduancemt of true religion 48.a & 233.b
2 For collectors and receiuors 415.a
3 For the assise of Coale and woode 221.a
4 Against Bankrupts 41.b
5 For explanation of the stat. of welles 618.a
6 For true making of pynnes 221.a
7 That certen of the counsel shalset prices vpon wines to be sold by retaile 620.b
8 That persons being no cōmon Surgions may minister outward medicines 385.b
9 For the preseruation of Seuerne 466.b & 232.b
10 For making of couerlets in Yorke 640.b
11 For making of frises & cottons in wales 146.a
12 For paying of certen streetes in London 374.a
13 For knightes & burgesses to haue places in the parliament for Chester 68.a
14 For certificat of commitees to bee made into the kings bench 64.b
15 Touching the deane & chapter of Welles, to be one sole chapter 44.b
16 For thurifes to be discharged vpon their accōpts & to haue reasonable allowance in the exchequer 490.a
17 For newe Bishops to pay their rentheş into y court of first fruits 194.a
18 For the priuileges of Caunterbury 59.a
19 For the paiment of pentions graunted out of Abbeys 375.b
20 For barring fained recoueries, where the king is in reuersion 422.b
21 For confirmat of letters patents notwithstanding any misnaming 369.a
22 For fines (in townes corporat) to be made as they before haue bene 262.a
23 For true execution of proclamations 620.b
24 For assurance of lāds to John Winde &c. paying x. li. a yere &c. 59.a
25 That the inhabitātz of Poole may erect a windewyll &c. 389.a


## The xxxv. yere of king H. the 8.


1 ¶An act for y kings succession in y crowne 110.a
2 For trial of treasons committed out of the kings dominions 534.b
3 For ratification of the kings stile 521.b & 499.b
4 For repairing of decayed houses in England & Wales 517.b
5 For qualification of the stat. of the 6. articles 233.b
6 For appearance of Jurors in the Nisi prius 268.a
7 A Statut repealed for bringinge in of sea fish, and stockfishe 199.a
8 For Coupers 97.a
9 For the partition of wapping marsh 593.a
10 For amending of Conduits in London 303.a
11 For paiment of knightes & burgesses wages of the parliament in wales 360.a
12 For the remission of the tone 303.a
13 That the lands of the late priory of Wallingham, may be let by copie of court role 593.a
14 For reseruation of rentes vpon houses, with lands thereunto belonging vnder xl.s. by y yere 505.a
15 For paueing of Cambridge 59.a
16 For examination of Canon lawes by certen persons &c. 492.b
17 For preseruation of woodes 626.b
18 A general pardon 378.a


## The xxxvij. yere of king H. the 8.


1 ¶An act for officers of custos Rotulorum and Clerks of the peace 122.b
2 For partition of hounslow heath 245.a
3 For amending of huntington lane, betwēn Chester, 233.b
4 That al chappels &c. shalbe in the kinges disposition 328.a
5 What inhabitantes in London may passe in straūgs 37.a
6 Concerning burninge of frames 189.a & 56.b
7 For abrogation of vi. wekes sessions 178.b
8 That any mortmt lacking Viet armis shalbe good in lawe 260.a
9 An act against vsury 567.b
10 Against Slaunderous billes 189.a
11 For the marshes betwēe Greenewiche 229.a
12 For ruthen in London 512.a
13 For repealing the act made for pynnes 386.a
14 For maintenance of y peere at Scarbrough 460.a
15 For regrating of woolles 633.b
16 For annexing lands to the duchie of Lancaster, & for exchange of lands betwene the king and others & the Bishope of London 290.b & 46.b
17 That Doctors of the ciuil lawe being married, may exercise ecclesiastical iurisdictiō 159.a & 492.b
18 For the erection of hon ours 237.a
19 For hynes taken in Lancaster to be of like force, as hynes knowledged before the Justices of the common place 193.a
20 For Tennures of lands of xl.s. or vnder 506.a
21 For the vnion of churches not exceeding vli. by yere 260.a

22 To

22 To fill Juries de circumstantibus 268.a
23 For the continuance of certein statutes 621.a
24 For confirmation of a subsidie by the clergye 502.b

## ¶Statutes made in the time of Kinge Edward the sixt.

### ¶The first yere.

1 ¶An act against such as speake against the sacrament of the aulter, and for the receipt thereof in both kindes 462.a
2 For election of Bishops, & what seales, & title thereunto shall vse exercisinge ecclesiasticall iurisdiction 46.b
3 For punishement of vacabounds, & relefe of the poore 539.a
4 For treasons in Capite 506.b
5 That no Horses be conueyed out of Englande without licence 243.b
6 For makinge Worsted yarne in Norfolke 633.b
7 For continuance of actyons after any kinges death 131.b
8 For confirmation of letters patents 370.b
9 For vnityng certein Churches vnto Yorke 560.a
10 For Exigents & proclamations in Wales and Chester 182.b
11 For repeale of a statute, reuokinge acts of Parliament 425.b
12 For repeale of statutes concerninge Treasons &c. 6.b & 65.a & 73.a & 189.a & 521.b & 233.b
13 For a Subsidie of Tonnage & poundage of merchandize, with confirmacyon of the priuiledges of merchants of the Stilliarde to endure for a certen tyme 502.b
14 That all Chauntries &c. be geuen to the kinge 335.a
15 For a generall pardon 378.a

### The ij. & iij. yere of king Ed. the 6.

1 ¶An act for vniformitie of seruice, & administracion of ỹ Sacrament 462.a
2 For true seruice in Captaines and Souldiers 189.a
3 For Purueiours 412.a
4 For allowances of Sheriffes vppon their accompt 491.a
5 For remitting of fee farmes for 3. yeres 184.b
6 Against exaction of money by any officer for licence to trafficque into Ireland 199.b
7 Against crafty impugne of pentions 376.b
8 For finding offices before Escheators 169.b
9 For true caryings of Leather. 89.a
10 For true makinge of malte 305.b
11 For true tanninge of Leather 82.b
12 For assurance of seales made of the duke of Somersets demeane landes 492.a
13 For true payment of Tithes 515.a
14 Against shooting of hale shoote 107.b
15 For vitaylers, & handycrafts men 29.a
16 For remouing such as haue the custody of Castels & fortresses vpon the borders and beyonde the Seas 60.a
17 For the attainder of Sr William Sharington knight 32.b
18 For the attainder of Sir Thomas Seymour knight 32.b
19 For abstinency from flesshe 237.a
20 For qualifying the sta. of Recusants 194.a
21 For taking away politike lawes against marriage of preists 308.a
22 For colouring customes in other mens names 121.b
23 For repeale of a stat. for precontracts 308.a
24 For trial of murders in seuerall counties 535.a
25 For keping of the county dales 95.b
26 Against carrying of white ashes out of the Realme 613.b
27 Against forging of false gaddes of steele 499.a
28 For fines with proclamation in the county Palantine of Chester 193.b
29 Against Sodomye 188.b
30 For the townes of Rye & Winchelsey, & for casting of Walett into the Chanell 434.a
31 For Chester, touchinge the taking of recognisances 68.a
32 For continuance of certen stat.
33 That no man shal enioy his Clergy which steleth horses 73.a
34 For the Sheriffe of Northumberland to be accompeable for his office as other be 491.a
35 For confirmation of the subsidie of the Clergy 502.b
36 For a relefe graunted to the kinge 502.b
37 For carryinge bell metall out of the realme 50.b
38 For pauing of Calice 374.a
39 A generall pardon 378.a

### The iij. & iiij. yeres of king Ed. the 6.

1 ¶That the Lord Chauncellour, or Lord keeper for the time being, shall name the Custos Rotulorum through all shires in England 123.a
2 For true making of woollen clothes 147.b
3 For employemẽt of cõmons & wast groũds, &c. 2.b
4 For graunces made by patentes out of patents 218.b
5 For punishement of vnlawfull assemblies 436.b
6 For repealing a braunch of an act for buyinge of tanned leather 82.b
7 For repealing of a stat. for taking wildfoule at certaine times of the yere 613.b
8 For continuance of the stat. of Sewers 471.a
9 For buyinge of rawe hydes, & calues skynnes 89.a
10 For puttinge away diuers bookes and Images 48.a
11 That the king may appoint certein persons to peruse & make ecclesiasticall lawes 492.b
12 For ordering ecclesiasticall ministers 46.b
13 For restitution in bloud of Sir william Sharington 32.b
14 For restitution of Mary Seymour, Daughter to Sir Thomas Seymour, knight 32.b
15 Against Phantasticall prophesies 398.b
16 For punishement of vacabonds 541.a
17 For vnlawfull hunting in any Parke &c. 189.a
18 Concerning fee farmes mencioned in the last Session 184.b
19 For buyinge of rother, brasse, & cattell 48.b
20 For repeale of a braunche for vitaylers & handy crafts men 29.a
21 For buying & selling of butter & cheese 57.a
22 For retayning of tourneymen by diuers persons 282.a
23 The repeale of braunches in the last act of relefe for payments of sheepe & clothes, & a subsidye paid in one yere 502.b
24 A generall pardon 378.a

### The v. & vj. yeres of king Ed. the 6.

1 ¶An act for vniformitie of prayer, & administracion of Sacraments 461.b
2 For pronision & relefe for the poore 541.a

3 For keeping of holy dayes, and fasting dayes 237.a
4 Against fightinge and quarellinge in Churches 190.a
5 For maintenance of tillage, & encrease of corne 249.a
6 For true makinge of wollen clothe 151.b
7 For limittinge times to buy & sell woolle 634.a
8 What persons shall weame or make broade wollen clothe 151.b
9 That no person robbing any house &c. shall enioy his Clergie 73.b
10 That such as robbe in one shere, & fly into an other shall not haue their Clergie 73.b
11 For punishement of diuers Treasons 514.b
12 A declaration of a stat. for mariage of preistes 308.a
13 A declaration of a sta. touchinge religious persons 2.a & 319.b
14 Against regrators, forstallers, & engrossers 212.b
15 Against regratours of tanned leather 83.a
16 Against buying and selling of offices 354.b
17 For continuance of certeine statutes 621.a
18 A stat. repealed for bringinge in wynes &c. in straunge bottomes 477.b
19 For exchange of Gold & Siluer 561.b
20 Against vsury 567.b
21 For Tynkers and Pedlers 374.b
22 For putting downe of Gigge mylles 225.b
23 For true stuffing of Featherbeddes &c. 563.b
24 For making of hattes &c. at Norwich and in Norfolke 352.a
25 That Alehouse keepers be bounde by recognisance 9.a
26 For writtes vpon proclamations & Exigents to be current in Lancaster 183.a

## The vij. yere of kinge Ed. the 6.

1 ¶An act for true answerung of the kinges reuennes 418.a
2 For the dissoluing or buriing of certen Courts erected by the late kinge 97.b
3 For confirmation of the kings letters patents of bargaine and sale &c. 372.a
4 That all patentees of collectorships of Tenthes shalbe bound for their collectors 194.a
5 To auoide greate prices of wynes 622.b
6 A sta. reuiued for carryinge golde and siluer out of the Realme 340.b
7 For the assise of fuell 222.a
8 For fullinge & thickning of cappes 230.b
9 For making of white plaine streites, & pynned white streites in Deuon & Cornewall 151.b
10 For amendinge of Hartlyde to Newecastell vpon Tyne 158.b
11 For continuance of certen stat. 514.b
12 For a subsidie & vj. fifteenes & tenthes by the temporaltie 502.b
13 For a subsidie graunted by the Clergie 502.b
14 A generall pardon 378.a

## ¶Statutes made in the time of Queene Marye

### ¶The first yere

1 ¶An act repealing certaine Treasons, Felonies & Premunire 514.b & 189.b
2 The Queene borne in lawfull matrimony, & repealinge all sentences of diuorce to the contrarye 308.b
3 For repeale of certain statutes made in Edw. 6. tyme 413.b
4 Against offendours of Preachers, & other ministers in the Church 464.a
5 For writinges made from the 6. of Iulie, & before the 1 of August 126.a
6 For limitatiō of prescriptiō in certein cases 297.b
7 Against counterfaiting of strange coynes 524.b
8 For proclamations vpon fines 193.b
9 That Sheriffes shal not be Iustices of peace duringe their office 491.a
10 For thincorporation of Phisitions in London 386.a
11 For buildinge, dissoluing and newe erectinge of courts 105.a
12 For sale of hattes & cappes made beyonde the Sea 230.b
13 Against vnlawful assemblies 440.a
14 For continuance of certaine stat. 514.b
15 For reedifyinge of S. Elms in Yorke 560.a
16 For thattaindour of the Duke of Northumberlande & others 32.b
17 For releale of a subsidie of the temporaltie 502.b
18 For a subsidie of tonnage & pondage 502.b

## An other stat. the same first yere.

1 ¶An act that the regall power is in the Queenes maiestie as fully as it hath bene in any her progenitors 413.b
2 For Articles of the Queenes mariage 413.b
3 For repeale of 2. acts, touchinge the dissolution of the Bishopriche of Durham 158.b
4 For establishinge the Lord Stewards office, of her maiesties houshold 499.b
5 For repayringe of Shirborne causey 484.b
6 For repayringe a Cauley betwen Bristowe & Glocester 233.b
7 For clothe makinge in corporate townes 151.b
8 For buying and carryinge of Leather 89.a
9 For Ordinaunces in Churches and Scholes 356.a
10 For repeale of a stat. for buildinge 2. Piers the Churches in Eller 560.a
11 For the sea landes in Glamorgan 471.a
12 For continuation of certaine statutes

## The j. & ij. yeres of kinge P. & Q. Marie.

1 ¶An act touching letters patents, & other writinges to be signed by the Queene 413.b
2 For reformation of exesse in apparell 19.a
3 Against seditious woordes & rumors 347.a
4 For punishement of Egiptians 559.b
5 For restraint of Coyne &c. ouer the Sea 559.b
6 For punishement of Periuries 233.b
7 That Country persons shall not sell diuers wares in Cities &c. by retaile 518.b
8 For repealing al stat. against the See of Roome &c. 455.a & 46.b & 426.a
9 For punishement of traytrous woords against the Queene 524.b
10 Certen offences made treason, & for the gouernement of the K. & Q. ibid. 524.b
11 For punishement for bringinge in counterfait coyne 525.a
12 For impoundinge distresses 234.a
13 An order for Iustices, for baylement of prisoners 304.b
14 For makinge of Russells Sateens &c. in Norwiche 352.a
15 For the liberties of the Lorde Marchers in wales 592.b
16 For contynuance of certayne stat. 632.b
17 For leases to be made by spirituall persons 392.a

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## The ij. & iij. yeres of king P. & Q. Mary.


1 ¶An act for reedifying of Calleis &c. for enclosing grounds vpon the borders towardes Scotlande. 63.b
2 For reedifying of decayed houses, and for encreas of Tillage 253.a
3 For keeping of milch kyne, and rearinge of Calues 59.a
4 For extinguishment of first fruits, and order of spirituall promotions &c. 194.a
5 For relefe for the poore 542.b
6 Against excessiue taking of Purueyors 413.b
7 For buying of stollen horses 187.b
8 For amending highe wayes 234.b
9 For auoyding licences of houses, wherein vnlawfull games be vsed 388.b
10 For examination of prisoners suspected of manslaughter or felony 391.b
11 For weauers 152.b
12 For buying & selling of clothes called Bridgewaters 152.b
13 For the inhabitants of Halifax, for buying of woolles 634.b
14 For reedifying of 4. mills neere Hertford 233.a
15 That Purueyors shal not take victailes within fiue miles of Cambridge and Oxforde 560.b
16 For watermen vpon Thames 366.b
17 For taking away the Clergie from Henry Smyth, for murdering Rufford 73.b
18 For Commissions of peace and gaole deliuerie in Townes corporat not being Counties 274.b
19 For Powdike in marshland 188.b
20 For thenlarging the Duchy of Lancaster. 290.b
21 For continuation of certein stat 631.b
22 For a Subsidie graunted by the Clergie 502.b
23 For a Subsidie graunted by the Temporaltie. 502.b.


## The iiij. & v. yeres of king P. & Q. Mary.


1 ¶An acte for confirmation of letters Patents 374.a.
2 For hauing horse, armour, & weapon 28.a
3 For taking of musters 346.a
4 That accessaries in murder, & diuerse felonies shal not haue their Clergie 73.b
5 For making of woollen clothes 553.a
6 For the behauiour of French men beinge Denizens 126.a
7 For making a full Jurie de Circumstantibus, where the king or Queene is a partie 268.b
8 For punishment of such as take away maidens &c. within xvi. yeres of age &c. 636.a
9 For continuance of certaine stat 632.b
10 For a Subsidie of the Clergie 504.a
11 For a Subsidie & a fifteene graunted by the Temporaltie 504.a


# ¶ Statutes made in the time of Queene Elizabeth.

## ¶ The first yere.


1 ¶An act restoringe to the Crowne the auncient iurisdiction &c. 114.a
2 For vniformitie of Prayer, and administration of the Sacraments 466.a
3 For recognising the Queene to the Crowne 114.b
4 For restitution of first fruits & tenthes &c. to the crowne 196.b
5 Certaine offences made Treason 515.b
6 For explanation of the statut for seditious woordes &c. 338.b
7 For conueying horses into Scotland 244.a
8 For Shoomakers & Curriors 89.a
9 For Tanners and tanned leather 89.a
10 That carrying of leather &c. out of the Realme shalbe felony 83.a
11 Times for landing of marchandise, and for customes of sweete wines 83.a
12 Against deceiptfull dying of linnen cloth 318.a
13 For shipping in English bottomes 298.a
14 For making woollen cloth in diuers Townes in Essex 478.b
15 That no tymber shalbe felled to make coales for burning of Iron 6 & 6 155.a
16 Against rebellious assemblies 440.a
17 For preseruation of spawne, and frye of fishe 200.b
18 For continuance of certaine statutes 626.b
19 For a Subsidie of tonnage & poundage 503.a
20 For a Subsidie & two fifteenes and tenthes graunted by the Temporaltie 504.a


## The v. yere of Queene Elizabeth.


1 ¶An act for thassurance of the Queenes power ouer all states &c. 117.a
2 ¶For maintenance & encreale of Tillage 257.b
3 For relefe of the poore 545.b
4 Orders for Artificers, & labourers &c. 389.a
5 Constitutions for maintenace of the navy. 483.a
6 Against such as shall sell ware for apparell 19.b
7 For auoyding of forreine wares 600.a
8 For Shoomakers &c. vsing cutting of leather. 89.a & 81.a.
9 For punishment of periurie 379.b
10 For seruants imbesilling their maisters goods. 189.b.
11 For clipping &c. of coynes 527.a
12 For Bacgers of Coyne and Vsuers of certaine to be licenced 91.a
13 For amending of highe wayes 235.b
14 Against forging of Euidences &c. 210.b
15 Against fond & phantasticall prophesies 399.a
16 Against Conuiracions &c. 79.b
17 For punishment of Buggerie 189.b
18 That the auctoritie of the Lord keeper, and Lord Chauncellor shalbe one 274.b
19 For repeale of a stat. for conueying horses out of the Realme 244.a
20 For punishment of vagabonds fayning them selues Egyptians 160.a
21 For punishment for vnlawfull taking of fish &c. 208.b.
22 Against carrying of sheepe skinnes and pelts ouer the Sea 318.a
23 For due execution of the writte of Excommunicato capiendo 174.b
24 For repayring of Gaoles 392.a
25 For filling of Juries (de Circumstantibus) in Wales 269.b
25 For inrolling Indentures of recorde at Lancaster &c. 27 For seruing sutes in the Countie palantine of Durham
28 For translating the Byble and diuine seruice into the Welsh tongue
29 For a Subsidie graunted by the Clergye. 504.a.
30 For a Subsidie, two fifteenes and tenthes graunted by the Temporaltie 504.a
31 For a generall Pardon. 378.a


## The viij. yere of Queene Elizabeth.


1 ¶An act for making of Archbishoppes, and Bishoppes to be lawful. 47.a

6 That the defend may recouer his coſts 396.a
7 Againſt carrying ſheepe ouer the ſea aliue 483.a
4 For taking away the Clergie from certeine fe-
lonious offendors 74.a
5 For abridgement of appeales in ſuits of Ciuill
and maſine cauſes 7.b
6 For clothworkers, and clothes to be ſhipped
ouer Sea 155.b
7 For Wrapers in Shrewesbury 156.a
8 For repeale of a braunch of a ſtatut, for the ſta-
ture of hoſles in the Ile of Ely &c. 244.b
9 For repeale of a braunch of a ſtat. for the prices
of barrels and hilderkins 97.b
10 For Bowyers, & the price of bowes 49.a
11 For true making of Mattes & Cappes 231.a
12 For thauinegers fees in Lancaſhire, and for
the meaſure of Cottons &c. 157.a
13 For ſea markes and Mariners 306.b
14 For tranſporting of tawed leather 318.b
15 For preſeruation of grayne 109.b
16 That in diuers Counties there ſhalbe but
one Shrife 491.b
17 For a Subſidie graunted by the Clergie 504.a
18 For a fifteene & tenth graunted by the Tem-
poralitie 504.a
19 For a generall Pardon. 378.a


## ¶The xiij. yere of Queene Elizab.


1 ¶An act whereby certeine offences be made
Treaſon 528.b
2 For bringing in, & putting in execution Bulles
from Rome 456.b
3 For Fugitiues ouer the Sea 224.b
4 To make the lands &c. of Receiuors, liable for
their debts 129.b
5 Againſt fraudulent deedes, giftes, alienations &c.
220. a.
6 That exemplifications of letters patents, ſhalbe
as good as letters patents 229.a
7 For orders for Bankerupts 44.a
8 Againſt vſurie 568.b
9 For Commiſſion for Sewers 472.a
10 Againſt fraudes, defeyting remedies for dila-
pidations 130.a & 292.a
11 For maintenance of nauigation 484.a
12 To reforme diſorders, touching miniſters of
the Church 493.a
13 For encreaſe of Tillage 92.a
14 For bringing bowſtaues into the Realme 49.b
15 That no hoy ſhall croſſe the Sea 484.a
16 For thattainder of the Earle of Weſtmerland,
and the Earle of Northumberland 32.b
17 For the Earle of Leyceſter to founde an Hoſ-
pitall 245.a
18 For bringing of the Riuer of Lee, to the North
ſide of London 295.b
19 For making of Cappes 231.a & 490.b
20 For leaſes of benefices, & other Eccleſiaſti-
call liuinges 231.a
21 That Purueyors may take coyne, & victuails
within fiue miles of Cambridge and Oxforde, in
certeine caſes 561.a
22 For continuance of the ſtatute for diuiſion of
Shirifes 491.a
23 For pauing a ſtreete without Algate 374.a
24 For pauing of Ipſwiche 263.a
25 For continuance of certeine ſtat 626.b & 600.a
& 92.a 212.b & 378.a & 59.a
26 For a Subſidie graunted by the Clergie 504.a
27 For a Subſidie, two fifteenes and tenthes
graunted by the Temporaltie 504.a
28 For a generall Pardon 378.a


## The xiiij. yere of Queene Elizab.


1 ¶An acte for punihment of ſuch as rebelliouſly
detayne any of the Queenes Caſtels &c. 529.a
2 Againſt ſuch as practiſe thenlargement of any
priſoner committed for high Treaſon 189.b & 529.b
3 Againſt counterfayting any forrein coine not
currant within this Realme 340.b
4 For whibiting the carrying of leather, tallow,
&c. out of the Realme 83.a
5 For punihment of vagabonds, and reliefe of
the poore 552.b
6 For explanation of a Statut againſt Fugitiues
ouer the Seas 225.a
7 Againſt deceipt of vndercollectors of tenthes
and Subſidies 129.b
8 For auoyding recoueries ſuffered by collution
by tenants for terme of life &c. 422.a & 423.a
9 That the tenant or defendant may haue a Tales
de circumſtantibus aſwell as the demaund or pl. 269.b
10 To reforme the exceſſiue length of barbes 157.b
11 For continuation, explanation &c. of diuers
ſtatutes 292.b & 293.a
12 For repeale of a ſtat. for Shrewesbury
13 For annexing Heram, & Heramſhire to Nor-
thumberlande. 233.b.


## The xviij. yere of Queene Elizab.


1 ¶An act againſt diminiſhing of the Queenes
coine, & other coines curràt within the realme. 529.b
2 A confirmation aſwel of graunts made to the
Queene, as of letters patentes made by her to o-
thers. 79.a
3 For letting poore people on worke 553.b
4 For auoyding fraudes in certain conueyances
made by the Rebells in the North 221.a
5 To repeale diſorders in common Informers
vpon penal lawes 261.a
6 For Maintenance of the Colledges in both
Vniuerſities, & in Wincheſter & Eaton 561.b
7 For taking away Clergie from thoffendors in
Rape & Burglarie, & an order for deliuering Clerks
conuict without purgation 74.b
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